Paternity Testing and the Biological Determination of Fatherhood

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The introduction, availability, and marketing of a transparent and decisive method for determining genetic connections, while irrefutably solving the issue of biological paternity has posed new challenges about the precise constitution and meaning of fatherhood. This article presents the results of a qualitative study of the experience of paternity testing specifically from the perspective of men who were tested or who were unsure of paternity. It presents data on these men’s own perceptions of fatherhood. What the study found was that, while biology mattered and the testing was important to men, it did not always solve important issues around fathering and nongenetic ties.

Key Words: Paternity Testing; Fatherhood; Nonbiological Paternity; Genetic Technologies; Paternity Fraud; Nongenetic Ties; Biological Essentialism

Genetic technologies in the forms of genetic paternity testing and assisted reproductive technologies have ushered in whole new ways of viewing fatherhood. In particular, the paternity test has provided us with irrefutable proof of biological paternity. In so doing, it has uncovered biological truths about paternity that were previously obfuscated by social arrangements within which the marital presumption arbitrated potential disputation over paternity. Outside of marriage, a woman could name a man as father and, unless he had a different blood group to the child, he was expected at a minimum to take financial responsibility for the child. Socially and morally he was also expected to “do the right thing” by the mother by marrying and making a “good woman” of her. Any ambivalence about paternity was subsumed under “patriarchal beliefs that do not allow for multiple fathers’ (Hertz, 2002, p. 26).1

More recently, in the context of more liberal approaches to sex and partnering, mishaps and denials of paternity have been followed up by governments initially through the use of blood tests that ruled out paternity and later with the definitive
genetic paternity test that accurately identified bio-fathers for child-support purposes. By the mid nineties, however, laboratories began marketing the tests direct-to-the-public and men, usually in the context of relationship breakdown, could check for themselves, for the first time, whether they had been wrongly accused of paternity. A negative test could absolve them of paternal obligation – something that the courts have generally upheld by abrogating their responsibility for child support. The rationale for these decisions has been based on the premise that, if biology is used to define fathers, then testing that uncovers non bio-paternity exonerates men of any financial obligation to the child. What is less clear is how law and policy should deal with the dissolution of social bond between father and child when paternity is formally, legally, and publicly annulled in the interests of relieving fathers of their fiscal responsibility. To date, policy and legal discussion has largely been abstracted from the reality of the lives of men who are tested and are impacted by the results of paternity testing. This article reports the findings from a qualitative study on paternity testing specifically in relation to how fathers think about and live the experience of non bio-paternity, paternity uncertainty, and unwanted paternity. In particular, it reports on how men make sense of their own fatherhood when its hitherto taken-for-granted constituent parts – the biological and the social – do not coincide.

Genetic Technologies and Genetic Essentialism
At the same time that genetic technologies have provided an incisive, clear-cut paternity test for sorting out the intractable problem of knowing for sure about biological paternity, they have also afforded the possibility of attenuating and even severing the biological paternal connection through artificial reproductive technologies (ARTs). New genetic technologies have the “potential to confuse and disrupt our understandings of parenthood” and have thus created new tensions in the law “as to precisely what factor/s should ground the status, rights and responsibilities of fatherhood” (Sheldon, 2005, pp. 349-350). The growth and widespread acceptance of the ART industry has been, in large part, responsible for the contemporary preeminence placed on biological parenting. It tries all possible ways of producing a child that is genetically related to both parents, but in particular the father, with other methods seen to be last resort options. There are powerful commercial interests in the business of producing bio-children and an accompanying discourse that emphasises the importance of biological relationships, even though they sometimes cannot be achieved. The language of reproductive technologies promotes genetic connectedness as preferential to all other relationships, in particular nonbiological and adoptive relationships. Paradoxically, by creating “the possibility for multiple types of fathers (and mothers)”, the legislative framework of ARTs also confounds the meaning of genetic fatherhood by affording social and legal status to some sperm donors and not others (Hertz 2002, p. 26). The social act of intercourse
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gives legal rights and obligations that are unavailable to anonymous sperm donors (pp. 28ff). With ART sperm donors the rearing father's non bio-connectedness is glossed over and subsumed within the extant social relationship. Becoming a non bio-parent in the context of ARTs is legitimated, naturalised and indeed expected, with the bio-father relegated to merely a set of necessary bio-facts.

More broadly still, genetic technologies and the promise of finding, curing, and eradicating disease and its causes have also placed a pervasive new emphasis on biological relationships. Despite most of the promises of genetic medicine being futuristic (Carlson & Stimeling, 2002; Rifkin, 1998; Silver, 1998), there is an increasing imperative to know genetic heritage because, not only is it considered to be essential to future health, but also because it has been equated with “real” or legitimate identity. Widespread essentialist beliefs informed by biomedicine pervade western society leading to the almost universal view that “identity is an inborn, natural and unalterable quality” and, in order to know oneself, one has to also know for sure one’s biological progenitors (Brodwin, 2002, p. 323). Brodwin argued that such knowledge is prioritised over other established “personal, legal, moral and financial” bonds (p. 326). Finkler (2000, p. 151), in her study on adoptees, claimed that “genetic inheritance ideologies” shape beliefs on “true” paternal identity and render other identity information entirely untrustworthy. Nelkin (2005) too asserted that the current revitalisation of essentialist views in relation to paternity testing means that “shared genes are [seen to be] stronger than emotional connections, social commitment, or shared experience”. Similarly, Frame (1999, p. 14) said that contemporary conventional wisdom renders adoptees psychologically unstable and “incomplete” unless they seek and find their “real self” through reunion with bio-parents. His own journey of discovery to trace his birth parents caused him to refute such beliefs. He experienced no connectivity and instead came to the realisation of a self who existed outside of his biological origins; one that was formed within the social relationships of his adoptive family. His own journey uncovered the fiction of biologist assumptions of “wholeness”, the impact of which nevertheless had negative influences throughout his early life.

In this discursive context, adoptive and nonbiological parenting ties have been subverted, in part due to the widespread understanding of the anguish experienced by relinquishing mothers, but perhaps more so through the popular “reductive and deterministic views of the genes’ contribution to a person’s character” (Kaebnick, 2004, p. 52). Although there is no doubt that biology does matter to people in important ways, it is not simply genes alone that make a father, nor is it the genetic connection that ensures that a father will claim his role and become one. Kaebnick, when talking about the disestablishment of paternity through paternity testing, says that biology alone is insufficient to define a father relationship; the causal and biological connection that links insemination to the creation of a living being cannot ensure the formation of the social and emotional relationship of fatherhood:
If parenthood is (like all other human relationships) first and foremost a social and psychological phenomenon — in this case a rearing relationship — then either genetic testing never establishes parenthood at all or it establishes only one biological feature that is commonly part of the social relationship. Or, we might say, it establishes one, narrow, biological kind of parenthood — not a relationship between persons, but one between organisms. However we put it, what establishes the biological and causal relationship can in no way be assumed to establish a personal relationship (and its attendant rights) nor to disestablish a personal relationship (and its attendant responsibilities). (p. 55 original emphases)

Twenty-First Century Parenting Relationships

While the intensification of the biologist paradigm has created new tensions in fatherhood, so also has the twenty-first century postmodern parenting relationship that in a large number of families does not outlast the upbringing of children. Paternity testing usually occurs in the acrimonious context of relationship breakdown — a situation that is already fraught for men as they, because of job commitments and because women generally are the main caregiver, usually become the nonresidential parent. This often leads to an enforced disengagement from their children's lives that is exacerbated by factors such as proximity to children after separation, perception of their ability to influence their child, and satisfaction with being a parent (McKenry, Price, Fine, & Serovich, 1992) as well as day-to-day events such as being excluded from their children's school activities (Baker & Bishop, 2005). For these and other complex reasons, Kruk (1994) found that there was "a marked discontinuity between pre- and post divorce father–child relationships" (p. 15). He found that, contrary to expectations, fathers who were less attached to their children before divorce subsequently found new ways of relating to their children and formed stronger bonds through having dedicated time together with them. Conversely, and in line with previous research, he found that predivorce "highly attached fathers" were less likely to continue their relationships because of "the pain of seeing their children intermittently" (Heatherington et al., as cited in Kruk, 1994). The majority of fathers in the study reported high levels of distress over the loss or potential loss of their children, particularly those who had a high level of predivorce involvement with and attachment to them.

Kanangas and Schlater (2004) found that, in situations in which contact or access was disputed, both fathers and mothers became locked into a position that resisted intervention and solution. However, studies on postdivorce and separation residence and contact/access patterns and problems, make no mention of, and probably do not include, fathers where paternity itself is disputed. Men in this situation are a special subset of fathers whose postseparation parenting patterns with their child have not been studied. The intervention of paternity uncertainty and testing profoundly complicates the postseparation and divorce relationship between parents.

Research on a student sample using a sociobiological framework found that men were more distressed by the idea of partner sexual infidelity than emotional
ininfidelity (Mathes, 2005). Their jealousy was seen to be driven by the desire to ensure that their children were genetically related and an accompanying anxiety about paternity uncertainty. This explanation is consistent with the dominant biologist view in science, medicine, and policy that prioritises and naturalises genetic connections at the expense of social connections. Conversely, Moloney (2002) situated men’s position vis a vis their children to be deeply embedded in masculinity as a sociocultural practice that allows men limited or no emotional expression, particularly in relation to the father-child bond and its termination. Given these two quite oppositional positions, exactly what do fathers, who are found through paternity testing to be or not to be biological fathers themselves, think? How do they understand and deal with the real or potential fragmentation of their status as biological or nonbiological father that is exposed through paternity testing?

**Method**

**Sample and Procedure**

The broader study’s objective was to gain an understanding of the personal and subjective experience of paternity testing. Participants were recruited through a nationwide media release that invited participants to complete a survey, be interviewed, or both. The release received coverage in metropolitan and regional newspapers and radio stations around the country. As well, over 1000 community centres and groups throughout Australia were contacted by telephone, post, and email with information about the study. These included health and legal centres as well as support groups for men, women, and parents. The results reported here are men’s experiences specifically in relation to the intersection of paternity testing with paternity and fatherhood. In the interviews, participants were simply asked to tell their story of paternity testing or paternity uncertainty in their own terms.

The participants of the broader study were a self-selected group of men and women who volunteered to tell about their experience of paternity testing and paternity uncertainty (N=64). Of the 64 interviews, a subset of 26 dealt with stories of fathers; 21 were first-hand accounts (N=21) and 5 were accounts given by current partners or other family members reporting on men’s experience (third-party accounts: N=5). The majority of men had had a paternity test; a small number had not been tested but intended do so because they either suspected their bio-paternity or non bio-paternity. Of those who were tested, there were almost equal numbers found to be the biological and the nonbiological father. Men included for the purpose of this analysis were: men who were unsure of paternity or who have suspicions about paternity; men who were tested for child support purposes; men who were named as fathers but were not in a relationship with the mother; and men who discovered later in the child’s life that they were or suspected they were a father. The majority were in the first two categories.
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The type of testing undertaken included: formal testing where all parties gave their consent; father and child only – commonly referred to as “motherless testing”; and testing by the mother with a third party where the rearing father was left out of testing and the consent process – something that could be referred to as “fatherless testing”. Because of the extremely sensitive nature of these data and the small sample reported here, exact numbers of men in each category and individual pseudonyms have not been used as measures to protect the anonymity and confidentiality of the participants. The study was conducted with the approval of the Swinburne University of Technology Ethics Committee.

Almost all in-depth interviews were conducted by telephone and audio recorded. They were then de-identified, transcribed, and validated. Data were entered into NVivo and independently coded using open coding. The initial stage of the analysis by the author was to group the data by broad category of paternity experience, one of which was “fatherhood and father-child relationships” that formed the basis of this analysis. The data were analysed directly from transcripts using a grounded theory approach (Glaser & Strauss, 1967). Data were subsequently compared with independently matched codes retrieved from the computer-assisted program to ensure reliability.

Because this was a novel study with little being known about the phenomenon, maximum variation sampling was the main goal of the research. This variability enabled the collection, understanding, and presentation of a broad range of experience and views about paternity and paternity testing. The data collected was thus rich and explanatory but many cases were individual and idiosyncratic, making analysis difficult. However, the main theme around ambiguity of meanings associated with paternity, the focus of this analysis, was consistent in men’s accounts. Given the exceptionally complex nature of the issue of paternity for men involved in paternity testing and paternity uncertainty, plausibility, in the context of understandings gained from the broader study and discussions with nonparticipants, was a key analytical criterion for selection and inclusion (Ezzy, 2002).

Results and Discussion

Results are reported under six main headings: men, diversity, and emotional expression; bio-fathers: finding out about bio-paternity and rejecting or claiming fatherhood; non bio-fathers and fatherhood; paternity testing and fatherhood; fathers and parenting; and, fathering, biologism, and bonds with children.

Men, Diversity, and Emotional Expression

Contrary to the discourse put forward by men’s rights activists and perpetuated by media accounts (Nelkin 2005; Turney, 2004; Turney et al., 2003) there was not one single, straightforward story that defined men’s experience around paternity, paternity testing, and nonpaternity. Rather, the accounts men gave were individual and diverse.
The disparate nature of the data was compounded by the fact that men were at different stages of the process – from being a story well into the past that had left permanent scars, to recent cases where the pain and hurt were new and raw. In the process of data collection, men expressed their concerns around section 22 of the Family Law Act and their anxiety about risking what access and parenting arrangements that they currently had by making their case public. Hence some men, despite engaging in a discussion about their own case, (understandably) declined to participate in the study on these grounds. Those who agreed to participate were given assurances that their material would be not used as a case study or in any way that would identify them.

There is a lot at stake for men in revealing these accounts – not the least of which is the emotion associated with telling – something men found difficult to deal with and express. Moloney (2002) has suggested that on average, Australian men have a more limited vocabulary of emotional expression than women. For many of these men, anger dominated their accounts. Thus it became evident in the subtext of their stories that this, coupled with an inability to articulate their frustration, seemed to be one cause for court orders against them. It also appeared to prevent them from open and candid discussion with their ex-partner and most tragically from being able to engage in a relationship with their children. For quite a number of men, despite prompting, there was little or no discussion about their relationship with their child or children. Instead, they used the rhetoric of men’s rights activists to express their feelings about their situations in the broad terms of the discourse of “paternity fraud” (see Turney, 2004), the failings of the Family Court, and women having it all their way (see also Turney et al., 2003). These are similar grievances to what Kaganas and Schlater (2004) found to be expressed by both women and men in their study of contact disputes.

Bio-Fathers: Finding out about Bio-paternity and Rejecting or Claiming Fatherhood
Knowledge about genetic connectedness alone did not ensure that a bio-father would claim his role. All but one of the participants who were tested for child-support purposes and found to be bio-fathers rejected fatherhood outright. In the absence of any real relationship with the mother, and where men were named as the father after a “one-off thing”, a single sexual encounter, any sense of connection to the child was either nonexistent or tenuous. The child was simply seen as a “debt”, a monetary burden, and a millstone around the man’s neck:

I haven’t spoken to [the mother]. Like all she wants is money and that’s it... I’ve got to pay for this kid that I don’t even see for the next, probably 16 years from now. (Bio-father)

I just feel angry that I never had any choice in the decision of having a child and [am] just forced to pay money... It’s quite frustrating that over the years I’ll be paying... a lot of money. (Bio-father)
This is not to say that these men did not feel "guilty" about the child and concerned for its welfare, but their main feeling was about being trapped in a situation they did not want to be in and over which they had no control. They felt overwhelmed by the monetary burden which resulted from a single mistake, something that was "a really big thing", the financial impact of which ended up ruining their lives. One man described his experience of getting a positive test result to be like being hit by "a bomb – like going straight down". The paternity test, undertaken for child-support purposes, had damned these men to an ongoing 18-year punishment from which there was no reprieve. They reported the impact on relationships with wives or girlfriends that sometimes ended, being "unable to buy a house", paying "almost enough for a house" in child support, having to "work regular overtime... to take home a standard pay", and being so "stressed" and overwrought that they were "ready to end [their] life over it". To the men whose focus was on the cost incurred through inadvertently fathering a child, biological connections and being father to the child seemed to matter little or not at all:

I went along to a park and [met the mother] because I only knew her once; you know, it was only a one-night thing. And I met her there and I met the kid, and I felt really uncomfortable, really uncomfortable like — I wouldn't want to go through that again... I just didn't know these people... I just don't really know what I'm doing here. I don't know what to do. I don't know whether to go play with the kid or not. I didn't feel close, you know like, it's not like you and your girlfriend having a kid. It's different because you don't know this person either. You don't know your kid — you know, you didn't grow up sort of holding him when he was born and he's walking and playing along and that. All I could see was that he had the same eyes, pretty well. I didn't really feel any connection. (Bio-father)

In contrast, men who had been absolved of their responsibility for an unplanned pregnancy by the mother who had not told them about it at all were upset about missing out entirely on the opportunity to have some "involvement in [the child's] upbringing" and "life". These men, despite having some inkling about their possible bio-paternity, reported finding out about it when the child was an adult. They typically knew the woman as a friend, acquaintance, and sometime lover and, with hindsight, would have liked to have been involved in the child's life in some capacity. These men talked about being "perplexed" by the woman's decision to keep this information from them, stating that people did not fully understand that "lots of men have paternal instincts" and also "want to have a child". At belatedly discovering his paternity, one man talked about it being a "tremendous loss... like somebody died [and came back to] life again". The loss seemed to be both in not being told about the child and in not having formed any relationship that bonded them:

Well, I have to say that it's been a revelation really. I've found it really exciting to have found out that I've got a son. And it's confirmed something for me that there was a kind of doubt in my mind over the years which I kept suppressing. And when it happened, when I found out that he was my son, I was just really, really excited... I was [also] sad because I'd missed out on my son's life. [And] angry because it felt like, you know, something had been kept from me... I've got a
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daughter [and] I know the process of being a father. I know what it's like to go through pregnancy and the birth of a child [and the] first years of a child going to school. All these things have been denied. (Bio-father)

It was for these men that physical similarities to themselves or to other family members, in the form of facial features, skin, hair and eye colouring, gait, and stature, were factors of importance and were the focus of their discussion about the adult child. These facts of biological inheritance, in the absence of a social relationship, seemed to link them more clearly than did other traits. As for feelings of bio-connectedness, they reported a range of emotions:

I've got a whole set of photos of [my son]. I see family connections in the physical appearance but I don't feel it. I don't feel it in my bones. I actually met [him] once or twice during his life because I've been [an] acquaintance of his mother. But I didn't kind of go like: “Wow he looks like me” or feel some connection... So it's a real mixture of feelings around it. (Bio-father)

In summary, bio-fathers who had little or no meaningful relationship with the mother were unlikely to feel any real bond with the child at all, seeing their enforced involvement primarily as a monetary burden. They said nothing to indicate any paternal feelings for the child and clearly disassociated themselves from being or wanting to be a father to the child. In contrast, those bio-fathers who were excluded by the mother from claiming paternity, but who had some sort of prior relationship with the mother were upset at their elimination from the lives of a child they had fathered. While the latter group of bio-fathers dwelt on the physical similarities and wanted the bio-connections to be meaningful, the former group repudiated these evidences of connection. In fact, where there were obvious conflicting physical traits, such as skin, hair and eye colour, the lack of physical likeness for some men caused them to question the accuracy of the test results and, by implication, any genetic connectedness to the child.

Non Bio-Fathers: Paternity Testing and Fatherhood
Consistent with the dominant view of testing as a means of finding out about “paternity fraud”, most men reported that they had a test because it was able to “expose” the mother’s “deceit” and get to “the truth”. The only dissenting report where it was claimed to be wrong was if it was actively “used to displace fathers who share an established, developed bond” with their child with the purpose of excising him from the child's life. All men strongly believed that testing and open access to it was “a positive thing” and that it was their “right” to find out about paternity through individual testing without the consent of the mother. The main reasons they gave for testing were that it gave them “the ability to live” and enabled them “to stop paying maintenance” for the child and “let the real fella... take over”; that “it is in the child's best interest”, that it is “the right” of the child “to know
[their] biological father”; or, that it was about their own “peace of mind”, so they
“wouldn’t spend the rest of [their] life wondering”. They asserted that it “made no
difference in the long run”, but they needed to be “100% sure” of their bio-paternal
status. They all report testing to be a significant event having enduring effects:

Yeah well it’s made some huge changes for me because otherwise I would have been in limbo
and not knowing, not ever knowing, and that’s terrible, that can ruin your life, you know,
having stuff like that on your mind. (Non bio-father)

I needed to conduct the first test secretly (without anyone knowing) because, had the result
been positive, then I would have happily continued to pay maintenance and done nothing
further. Likewise the child would never have known (which is a most important consideration).
Sadly, that was not to be. I was then placed in the unfortunate position of having to repeat the
test... The results ruined my life, when my ex-wife then ordered the child never to call me
"Dad" again. And worse still, she is never allowed to see me again... I still think of [her] as my
daughter. (Non bio-father)

The men who were subsequently found not to be bio-fathers expressed their
emotion as anger about being misled into believing they were father to a child that
ultimately was not their own biological child. While some men had suspicions all
along about not being bio-fathers, to others finding out was a complete shock. At
finding out about their non bio-paternity, these men reported being “absolutely
devastated”, “angry”, “shocked”, “shattered”, “lost”, “just floored”, and experiencing
“disbelief” about the horrible reality of such a revelation:

I had a test done, the results came back negative which blew me away and I then had to deal
with that. That’s particularly hard to discover that someone you thought was yours isn’t yours...
So it was very, very hard to come to terms with that. (Non bio-father)

Most men in this situation saw a negative test result as an absolution from
their fiscal obligation to the child and a total negation of their status and role as
father to the child. Non bio-paternity was equated with being a nonfather and was
considered to be a natural outcome of a negative result and a consequent hardship
they just had to bear. So, on the one hand, biology for them was everything, because
it was the key to cessation of child-support payments to the mother. The test had
uncovered a truth about her that in some way morally vindicated them from their
paternal responsibilities and, in material terms, released them from an ongoing
financial “life sentence” that was impacting on their current life, families, or both.
On the other hand, biology turned out to be irrelevant when it came to the immense
loss these men had experienced from a terminal separation from their children
with whom they had formed strong emotional and social bonds. This complication
and the distress they felt seemed to be an unexpected and unwanted consequence
of paternity testing; but they were all adamant about the value of paternity testing,
its ability to get to the truth, and the need for men’s open access to it.
Fathers and Parenting

Consistent with the data from the accounts of both biological and non bio-fathers, a main factor in what seemed to make the difference between whether the man initially accepted the role of father was whether he had a connection with the mother at conception, during pregnancy, and at the time of the birth. In the reports men gave, it was through their association with the mother that a relationship with (or ownership of) the embryonic child was mediated. While being a mother is an embodied experience, with the idea of parenting deeply embedded in the materiality of pregnancy and birthing, being a father before the child’s birth could be seen as an anticipatory or imagined state. Thus, in conceptually accepting the mantle of paternity, and despite their often later desire to disassociate from the mother after separation, the men who were in a relationship or marriage actively took on the paternal role initially through their involvement with the mother during the pregnancy and birth. There was no difference by biological connection in the ways in which the men who had embraced their paternal role and bonded with the child spoke about the import and experience of witnessing the birth of their child.

In particular, those who had formed a strong bond with the child usually started their accounts of their relationship by talking about their involvement in the birth, of being there in the “birthing suite” or “delivery room” and experiencing the momentous event:

There was something absolutely magical that occurred in the delivery room. I absolutely fell in love with this baby. And that I think it’s very important for men... to be in there at the delivery because I think it’s a wonderful start to a lifelong bonding process. (Non bio-father)

The first time you hold that child is when you have that instant bond because you’ve got this little bundle of person in your arms you think: “God this is just fantastic”. I mean nothing describes that... it’s the same feeling [that a woman has]. I mean this is just a little person, you know... you get that instant bond off, with that child and you think: “this is just great”. And it really was... and then you’ll battle through what you have to battle through; no matter what your circumstances are you ought to be a part of that child’s life. And, and you’ll do whatever you have to do to do that. (Non bio-father)

I held my little girl in my arms before she was even 4 minutes old and her little eyes opened up and [it] was the most overwhelming thing that has ever happened in my entire life. And you can explain it until you go blue in the face, but it’s something you have to absolutely experience to understand just the immensity of it all. It was just the most incredible experience I’ve ever had. (Bio-father, whose ex-partner had claimed he was not)

For these “new age” men who were prepared for active parenting, the emotion they felt transcended any biological connection. Some argued that it was not about having “created” or “owning” a child, or it being his “flesh and blood”. Those men who had strong relationships with their children talked about coparenting and close involvement in the life of the child because the process of “bonding... takes
place as a result of daily connection going on for years”. In effect, while the mother mediated the relationship with the child through the anticipatory or imagined paternity phase, once the child was born, the father’s active involvement in the day-to-day mundane tasks of child care and child-rearing formed strong and unbreakable bonds of connection between them in the process.

In contrast, for traditional fathers who left child care and responsibility for child-rearing largely to the mother, their relationship to their child continued to be mediated through the mother; it had no independent form, it was part of an entire package: the family. So, when the relationship broke down, rather than focus on the child, they became locked into the betrayal and deception of the mother over their nonpaternity. Since the mother was integral to their connection with the child, they were unable to separate the two different relationships, because one was dependent on the other. As traditional fathers and as heads of the family, there was also an enormous loss of face, a “status degradation” (Garfinkel, 1956) from father and head of household to nonfather and nonentity, both within the family and more publicly within the community:

“It’s unfair on the child after he sees his father fall down and cry, you know. It ends in tears. You know it makes it too hard on the child; so I said forget it. (Non bio-father)

Contrary to Kruk (1994), who found that traditional fathers in fact formed better relationships with their child after separation, these men who were tested and found to be non bio-fathers ceased all relationship with their child. It was, however, something they found difficult to articulate. The hurt at loss of contact with their child was deeply felt; their relationship with both the mother and their child was irreparably damaged through the process of relationship breakdown, subsequent paternity testing, and parental contests over infidelity and immorality. It would be wrong to assume that the traditional fathers did not have a strong “emotional investment in and attachment to their children… despite varying rates of actual participation in childcare and childrearing tasks” as Kruk (p. 19) found. But the interjection of the paternity test meant that things were irreversibly altered and relationships terminated. This was also the case for many of the men who had embraced fatherhood and who had previous independent and meaningful bonds with their child. They too were deeply emotionally affected by the sudden truncation of the father–child bond:

“My relationship with my daughter is dead as a dodo. (Bio-father)

My daughter’s lost to me completely. All my side of her family has been ripped out, ripped away from her. (Bio-father)

There is a child out there who loves me and was ripped away from me… I miss him every day. I brought him up from a baby and she ripped him off. (Non bio-father)

I still love that child. I still want that child in my life. (Non bio-father)
On the one hand, paternity testing and the subsequent disintegration of the relationship with the mother over matters of sexuality, infidelity, and deceit meant that the right of contact was contested by her and implied by the legal decision to suspend child-support payments. But on the other, these men acceded to the view that a negative paternity test meant the end of their role as father to the child. They accepted that they had no right of contact. They believed that they should move forward and put it all behind them.

Fathering, Biologism, and Bonds With Children

Despite the development of strong bonds with their child and the protestations that testing changed nothing, that nonpaternity did not “change the depth of love” they have for their child, the majority of fathers nevertheless stressed the importance of biology, which mattered to them in quite fundamental ways. They reported “a huge difference” between being a biological father and a social father; that testing negative for paternity brought about “a status change”. The biological connection of a father to his child was described as being primal; it was considered to be an inherently natural “need to reproduce our own” with knowledge that “it’s your blood and it’s actually your creation” being hardwired. However, men’s expressions of the importance of biology were at odds with the bonds of affection they felt for their child. When talking of their love for the child they contradictorily made statements about “biology having nothing to do with it”. One man said that the fact of no biological connection “never, never changed the relationship between myself and the child; that’s totally irrelevant”. But the fact is, it did. This man and most others did not see their child again despite wanting to.

In order to conceptually deal with this anomaly, men recast the connection in other terms by talking about the tie that bound them to their child as something other than biological. They expressed this as having a “spiritual connection” with or being the child’s “psychological father”. The deep confusion over bio-paternity and fatherhood was expressed by one man who said: “I still consider her to be my child, but not my biological daughter”. The new non bio-status was spoken about as akin to being a “step-father” as in “adoption”, but it was something that now relegated them to an inferior paternal status; one that brought with it no right of access or contact:

The tests showed that he wasn’t my son and I just had to move on from that point. That was really difficult because I obviously still loved the boy, there’s no doubt there… but it’s not about how much you love the child or whether you feel that you’ve not done a good job in bringing [him up]. But it is different when you do find out that they are not your biological child… this is the first time I’ve ever thought of it. It must go back to the days when we were hunters or, you know, back to the Neanderthal man or whatever and that we needed to reproduce our own… But to me, I’ve got a spiritual connection with the lad and he’ll always know that I’ve always loved him and never thought anything but that. (Non bio-father)
At the loss of their child subsequent to finding out about their non biopaternity, men reported the pain to be “like cutting off your right hand or an arm... it’s like a part of you you’ve lost” or “like losing somebody in a death”, when “all of a sudden it’s taken away from you, just in one cold snap”. Further to this, some men reported the charge of nonpaternity in and of itself to be an extraordinarily “potent statement”, one that is emasculating, “paralysing”, and immobilizing, as it prevents the father pursuing contact with his child or children because he believes he has no right to do so. Even those fathers who had long periods of involvement in rearing the child, the power of the biological fact of nonpaternity, whether actual or claimed, led them to believe that they had no right to assert any claim to continue fathering the child:

It was put to me [by the mother] that it would be better if I just left the little one alone and had nothing to do with her. So that was very hard. I didn’t particularly like that. But I thought about it long and hard and I thought well I’ve really got no right to say that she is my child now. (Non bio-father)

I thought to myself who are you to come and disturb the thing now? You’ve paid no money; you haven’t [had any involvement]. But that was made that way by [the mother]. She just cut me off. (Suspected bio-paternity)

The termination of the father-child relationship subsequent to paternity testing sometimes occurred on the part of the child as well. In several cases, men or new partners reported older children “not wanting to have anything to do with [the father]”, even refusing to respond to telephone calls:

Later on down the track when the DNA test was finally done and he found out that I wasn’t his father, the reaction on his part was quite severe too because he stopped seeing me. (Non bio-father)

While fathers and their new partners interpret this as the mother “influencing”, “brainwashing”, or “poisoning” the mind of the child, or the child being “afraid of upsetting his mother”, it may equally be because the child is hurt by what is inferred by the father taking a paternity test and the accompanying challenge to identity that the resultant (knowledge) conveys. It might also be because of what testing and the results of the tests say by implication about the child’s mother and primary caregiver, especially with regard to degrading accusations and allegations about relationships around the child’s own conception.

As articulated by Frame (1999) in his account of adoption, some of the men who had been separated from their children lived with the idea of a “happy reunion” with them later in life. These men consoled themselves with the promise of a future reunion and vindication where the child would seek them out and discover the truth about what had happened between the parents. In part, this included a desire for exoneration from the guilt associated with abandonment of the child whom they loved:
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My own gut feeling is when she’s older, whenever that may be, 14, 15, who knows? All of a sudden there’s going to be a knock at the door one day and she’ll come in, I’m sure of it. You know, to see what happened and try and find out what really happened. And I’ve documented everything extremely well... and all of it’s there for her to peruse if she so desires when she’s older to find out the truth about what happened. (Non bio-father)

I just think that one day maybe when he matures... hopefully at a later date when he has his own children, he may just go back and look at things retrospectively and think about the things that I actually did say to him and do for him. And that’s why it doesn’t bother me now because I know in my heart I did everything I possibly could to try and be just the normal good dad. (Non bio-father)

Despite this, the “sheer grief” of losing a child through a negative paternity test, or indeed even the claim of non bio-paternity, where the mother absconded “severing the relationship” with the child, was something that those who experienced it lived with every day of their lives. The emotion they expressed was not dissimilar to that articulated by relinquishing mothers in adoption cases. Furthermore, in these situations, fathers felt that the child might derive consolation from knowing that the separation was nonconsensual on their part:

It could be really important for him to really hear that I have bloody missed him like hell; which is the truth of it. (Bio-father, told he was not the father)

In summary, for most men in the study, biological ties were prioritised over their social or “rearing” (Murray, 2005) relationship with their child. The most frequent outcome of the challenges to paternity was that the fathers either lost or relinquished custody and subsequent contact with their child. Legally, but not emotionally, they became nonfathers after having been actively involved in the child’s life. Despite these fathers’ involvement, sometimes over many years, their status as father was annulled by current understandings of the fundamental importance of biology to being a father, current associated policy, and ultimately by themselves. This essentialist understanding overlooks the complexities for men associated with the sudden fragmentation of fatherhood within which their rearing contribution is negated. So powerful is the dominant biologist discourse that their ambivalent responses subsequent to a negative test are silenced.

Men Who Placed Less Emphasis on the Biological Result of the Test
In stark contrast to the above scenarios, in a small number of cases where the fathers had established a “life” and “relationship” with the child that was “always independent” of the mother, they were able to continue their parenting role as father to the child, despite difficulties in some instances. These men were able to separate out the anger and contestations the adults were engaged in over sex, lies, and infidelity from their relationship with the child. They were honest with the child about their non bio-paternity, but remained unprepared to relinquish their paternal role:

Lyn Turney

My ex-wife's attitude is that... the father-child relationship is somehow disposable... [She said that the child] preferred her new de-facto to me. Her attitude is that any old man will do as a father. Fathers come, fathers go. (Non bio-father)

Clearly, this man and others were not willing to concede this to be the case. In order to continue their paternal relationship, they had to shield the child from the vitriol between parents and adopt a businesslike partnership with the mother over access, something Smyth and his colleagues in their study of custody arrangement found was crucial to the success of continued parenting after separation (Smyth, Caruana, & Ferro, 2004). These men also managed to focus their anger, not so much on the sexual infidelity (which involved the nature of the child's own conception), but the failure of the mother to understand the deep hurt she had caused to everyone's life through her omission of truth or lie about bio-paternity. Being named as father to a child who was not biologically theirs had caused a profound alteration to their lives, both at the initial and later revelation. They also wanted the child to ultimately know the truth about how they felt — but not now when it might affect the mother-child relationship, something that this group of men respected, despite their own negative feelings towards the mother:

I would like [the mother] to tell [the child] the whole truth... she may not be able to tell him because her relationship with [him] may be irreparable... I would love him to know the kind of choices I made for him. I mean, it's just about him understanding me and my past. I wouldn't want him to have a bad relationship with his mother; what she did, she did for him I guess, but there were consequences... Maybe there'll be a time when we will talk as adults about another layer to the [story], my background with all of this. He doesn't know how hard that was [and] he certainly doesn't need to. All he needs to know is that he's loved and he has been since he was born. I hope he asks me questions about all [of that] but I probably won't prompt that, you know, till he wants to know more. (Non bio-father)

These men also had to be clear about the constitutive elements of their relationship with their child and to accept and assert the need for the continuation of their role as father both for themselves and their child. Part of this was to rationalise beyond the biological and focus on who the child was and the importance of the established relationship between them. For these men, the father-child bond had superseded and transcended the genetic. One man put this in a novel way by arguing quite strongly that, if his child were "bio-related" to him, she would be a different person from the one he knew and loved and he was not so arrogant to think that she would be any better if she shared his genes:

I just like her as she is... I wouldn't have my daughter any other way. I mean, I don't think you could get a clearer indication that, for me, biology does not matter one iota. Because if [she] were genetically connected to me, she'd be different to what she is now. (Non bio-father)
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So for these men too, as non bio-fathers, biology was ultimately nothing. But taking this pathway was not easy. While they themselves remained clear about their role as father to their child, there always remained potential threats to their status. The relationships remained contingent either on the goodwill of the mother or the vagaries of discretionary judicial decisions that often fail to recognise a "developed relationship" between a rearing father and his child. It also rested on the father being able to negotiate the child's needs and understandings around paternity in a social context that negates, or at least renders inferior, the status of an adoptive or nonbiological father.

Discussion

Biology as Everything or Nothing

For the men caught up in contestations over paternity, biology is both everything and nothing. It meant everything for the men who were found to be biological fathers through a chance sexual encounter that resulted in a pregnancy, because a bio-connection with the child is what caught them out and sentenced them to an ongoing financial penalty. It also meant nothing because it did not make them feel the bonds a father should feel. Correspondingly, and at the other end of the spectrum, biology meant nothing to the small group of non bio-fathers who had strong and independent father-child bonds and who steadfastly retained their fathering role. Non bio-connection did, however, leave them vulnerable to the vagaries of attitudinal change and potential challenges from various interests to their right to continue parenting.

For most men who were found not to be the biological father, biology meant both everything and nothing. Everything because they were exonerated of child-support payments, able to more easily support their new families, and in some measure were vindicated from the self-blame and guilt they felt from leaving their child by shifting entire causation to the mother. On the other hand, biology meant nothing because it did not change the way they felt about their child; it did not resolve the emotion, loss, and trauma of separation. For non bio-fathers, the absence of a bio-connection was responsible for their permanent separation from the child they loved. It was for these men that there was a deep confusion and ambivalence about their fatherhood status. The negative paternity test effectively redefined them as ex-fathers, as "biological strangers" positionally relegated "outside the family, despite [their] long-standing emotional and social commitment" to their child (Nelkin, 2005, p. 7). Because of the absence of a biological connection, these fathers were "forced to 'de-bond'" from their child and relinquish their fatherhood (2005, p. 7). But, while a negative test may have served some important interests, it did not break the already established father-child bond or stop the pain of separation, something that these men reported living with every day.

Implications for Practice and Policy
While there is little doubt that men have a right to know about their bio-status in relation to paternity, they are seriously constrained by what they can do with such information both legislatively and socioculturally. Legislatively, they can be absolved of their fiscal responsibility to their child. But that comes with unexpected and devastating costs for some men, because there is currently no recognition of, much less protection for, their continued fatherhood. As Kaebnick (2004) argued and the results of this study showed, biology does not either establish or disestablish the intense personal relationship of fatherhood. It would seem then that an established father-child relationship needs to be clearly acknowledged and protected in law, something argued quite convincingly by Hirczy (1995). If the law can define donor inseminators as nonfathers despite the biological connection and endorse nongenetic fatherhood for ART recipients, then father-child bonds, even in the absence of a genetic link, should be able to be claimed and protected. This of course, contrary to Hirczy, could only be achieved in a discursive and practical context that did not incite retributive anger against mothers, thereby destroying the potentiality for a negotiated access or coparenting arrangement.

Whatever the case, genetic technologies and their over-emphasis on the importance of genes and genetic connections have opened Pandora’s Box, creating major conflicts when biology and social arrangements fail to coincide. The contemporary preeminence placed on the genetic is essentially a radical redefinition of personhood and relations between people. It therefore requires a fundamental change in the way we as a society respond to the challenges associated with the anomalies uncovered through the widespread use of genetic technologies such as paternity testing. Of course, such ambiguities are embedded in sociocultural ways of knowing the world. For example, there remains no language to describe the fathers at the centre of negative paternity tests in anything other than in qualified or negative terms. To call them “social fathers” or “non bio-fathers” is to somehow diminish their status and relegate them to inferior, socially-devalued roles. It leaves them with no rights and reinforces a belief that they cannot claim continued fathering of their child. In contrast, bio-fathers who want nothing to do with the child and who do not know them are still referred to as “the father”, the “natural” father or the “real” father. The importance of the bio-connection is embedded in our language such that the very act of insemination that results in conception is referred to as “fathering” or “to father” a child, while correspondingly, where biology is taken-for-granted, the verb “mothering” or “to mother” connotes a social act (Scott-Jones, 2005). Hypothetically then these bio-fathers, with a relationship not between persons but between organisms (Kaebnick, 2004), could at any time make a claim to paternal rights in a way non bio-fathers who are bonded to their child currently cannot.
In effect, genetic paternity testing and indeed other genetic technologies, in their transparent and objective intrusion into family relationships, have revolutionised how we know about blood ties and patterns of hereditary. What has been revealed is a historical model of fathering that has been based on a fictive biology comprised of blood and social kinship that has now been radically exposed by the omnipotent technology of the gene. The old fictive model is collapsing under the imperatives of a new model that, in its clinical absoluteness, identifies and defines fathers with certainty but, at the same time, allows no space for human frailty, human emotion, or established social bonds.

It would be erroneous to blame biotechnology alone for these fundamental changes. The uptake of genetic paternity testing has occurred within a social context of liberal sexuality and serial monogamy within which partnering relationships are more equivocal and tenuous than they previously were. Arguably, uncertain paternity (in some instances) and the enthusiastic uptake of an authoritative paternity test are inevitable consequences of these social trends. Additionally, sections of the media have perpetuated the biological imperative through their coverage of stories about infidelity and nonpaternity, thus serving the interests of audiences obsessed with a voyeuristic and intense curiosity about the intimate and domestic affairs of others (Anderlik & Rothstein, 2002).

In defining fatherhood, the new biologism is further driven by the broader agenda of men's (re)activism (to) around family policy. More specifically, the misinformation conveyed by men's rights activists, whose rhetoric promises that a negative paternity test will provide a clear cut solution to all the problems of relationship breakdown and mandated child-support payments, builds on the biological reductionist paradigm which ultimately undermines the important act of fathering. Such rhetoric does not allow for the existence, much less the protection, of developed emotional bonds between father and child that cannot be so easily extinguished.

The stories of men's experience presented here were in many cases complicated by their inability to articulate their emotions and feelings about their relationships with their children. Hence, many resorted to the well rehearsed statements associated with the discourse of "paternity fraud" that became the vehicle by which they were able to express their hurt and vent their emotions; it helped them to direct their anger in a particular manner. But it was not helpful in locating the real source of their emotions, which were clearly associated with the loss of their child. In a society where fathers are encouraged to parent on egalitarian terms, men would be better served by advocates who were more attuned to the real needs of fathers caught up in situations of non bio-paternity and paternity uncertainty.
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References


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Endnotes

1 This is contrary to some cultures, such as the Bari in South America, that traditionally believed that it was possible to have more than one biological father: the main one being the husband and the other/s being secondary father who had recognised obligations to the child (Beckerman et al., 1998).

2 This division between social father (pater) and biological father (genitor) is recognised in all cultures (Radcliffe-Brown as cited in Beckerman et al., 1998).

3 Murray (2005) distinguished between "genetic" and "rearing" fathers; the latter seems to encapsulate the father-child relationship.

4 Several men's groups refused to circulate information about the study to their members.

5 A small number of face-to-face interviews were conducted. Most participants preferred the anonymity and convenience of telephone interviews.

6 Section 121 of the Family Law Act, in the interests of children, forbids the speaking out publicly of any matter before the Family Court or about any decisions made by it. From my reading, this ban does not preclude anonymous and confidential research. Some men nonetheless cited Section 121 as a reason for their nonparticipation, either because they were unconvinced of immunity or otherwise they wanted to make a political statement about their silencing.

7 Men whose experience is reported here are men who trusted me to tell their story. Given the gendered nature of the politics associated with paternity testing, I accept and respect this trust.