FACULTY OF ARCHITECTURE

This thesis is in the form which has been accepted for the award of the degree.
WOMEN AND MARRIAGE: THE HOUSING CONSEQUENCES OF OPTING OUT

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ABSTRACT

This thesis reviews the housing-related implications of separation and divorce for women. It argues that the housing circumstances must be placed within a broader perspective of the social and economic consequences and ideological environment surrounding divorce. In the same way, operation of the housing system must be placed within a wider context, particularly in relation to the degree of change in its operational environment within the last 20 years.

The thesis finds that the circumstances surrounding leaving a marriage are personally traumatic, and lead to a period of economic, housing and personal crisis. Over time, although the tendency is for establishment of re-equilibrium, considerable disadvantages prevail for women. The quickest method of establishing re-equilibrium for women is to repartner.
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PROVIDING A CONTEXT

"Research is historically located both in terms of the questions it asks and the way it asks them." (McRobbie, 1982, p.49)

INTRODUCTION

The study of housing issues as they pertain to women is at an early stage in Australia. This represents a confluence of a lack of gender awareness in urban studies and particularly in the planning literature, and a wider tendency for housing theory, particularly historically, to focus on economic and finance issues rather than social aspects. (Jones, 1985, p.24)

Underlying this thesis is the contention that academics, practicing planners, architects and policy-makers should be aware of the influence of gender—its effect on labour force participation, access to services and power within the urban environment—and to other axes of diversity within society. More widely, policy should be cognizant of the influence of factors such as gender. Although this thesis does not have an explicit policy focus, many of the findings are of relevance to policy formulation in the areas of housing and labour market programs, Family Law and social security reform.

The wider role of housing as a far-reaching arbiter of status and physical access also needs to be recognised. Given the traditional policy and institutional view of housing as obtainable through a male wage and supported by a sexual division of labour, with women's labour maintaining both the dwelling and the household¹, gender issues are tied inextricably to the social relations of housing and issues of access and affordability. If housing is thought of as available

¹. the central argument of feminist analysis of housing, as discussed in Chapter 1.
to women through couple relationships, and primarily marriage. What are the implications of leaving a marriage?²

Recent change in the social, economic, and political contexts in which housing is provided and the way in which the housing market operates in Australia has led generally to a questioning of the process and ideologies of housing provision, as well as the functionality and appropriateness of the resulting urban environment³. Increasingly, the need for examination of the housing system within a wider social, demographic and economic context and policy framework has been argued. (NHS, 1991(b), p.20)

Like the housing system, changes in the institution and ideology of marriage have occurred in recent years, as have labour market practices and patterns of participation and the regulatory framework of Family Law. All of these changes will affect the housing situation of women after separation and divorce.

Although the title of this thesis may imply an interest restricted to women's circumstances after the legal termination of marriage, in fact the process of separation and divorce is much more complex and lengthy, and the consequences varied. It seems, particularly related to housing and the economic consequences of divorce, that many of the cliches regarding women are grossly misplaced. Such cliches arise because of the emotive and stressful nature of divorce for the individuals involved, the adversarial nature of the legal process and ambivalence in society towards the role of women who leave the institution of marriage. These emotive issues, and the consequences for individual women vary over time comprise a context for their access to adequate and affordable housing.

² or being forced out of the marriage in the case of domestic violence.
³ Burke and Haywood claim that since recognition of a rapidly deteriorating housing system a decade ago in the academic arena, housing outcomes have continued to decline at an alarming rate. (1992, p.190) They link what they see as a chaotic policy response to the "selective, disembodied and ahistorical" nature of analysis of elements of the housing system.
These issues will be interwoven with an analysis of the sociology and demography of divorce and the housing implications of divorce for women.

This chapter, in outlining some recent changes which constitute a contextual shift for housing studies in Australia, sets the scene for the following analysis of the situation of divorcing and divorced women and issues affecting their housing status. Consideration of wider social, economic and political change is an important arbiter of outcome as well as harbinger of increasing divorce rates. With this in mind, important changes in context over the last two decades include the following:

DEMOGRAPHIC CHANGE

Most housing commentary in Australia uses the post World War II period as a time frame, although it is arguable whether the situation post-war represents a reliable normative reference period. Funder and Harrison argue, for example, that in terms of a longer term analysis of marriage and divorce the "halcyon days of family and economic prosperity" were atypical. (Funder and Harrison, 1993(c), p.17). Since that time, and particularly since the 1970's, major demographic change has occurred, particularly:

Changing rates of household formation.

From the early 1960's to the early 1980's the rate of household formation was greater than the rate of population increase, fuelled by immigration and young people leaving the parental home at an early age. The increased rate of household formation fuelled housing demand.

In the second half of the 1980's, the age of leaving home increased, with 50% of males and 35% of females aged 20 to 24 still living with their parents (NHS, 1991(a), p.25) The increased age at leaving home has been attributed to increased
unemployment, prolonged educational participation and a shortage of low-cost rental accommodation. (NHS,1991(b),p.7)

Changing marriage patterns.

Between 1971 and 1990, with an increasing age at marriage, the percentage of ever-married females and males in the 20 to 24 (women) and 25 to 29 (men) age groups has declined from 66% and 74% to 24% and 47% respectively. By 1990 the median age at marriage had risen to 26.4 for men and 24.3 for women, an increase of approximately 3 years over that time period. (ABS,1992(a),p.49) The last 20 years have seen an overall decline in marriage rates which, allied with the increased age at marriage, has been explained by better family planning, an increase in de facto relationships and improved employment conditions for women. (ABS, 1992(a),p.49)

Increased divorce rates.

Long term trends in Australia, as in other Western countries, indicate an increasing divorce rate. From rates of 3 divorces per 1000 married women in Australia in the early 1960's the rate rose to 4 per 1000 in 1971, 7 per 1000 in 1975 and 19 per 1000 in 1976 following introduction of the new Family Law Act (1975) with its principle of 'no fault' divorce. The divorce rate fell to 11 per 1000 by 1979 and has remained fairly stable at around that level since. (ABS,1992(a),p.50)

Divorce has been most common amongst those aged 25 to 29, with the median length of marriage during the 1980's at 10 years. (ABS,1992(a),p.50-51) It has been estimated that divorce leads to 1.5 households being formed in the medium term for every divorced household. (Eversley,1983 in Sullivan,1986,p.36)

The generality of rising divorce rates in Western countries has been attributed to changes in the economic basis of marriage in response to "supra-national, macro-economic and social conditions". (Funder and Harrison,1993,p.15) Factors such as
the degree of secularization of society, public policies for the support of families and "the complex interaction among increased opportunities for independence, the economic and social climate, and expectations and values relating to marriage, children, individual rights and responsibilities" influence perceived ease of, and opportunity for divorce. (Funder and Harrison, 1993 p.17)

Remarriage.

In 1971, less than 14% of marriages involved remarriage for either partner. By 1981, following changes to the Family Law Act, 32% of marriages constituted remarriage for one or both partners. During the 1980's, while remarriage comprised a stable proportion of all marriages, the rate declined in line with first marriage rates. (ABS, 1992(a), p.52)

Repartnering appears to be a particularly crucial factor in improving the economic circumstances of women, particularly those with children, after divorce. A recent study published by the Australian Institute of Family Studies, which looks at families with dependent children 5 to 8 years post-separation, concluded that "the difference in magnitude and direction of the immediate affects of marriage breakdown on mothers and children and fathers and its long term continuation unless the mother repartners, is one of the most confronting aspects of this study". (Funder 1993(c), p.237)

Increase in number and proportion of single parents.

An increase in the proportion of single parents from 6% to 9% of all families occurred between 1976 and 1986, with the greatest rate of increase between 1976 and 1981 (the census interval immediately following changes to the Family Law Act). This compares to a 1% increase in two parent families between 1976 and 1986. (ABS, 1992(a), p.44) By 1991, 12.8% of families were single parent families. (ABS, 1993(a)) Almost two thirds of lone parents are either divorced or separated. (ABS, 1992(a),
In 1991, 87% of lone parent families were headed by women, almost a third of lone parents were aged 25 to 34 and over half aged 35 to 54. The age profile of lone parents has become younger over the last two decades. \(^4\)

**Increase in single person households.**

Between 1961 and 1986 single person households increased from 10.3% of all households to 19.55%. Two thirds of people living alone were women, (Cass, 1991, p.2) in part a function of general population ageing.

**ECONOMIC CHANGE**

Economic change accompanying major demographic change has also had a major impact on changing the context in which housing policy and the housing market operate. Major components of economic change include:

**Increasing female labour force participation.**

The labour force participation of women increased from 40% in 1970 to 44% in the early 1980’s and 52% in 1990. Between 1981 and 1989 the proportion of mothers from two parent families in the labour force increased from 45% to almost 60%, with the increase mostly in part-time employment. The participation rate for mothers in one parent families increased from approximately 40% to over 50% during the 1980’s. (NHS, 1991(a), p.30-31) By 2005, 60% of women are expected to be in paid employment. (ABS, 1992(a), p.171)

This dramatic increase in women’s employment constitutes major social as well as economic change, often without commensurate rapidity of change in supporting policy such as child care. The participation of women in the labour force has also led to a

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\(^4\) With the growth in single parent families, the housing needs of women as the head of single-parent families have more commonly been considered than the housing needs of women in their own right or as single women. The major impetus for consideration of the housing situation and needs of women in their own right were the Women’s Housing Conferences organised by the Women’s Policy Unit of the NSW Department of Housing in 1985 and 1987.
major real increase in disposable income for households with two members in paid employment. This has significant implications for housing accessibility and affordability, (NHS, 1991(b), p.8) as compared to single income households.

Community and government concern over housing infrastructure costs.

Recent studies have estimated subsidies implicit in prices to developers of lots on the urban fringe to be as high as $40,000 per lot when costs such as additional headworks for water supply, sewerage and drainage were taken into account. (Urban Policy Associates, 1986 in NHS, 1991(a), p.16) Attention has been drawn to the fact that during the coming decade substantial investment will be required in new infrastructure on the fringes of urban areas, to allow redevelopment and to replace existing infrastructure.

The financing of infrastructure is perceived as an increasingly difficult problem given restrictions placed on public spending and borrowing at all levels of government. (NHS, 1992, p.77) Equity (locational and intergenerational) and efficiency have become principle benchmarks to be applied to any restructuring of infrastructure.

Inefficient provision has been blamed amongst other things for undercharging, which leaves authorities unable to undertake appropriate environmental protection measures and the creation of "excess" demand leading to over-investment, for example in roads. Such issues have focused attention on the links between housing form/density and location, urban form and transport/environmental costs with consequent consideration of inequities for various population sub-groups.

Reduced affordability of housing.

The Commonwealth Bank /Housing Industry Australia housing affordability index (1991, 1992) for home purchase shows a
decline in housing affordability from the mid 1980's, falling to a low in September 1989 as house prices increased rapidly. The index was subject to a slow recovery in 1990 and 1991.

In September 1989 the average household income constituted only 96.7% of that required to qualify for a home loan for a median priced first home. By September 1992, the rate had increased to 150.2%. Interestingly, this index is based on an average household income ($48,700 in September 1989), which compares to average individual incomes in 1988-89 for full time male and female workers of $31,130 and $23,700 respectively. (ABS, 1992(a), p.284) Obviously, this affordability index has been predicated on a contribution of more than one full-time adult income per household for access to, and the continuing affordability of, home ownership.

Given evidence from this index, and a deterioration of affordability in other tenures,\(^5\) it is not surprising that a study into the affordability of housing for the National Housing Strategy (NHS, 1992, p.14) found that the largest groups, numerically and proportionately, in housing stress\(^6\) were private renters, social security recipients, and single income units. Of single income units renting privately, older women, sole parents, and single women aged 35-64 had the greatest probability of housing stress.

**Deregulation of financial markets.**

Deregulation of financial markets since 1986 has produced a number of changes in the supply of housing finance, including the amount of funds that can be provided for housing, the price of mortgage loans, products that are offered and new financial arrangements including issue of mortgage-backed securities. (NHS, 1991(a), p.33) Although deregulation provides greater borrowing power than traditional loans, it seems that the

\(^{5}\) for private renters, rents increased faster than income for the period 1982 to 1988. (NHS, 1992, p.4)

\(^{6}\) defined as the lowest 40% of the income range and paying more than 30% of income for housing.
resulting focus on price rationing rather than Government-orchestrated supply rationing, in association with interest rate rises and the house price boom of the late 1980's, has resulted in borrowing constraints moving further up the income scale. (NHS, 1992, p.19-20) At the same time, given the increased participation of women in the labour force, two income-earner households have been relatively advantaged, although evidence suggests that the benefits of an increase in household disposable income through increased female labour force participation largely bypassed married couples at the bottom end of the income distribution. (Bradbury, 1992, p.328)

It has been argued that the increased numbers of two-income households may have allowed maintenance of the home ownership rate at 65-70% during the 1980's despite declining affordability. Perhaps more importantly, the increased disposable income of two income households may have acted to the detriment of other households by bidding up the price of houses. (NHS, 1991(a) p.48-9) Given the strong positive relationship between income and size of dwelling, (Clare, 1991, p.9-10) it is also possible that the additional income in some households was converted to higher levels of housing consumption. For example, the size of new houses in Australia increased from 130 square metres in the early 1970's to currently over 180 square metres. (NHS, 1991(a), p.38)

Changing tenure relations

Carter noted in 1980 the "change in direction" occurring in public housing policy. (p.6) Many commentators have referred to this change as a transition from 'public' to 'welfare' housing. It has been noted that, in the context of the 1980's, and in the face of the inflexibility and relative demise of the private rental sector\(^7\), and economic limits to home ownership,

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7. Census figures show a decline from 30% of the population housed in private rental in 1954 to 21% in 1966 and 16.8% in 1991. At the same time, the view of private rental as a transitory tenure for young aspirants to home ownership was undermined by an increasing concentration of the long term poor in
determination of the role of public housing represented a watershed decision. (Young, 1986, p.7) Public housing appears increasingly to be excluded from the policy agenda and to be considered as a residual tenure for households unable to gain access elsewhere. Despite the demonstrable advantages of a well-developed public housing system, in the current context the tendency for public housing to be seen as a tenure solution for women-headed households assumes a marginalisation of the household with the tenure.

The development of 'welfare' public housing relies on supply rather demand-based provision. As the availability of public housing constricts, the social profile of tenants becomes increasingly narrow. In 1983-84, for example, 33% of applicants were single-parent households and 27% pensioners without dependents (including single persons). (Housing Commission of NSW, 1984, p.1) Despite supply-based rationing, at June 1986, there were 57,400 applicants on the waiting list. 31,763 applications had been received in the financial year, whilst only 10,827 dwellings had been allocated. The number of priority applications had trebled since 1982. (NSW Department of Housing, 1987, p.14-15). By June 1992, the waiting list had expanded to 71,478, with allocation to 13,045 households during the year. (NSW Department of Housing, 1992, p.21) A social profile of applicants was not provided, but is likely to have further narrowed.

POLITICAL CHANGE

Recent resurgence of Commonwealth government interest in housing policy, programs and issues in Australia.

Except for the immediate post-war period housing-related policy has been the province of State governments rather than the private rental housing. Private tenants were twice as likely to be in serious poverty as other housing groups. (Berry, 1977, p.34)

8. In fact the first corporate goal of the NSW Department of Housing is "to increase home ownership" while the aim of providing "appropriate public housing to those who are unable to satisfy their need in the private sector" ranks a little further down the list. (NSW Department of Housing, 1992, p.8)
Commonwealth. For example, most housing-related funding is allocated by the state rather than the Commonwealth. Of $1.028 million of CSHA funding in 1990-91, nearly 80% was untied, thus able to be allocated to particular programs by the recipient states. (ABS 1992(b), p.17)

Since the Special Premiers' Conference on Housing in March 1989, which aimed to address the emerging housing 'crisis', the Commonwealth response has included establishment of a National Housing Strategy review (June, 1990). The review is the first comprehensive examination of housing needs and policy since the Commonwealth Housing Report of 1944. (NHS, 1991(b), p.1-2)⁹

Economic rationalism

In association with increasing social conservatism during the 1980's, a political commitment to 'economic rationalism' dominated and has informed the implementation of much public policy, including housing policy. (Burke and Haywood, 1992. p.202)

INSTITUTIONAL CHANGE

Important elements of institutional change have been changes in Family Law ideology and policy post-1975, and deregulation of financial markets.

CONCLUSION

It is recognised that housing, and interaction of the housing system with access to other resources, is a major determinant of well-being. For subgroups of the population, such as women undergoing the major social and economic upheaval of divorce, access to the housing system may be particularly problematic. At the juncture of divorce, housing problems and solutions interact with economic welfare, labour force participation and practices and institutional views of the role and contribution

⁹. which is discussed in Allport, 1984.
of partners to a marriage (as translated into family and general law). The study of divorce in general terms is also "instructive about the general economic circumstances of families and the fragility of their economies". (Funder, 1993(c), p.245) This constitutes a case in point for examination of the housing system within a wider context.

Within this context, issues canvassed in the remainder of the thesis are as follows:

Chapter 2 considers the theoretical background, deriving mainly from the feminist literature, for studies of women and access to urban resources, including housing.

Chapter 3 looks at attitudes towards divorce and the demography of divorce. Chapter 3 also discusses other issues relevant to women undergoing separation and divorce, notably the philosophy and practice of family law, discrimination in lending which affects access to home ownership and the influence of discrimination in the operation of other tenures.

Chapter 4 examines the housing situation of women during the process of separation and divorce and housing outcomes for women who don't repartner. It seems that many of the popular conceptions about women, children and access to housing are ill-founded, based on evidence in this chapter. The situation is also more variable and complex than is generally assumed in the literature.

Chapter 5 examines the crucial link between income and access to appropriate housing. The relationship between housing, and more generally urban planning, and the labour market is particularly important. It is, however, an area which is little understood in Australia. (Burke, Hancock, and Newton, p.54). Examination of the economic situation of women after separation and divorce shows the significant economic disadvantages attached to labour specialisation in the domestic sphere. While specialisation may have economic some perceived economic
benefit in an intact marriage, when the marriage ends women bear the cost of such specialisation.

Chapter 6, in conclusion, discusses critical points for access to housing and a reasonable standard of living for divorcing women and the effect of compounding assumptions underlying housing, legal, economic and social systems and practices.
"Otherwise the first consideration of town planning must be to provide an urban environment and an urban mode of life which will not be hostile to biological survival: rather to create one in which processes of life and growth will be so normal, so visible, that by sympathetic magic it will encourage in women of child-bearing age the impulse to bear and rear children, as an essential attribute of their humanness quite as interesting in all its possibilities as the most glamorous success in an office or factory." (Mumford, 1945 in Roberts, 1991, p.54-55)

ORIGINS AND FOCUS OF FEMINIST ANALYSIS OF URBAN THEORY

Apart from isolated references to the role of gender within the general literature, (for example Berry, 1981, p.9) the discussion of gender has remained within the sphere of feminist theory. Within this sphere, feminist theory does not offer a consolidated position, to the extent that Delmar suggests feminism may be more correctly conceptualised as "feminisms". (Delmar, 1986, p.10). Whilst this lack of cohesion may be viewed in a positive light

..."the challenge for feminism is to be able to include the diversity of human experience: feminism would fail if it imposed a set of restrictions which demanded conformity. That would be but another expression of dominance" (Spender, 1986, p.216)

it has, in fact caused many difficulties in the development and promotion of feminist theory. One of the resulting problems, in the absence of a coherent and comprehensive stand-point, is that women tend to be tacked on as an adjunct to prevailing theory... the 'women and' approach. (Simms, 1984, p.134; Watson, 1986, p.1). This approach allows the ethos of prevailing theory
to remain unchallenged, and the assumption prevails that the main dialectic is between men and women—assuming the limitations of the radical feminist approach. In policy terms it sustains the view that women and other 'special' groups should be provided for under 'special' programs rather than as part of regular policy sensitised to cater for the diversity of needs of the population. Given the social construction of gender, wider changes are necessary in the way in which social processes and spatial organisation are examined (Bowlby, Foord et al, 1982, p.714) and the way in which policy recognises differentiation within the community.

Part of the confusion relating to the development of feminist theory has been a product of its simultaneous development across a number of disciplinary boundaries. Within each discipline the attempt has been made to inform mainstream disciplinary theory by grafting feminist theory. It has been argued that, in fact, feminist studies have more in common with feminist studies from other disciplines than with their 'home' discipline, suggesting the need (amongst other things) for more integrated academic courses with a feminist focus. (McDowell, 1985, p.10) McDowell sees further validity in the grouping of feminist study given the necessary concern of feminist analysis with areas of our lives, for example household work, not usually considered relevant to academic analysis.¹

In the 1970's, the deployment of feminist explanation within the context of the urban environment was mainly by sociologists. In the late 1970's and 1980's interest percolated

¹The danger in defining a discipline of feminist or women's studies is, of course, 'ghettoization' of women academics in 'female areas' legitimising the absence of women from general academic participation and creating a sexual division of labour within subjects. (Gammarikew, 1978, p.350) The corollary of such specialisation would then be the wider lack of influence of feminist theory.
into areas such as geography, economics and architecture. One area in which gender-awareness does not appear to have made a significant impact is in the planning literature. Conversely, Wekerle has commented on the neglect of the organised women's movement in appropriating urban planning as a women's issue. (1980, 212). She expresses the need for input into the planning process to speed up changes and avoid "the high costs of living in an urban environment which is increasingly dysfunctional to...[women's]...needs". (1981,p.10)

Most feminist urban research influencing work in Australia has come from Britain and the United States. In the 'second wave' of feminism since the 1960's, research in Britain has emphasised the development of academic research, based on a Marxist social science tradition. (McRobbie,1982,p.47-8). As a result, much of the British work has been highly theoretical. The disadvantage of such a structure is that recently declining economic conditions have caused a decline of feminist issues in the academic left. In the context of unemployment, recession and welfare cuts of the 1980's the task of consolidating feminist theory and challenging "the academy, its assumptions and working methods" became both more difficult and to some commentators, less relevant. (McDowell,1985,p.10)

In the US, feminist research on the urban environment has been more disparate. It has, also been more issue-based, ranging from discussion of the form of the non-sexist city to concerns with transportation and access, and the suitability of urban design, the appropriateness of suburban development and its relationship to consumption, as well as safety and security aspects of urban design.

In Australia, theoretical feminist research has been limited, especially prior to the 1980's. Housing, specifically, has received scant attention, apart from Allport's historical (1983,1984) and Watson's theoretical (1988,1986(a),1985) analyses. This situation persists despite recognition of the
importance of this area of research. (Kilmartin, Thorns and Burke, 1985, p. 189-190)

CRITICISMS OF FEMINIST THEORY

Feminist theory has been subject to many of the criticisms directed at general housing research. One of the main criticisms of both has been the lack of development of comprehensive theoretical basis, developed from empirical analysis. This particular criticism, and a recognition of the need to further 'legitimise' a feminist standpoint, led to repeated calls in the 1980's for the development of a comprehensive, integrated feminist theory.

In addition to the problems generally attributed to housing research$, two particular problems have plagued the development of feminist theory. The first is the divide between the two roots of feminist analysis—feminist theory and practice. A theoretically derived feminist view has historically been founded on Marxist or socialist doctrine, while radical feminism has political origins. The most fundamental but profound difference between these two perspectives lies in the analysis of the basis of women's oppression. To radical feminists, the main dialectic is between women and men. They see the motive force in history as men striving for power over women. The basic class division is between the sexes, and articulated at the level of the family. Marxist feminists locate women's oppression more firmly in economic structures, specifically in the relation between production and reproduction. The ideology of female domestic responsibility ties women's oppression to the family. The resultant sexual division of labour within the family interacts with and reinforces labour force divisions. The family acts as the agent of the reproduction of labour power and as a site of consumption under capital. The fundamental difference in

1. in particular divides caused by disciplinary and theoretical intransigence, a need to give greater attention to the social environment and a need for better-articulated and more meticulous underpinnings for theory. (Young, 1986, p. 7)
interpretation arising from radical and Marxist feminism engenders major policy and practice implications.

The second problem particular to the development of feminist theory, and deriving partly from the first, is an ambiguity in use of the theoretical feminist underpinnings. This has been especially evident in the use of feminist constructs such as patriarchy (which incidentally is the only construct unique to feminist analysis). Feminists tend to use such terms in widely varying and often ill-defined contexts and at varying levels of abstraction. The same is true of some of the dualisms used loosely by feminists which, as discussed below, have also been criticised as part of a tradition of social science which in itself marginalises women.

Despite a pervasive argument in the 1980's for the need for development of a comprehensive feminist theoretical perspective, (Wekerle, 1980; Watson, 1986(a); Foord and Gregson, 1986, p.186) more recently Watson has argued the advantages of a sociologically-based post-structural approach (Watson, 1988, p.144) which, rather than assuming the possibility of an integrated theory, recognises that "individuals are buffeted by conflicting and often unconscious needs and desires and are situated in the midst of discourses not of their own making." (Watson 1988 p.145) Watson sees the recognition of fragmentation engendered in post-structuralist theory as valuable in avoiding the tendency of "grand theory" to be "mono-cultural in its perspective". (p.146) A monocultural perspective derives from the assumption of modernist theory that an all-embracing theory can be developed for wholesale adoption.

O'Brien argues that planning as an activity is still heavily dominated by modernist thinking, with a much more active filtering of post-modern or post-structuralist theory into fields such as urban geography. (O'Brien, 1992,p.71) The adherence of planning to modernist theory has resulted in an
insensitivity to the diversity of communities and the tendency of planning practice to "universalise the dominant group's experience and culture as the social norm". (Beauregard, 1991 in O'Brien, 1992, p. 72) In the case of housing, the housing needs and circumstances of nuclear families with a male as principal wage-earner been seen as constituting a norm.

CHARACTERISTICS OF GENERAL HOUSING THEORY

Kemeny (in Lea and Cameron, 1992, p. vii) characterises several peculiarities of housing research which differentiate it from other areas of research within the physical and social sciences. Housing research is multidisciplinary, with no common perspective. There is little theoretical research, with most work focused on housing markets and policy issues. Housing research is also highly fragmented with few specialised journals and (as Lea and Cameron point out) there is no specialised course of housing study at a tertiary level in Australia, with housing study subsumed within a range of other disciplines.

Housing and housing-related policy in Australia is also highly fragmented, both functionally and geographically. These characteristics result, in part, from the eclectic nature of housing, and resulting policy aims—such as shelter or social equity— which commandeer housing as either a subject or an object.

These characteristics lead to at times to an awkward coexistence between urban, planning and housing studies and to a lack of coherence within housing theory. Pugh (1986) has argued that the problem is not a general paucity of housing theory, but disciplinary chauvinism, which has resulted in a lack of development of cross-theoretical perspectives, thus acting to the detriment of the development of housing policy. This concurs with the post-structuralist view and with the observation in Chapter 1 that housing analysis needs to be more broadly conceived.
Bassett and Short (1980, p.3-4) draw the simple analogy of housing as "a complex crystal with many faces. When held up to the light a particular pattern of reflected light is seen. Change the orientation of the crystal and a completely different pattern of reflected light is formed. In one sense the different approaches to housing can be seen as the different orientations of this multifaceted object producing different patterns when held up to the explanatory light." Disciplinary bias, and a lack of agreement on the "explanatory light" to be employed, further expands the range of possible interpretations. While this analogy could apply equally to many areas of academic debate, it is especially true for housing studies given the spread of housing studies across academic disciplines. In this case, post-structuralist theory would dispute the notion of a unitary light, perhaps preferring the analogy to extend to a battery of lights each contributing to a more complex and imperspicuous reflection.

HOUSING, EQUITY AND SOCIAL GOALS

The characteristics of mainstream urban and housing theory and the issues analyzed by mainstream researchers have had some influence on the development of feminist theory. Of latter years, issues of importance to mainstream analysis have been instrumental in highlighting distributional and equity issues of wider concern to feminists. One of the issues of primary importance in housing research from the mid 1970's and during the 1980's which had important implications for the development of housing policy and feminist analysis in Australia was the analysis of the operation of tenure within the Australian housing market. The burgeoning interest in equity issues during the 1970's can be seen by the number of inquiries and reports addressing tenurial and economic equity, whereas in the post-war period the emphasis had been much more on quantity of housing rather than quality or equity3.

3. In 1972, Jones set the tone by concluding that public housing programs (based on an analysis for the period prior to 1970) did little to help the poor. (Jones, 1972) Reports and initiatives which followed
Equity questions led in 1975 to what has been called the 'great housing debate'. The debate centred on the role of housing in poverty alleviation and discussion of housing policy and mechanisms. Foci of discussion were the role of housing policy vis a vis direct income transfer: planning, housing and building requirements and the role of the state with regard to housing and capital markets. (Carter, 1980, p.136)

Kemeny took up and further developed many of these issues in a series of publications dating from 1976. His arguments centred on the constructs and ideology of tenure, the politics and economics of tenure and explicitly the concept of tenure-neutrality. He was particularly critical of the structure and ideology of home ownership in Australia. He propounded the view of home ownership as a political choice supported by massive public subsidy, rather than an inevitability. It was argued that any justification of home ownership as helping to alleviate post war housing shortages was an anachronism. (Flood and Yates, 1987, p.87)

With the onset of less stable economic conditions in the mid-1970's than those sustained post World War II, it became obvious that younger and poorer households would be excluded from loan availability through the principal lending authorities. In the 1970's lending institutions refused borrowers whose initial payments exceeded 25 to 30% of income, which Stretton estimated allowed financing of loans at less than 10% of interest only. (1978) Concurrent with the gradual

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4. which he acerbically referred to as 'welfare' owner occupation. (Kemeny, 1981, p.19-21)
5. In fact, the relative public subsidy to home ownership, both direct and indirect, by 1984-85 was $1250 per household, approaching the $1795 per household for public tenants and greatly in excess of less than $100 received by private tenants not receiving help from their employer. (Flood and Yates, 1987)
exclusion of those earning 100 to 130% of average earnings from entry to home ownership was the accrual, with high inflation rates, of capital gain to existing home owners and purchasers. (Carter, 1980) Allied with the implicit public subsidy argued by Kemeny and others it became clear that marginalisation from home ownership represented a major economic disadvantage.

In 1978, the Housing Costs Inquiry, on noting that despite the difficulties the full quota of housing loans had been allocated concluded that, in fact, for many potential home owners conditions had encouraged them to undergo additional hardship before entering the market- taking on a heavy repayment burden which was likely to be supported by two incomes and purchasing lower quality dwellings. This strategy was not possible for lower income groups and single income families with less than 130% of average weekly earnings. These groups were identified by the Housing Costs Inquiry as being particularly disadvantaged. (Carter, 1980, p.100) As evidence increasingly suggests that maintenance of household incomes during the 1980’s relied on the increasing work-force participation of married women, it becomes obvious that one income households will be increasingly disadvantaged.

In combination with the effect of interest rates and land prices, unemployment increased rapidly in mid-1974 and continued at a high level during the 1970’s. Unemployment again increased rapidly in 1982-82. The associated increases in unemployment, pension and other beneficiaries in all classes over this period (Flood and Yates, 1987, p.64) further eroded the population base with ready access to home ownership. The increase in social security recipiency was disproportionately high for women, so that by the 1980’s women constituted nearly two-thirds of social security beneficiaries in Australia. (Montague and Stephens, 1985, p.vii) representing in large part the so-called feminisation of poverty. According to Yates, the tenure decision is tied to optimal consumption decisions and
related decisions to save. (Yates, 1982, p. 73) Increasingly, for many groups, the decision to save was not an option.

As introduced in Chapter 1, economic conditions during the 1970's also reduced the options available and attractiveness of alternative tenures. With the demise of the private rental sector came a change in the composition of private rental tenants. The view of private rental as a transitional tenure for young aspirants to home ownership was undermined by the increasing concentration of the long term poor in private rental housing. In fact private tenants were twice as likely to be in serious poverty as other housing groups. (Berry, 1977, p. 54) The increasing concentration of the long term poor in private rental housing occurred despite the argued inability of the tenure to respond flexibly to changing household needs (apart perhaps from locational change).

It is argued that a renewed concern with the gender-neutrality of housing arose as a corollary of the analysis of horizontal and vertical equity in the housing market and consideration of what Ball has called the social relations of tenure. (Ball, 1985) Women were found to be consistently over-represented in marginal households (that is, marginal in terms of housing access) as the feminisation of poverty became more pronounced.

Over the last 5 years a larger amount of both research and policy has focused on the production side of housing rather than the politics of tenure. (Burke and Haywood, 1992, p. 206) This interest has been associated with recent concern about the relationship between urban form and environmental infrastructure and housing costs, as discussed in Chapter 1. It seems evident, though, that a consideration of equity will continue to be one of the central issues both of planning generally and of housing theory and policy given the fact that reliance can no longer be placed on growth to deliver an adequate level of services to individuals. As debate about "user pays" systems of social and physical infrastructure
continues, the issue of intergenerational equity as well as vertical equity takes on increased importance. (Paris, 1982, p.279)

In considering the relationship between the development of urban, and particularly housing theory, and feminist theory in Australia it can be seen that the relationship has not been symbiotic. The contribution of feminist theory has not generally been acknowledged by general housing theorists, extending the truth of McDowell's lament of the mid-1980's that "it is questionable whether the fundamental challenge posed by feminist urban research has yet had any affect on the dominant mode of thought."(McDowell, 1985, p.10)

While many of the criticisms regarding the development of general housing theory can similarly be attached to developing feminist theory, feminist theory has attempted to look beyond a focus on tenure to the "broader forms of social differentiation sustained in the production, exchange and consumption of housing". (Madigan, Munro and Smith, 1990, p.626)

MAIN THEMES/ ISSUES OF FEMINIST URBAN THEORY.

The main themes of feminist theory have evolved over time. Watson, in 1988, categorized five main themes of feminist concern in the previous decade, a time of major importance in the proliferation of a feminist literature. The themes she listed were:

a. 'where' are women?;

b. spatial/ physical dimension;

c. the deconstruction approach;

d. gender, geography and locality studies; and

e. critique of dualisms and dichotomies. (Watson, 1988, p.139-43)
Apart from the addition of the third category, the categorization is similar to that established by McDowell in 1983. (McDowell, 1983, p.60-61) The categories are not mutually exclusive, much urban research draws from more than one of the categories.

'Where' are women.

Research falling within the first category is symptomatic of much of the early work which aims to rectify the exclusion of women as subjects of urban theory. Although seldom explicitly theoretical, it often fits within the Weberian tradition. (McDowell, 1983, p.61) It attempts to highlight constraints faced by women in the urban environment, and inequalities in women's access to urban services. The danger of many of these studies is that they focus on women per se rather than a broader context of social or gender relations. Examples of this work include analyses of women's access to housing, mortgage finance, the unmet needs of particular groups such as single mothers, use of transportation facilities and so on.

Spatial/ physical dimensions

The second category subsumes several strands of research, including a feminist critique of the practice and assumptions of architecture and design; the implications of an absence of women from the design professions; and the implications of physical separation between spheres, for example between home and work, in the urban environment. More recent work examines the linkages between social and architectural change.

The built environment under capitalism has been criticised for reification of many of the assumptions surrounding the sexual division of labour in families. The built environment has also been highlighted by the feminist literature as problematic in terms of the inbuilt inertia (urban design and building form), the relationship between design and user needs and the design of public space. Building design and the built environment are
criticised as not relating to women's needs as users, because of the premises of architectural practice and the influence of the built environment in assuming and prescribing the social relations of users.

The critique of architectural practice covers similar ground to recent radical views of planning. Feminists have criticised both the view of architecture as a technical and mystical activity and the tendency for designers to use their own socialisation as a normative value (Boys, 1984, p.27) and to view the built environment as neutral. The lack of (user) participatory design, and neglect in architectural training of teaching designers to talk to users (Matrix, 1984, p.12) is seen as ensuring the continuance of a built environment invested with a traditional set of social relationships and social, economic and political priorities. Architectural practice is also criticised for use of sexist terms such as 'master' bedroom and more widely for perpetuating a built environment which reinforces stereotypic views of women through urban design and graphic design in public space. (Hayden, 1984, p.215-217) Hayden views the culmination of these factors as women's lack of freedom in the city because of considerations of safety and access.

The design of domestic buildings also assumes a stereotypic set of social relations between inhabitants and that the building will be inhabited by a nuclear family. To the latter assumption Roberts attributes blame for the "monotonous, unimaginative" nature of housing stock built for both the public and private sectors in Britain post-War. (Roberts, 1991, p.153) The internal layout of the dwelling including the size of rooms and the design of one purpose spaces, as a physical expression of assumptions about how the space will be used, delimits function and role division. (Rock, Torre and Wright, 1980, p.92) Common examples are the "one-worker" kitchen overlooking the "family room" for supervision of children. A return to "simple planning, spaciousness and ambiguity of use which were once
familiar in the domestic architecture of most cultures" is advocated. (Rabeneck, 1974, p.100)

The tendency of much of the critique of design and the built environment to assume a one-directional linkage between design and the behaviour of inhabitants is somewhat simplistic. Recent work has considered the converse, the effect of social change on the built environment, particularly the impact of women's changing role in society on domestic architecture. An examination of prototypical American house plans for new single family houses for the period 1945 to 1985 suggests an interaction between women's changing roles and internal layout. There is evidence that housing design is providing an increasingly supportive environment for changing social roles. (Hassell and Peatross, 1990, p.22) An examination of model houses in Australia over the last 20 years, however, suggests a reversion to the notion of design as delimiting social relations in suggesting physical separation as a solution to family dysfunction. The advertising of these houses also highlights a persistent sexism. (Dovey, 1992, p.183-4)

Critics have argued for the development of an 'alternative' architecture. They see the present role of architecture as encompassing 'male' values (Fook and Wise, 1985, p.20) and as attuned to the profit motive of capitalism (Matrix, 1984, p.9) rather than people's needs. Such an alternative architecture would seek a balance with 'female' values, including use of round and organic shapes in architecture which have diminished as women became increasingly excluded from building and design (Kennedy, 1981, p.79). Design would proceed from the function of a building and end with its form.

Kennedy proposes a schema of female versus male values in which 'female' values are constructed as user-oriented, ergonomic, functional, flexible, organically ordered, holistic/complex, social and slowly growing. These are opposed to 'male' values of designer-orientation, large scale, formal, fixed,
abstractly-systemised, one dimensional, profit-oriented and quickly constructed. It is claimed that present problems arise from dominance of 'male' values—a balance is required.

Problems inherent in the general use of dualistic systems of classification arise in the classification of male and female principles and the relative positioning of individuals along this continuum. Definitional/functional difficulties arise as a result of the effects of socialisation, experience and biology. Kennedy, for example, suggests that female architects will have undergone male (professional) and female (social) socialisation. (1981, p.80) Other authors, writing from different perspectives have attempted to avoid problems of biological determinism and recognise the social construction of gender by dealing in the phenomena of a male to female continuum\(^6\) and the notion of fictive men\(^7\).

The dominance of male values in architecture and design (and, incidentally planning) has been linked to the lack of women employed in these areas and in particular in positions of influence. For example, Perry Berkely has observed that the number of women employed in the field of architecture in the United States increased during World War II, but declined from the 1950’s to the 1970’s. (1980, p.211) In Australia, in 1991, the absence of women in the building professional and engineer’s occupational category which includes architects was pronounced. They comprised only 4\% of that category. (1992(a), p.212) The danger, however, of assuming a direct correlation between the absence of women and the dominant ideology of architectural practice is that, apart from being simplistic, it assumes an artificial commonality of interest

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6. Sims suggests that in planning terms a male to female continuum, based on the sexual division of labour will be more appropriate than a dichotomy. The end points of the continuum would be able-bodied males and women engaged full time in child-bearing and rearing. (Sims, 1984, p.39)

7. Women who, on entering an exclusionary male domain are labelled as men. This notion also implicitly raises the problem of the socialisation of office or position, and the subsequent problems for the aim of affirmative action. (see, for example, Leavitt, 1980(b))
amongst all women regardless of their circumstances and background, that is it focuses on biology not gender.

The third area which has been addressed in recent feminist critiques of architecture has been the design of public space and the physical manifestations of the separation under capitalism of public and private spheres. In this sense, the labels public and private are used in both a physical and value sense. They have been used to represent a simplistic dichotomy between domestic and market labour on the one hand, and public space versus the private or home environment on the other hand. The tendency has existed to polarise these extremes as male:public and female:private. The American literature, in particular, also extends the public/private dichotomy to analysis of the city and suburb. While other researchers have not extended the distinction so directly, they have implicitly linked suburban development to dependence on the sexual division of labour under capitalism, and discussed the disadvantages for women of the physical separation of the private (reproductive/home) and public (work/productive) worlds.

Planners, architects and the State are accused as active practitioners of the separation. (Watson, 1986(a), p.1) They have been aided by improvements in transport technology and planning and finance structures. For example, in Sydney, MSJ Keys Young reported in the mid 1970's that cars and cheap public transport had made the segregation of homes and work possible, and zoning and the structure of home finance, virtually inevitable. (MSJ Keys Young, 1976, p.9, in Forsyth, 1985, p.10)

Saegert, while recognising the artificiality of imagery associated with the urban-suburban dichotomy, also recognises its potency in influencing organisation of time and space. Imagery holds the city to be more "aggressive, assertive, intellectual, powerful, active" and the suburb as "closer to
nature, safe, lacking in seriousness, domestic, a scene of repose."

"The segregation of public and private, male and female domains appears strongest as a guiding fiction, yet one that finds its way into public policy and planning and into women's and men's sense of who they are. This fiction places a burden of a kind of dual reality on many women: double duty at home and work, split loyalties, and too scanty a recognition of achievement in either sphere." (Saegert, 1980, p.111).

A number of examples of housing which seeks to eliminate artificial divides between private and public spheres in both a physical and value sense have been discussed in the feminist literature. The housing models of 19th Century philanthropists and feminists (Hayden, 1978, 1981, 1984; Pearson, 1985) and early 20th Century solutions of the apartment hotel (Ladner Birch, 1985; Gartner, 1986) were pioneering in this regard. Modern examples address the wider role of housing, often considering issues such as economic opportunity, child care and social support and skills development. The role of housing and services as a package is stressed, especially in relation to groups such as single parents. (Leavitt, 1985)

The deconstruction approach.

The third category which Watson distinguishes is the deconstruction approach. This approach "attempts to re-examine traditional concepts and categories from a feminist perspective." (Watson, 1988, p.141) Many authors, for example, have argued that the meaning of the home is different for women than men, based on the home as their work environment under the sexual division of labour under capitalism. For women, the home has meanings for self identity and confidence that are not shared by men. (Saegert and Winkel, 1980) Their greater commitment to household-located activities implies a greater emotional and psychological investment in the meaning of home
which extends the basic economic and practical elements of housing to an expectation of housing as a locus of safety and financial, emotional, and physical security and security of occupancy. In a practical sense, then, "it is only when secure housing is assured, that women can begin to settle in every sense, making decisions about employment, children's schools and job training. Only then do they 'put down roots'—to lose a home is extremely painful, especially as women's homes are also their work places." (Barclay et al, 1991 in Cass, 1991, p.4)

Gender, geography and locality studies.

The last two themes listed by Watson—gender, geography and locality studies and a critique of dualisms—derive from a Marxist-feminist tradition and are closely linked. Unlike the work described in the first three categories, the Marxist analysis does not focus on the private sphere of women's lives. It seeks an explanation of "the historical analysis of the origins of women's oppression and the privatisation of family life in capitalist industrialisation" (McDowell, 1983, p.61) and to explain linkages between urban structure and changes in the social organisation of production and reproduction.

Much of the Marxist-feminist debate in urban studies in the last decade had as its origins a need to reconcile the theoretical gulf between the implications of radical and Marxist feminism, which as discussed above have quite different interpretations as to the primacy of patriarchy and capitalism—gender-based and economically-based explanations, and a desire to provide a neat fit between Marxist and feminist theory.

Authors who have asserted the necessity of class-based as well as gender-based analysis include McDowell (1983, p.69), Bowlby et al (1982, p.714) and Leavitt (1985, p.158) "Neither class nor gender should be ignored, but the two integrated in an analysis that has the changing relations between production and reproduction at its heart". (McDowell, 1983, p.69) The interaction of production and reproduction needs to be
considered as part of a single process to allow for change over time in the relations between women’s waged and domestic labour.

Critique of dualisms and dichotomies

The need for consideration of production and reproduction as part of a single process is also founded on criticism of the use of dichotomies such as production and reproduction which suggest an independent relation between the two. Within these polarised systems, women are commonly seen as relating to the private/reproductive/home/consumption sphere while men relate to the production/public/work sphere. (Watson, 1988, p.143) Such dualisms, as well as being simplistic, have been jettisoned as being part of an overly rationalistic male model of social science which artificially orders the world to create a false appearance of certainty or unity (O’Brien, 1992, p.65) and imposes a view of one pole as the norm. In this case the norm is set as the male sphere. (Acker, 1989, p.239)

Various studies have attempted to overcome the problems implied by use of dualisms by thinking in terms of a continuum. For example, Watson and Austerberry’s study of women’s homelessness (1986) conceptualises homelessness as one end point of a home to homelessness continuum. Conceptualisation of polarised values as end points on a continuum assumes inbuilt linkage and allows for movement to any point along the continuum over time (Simms, 1984, p.135-136) In this way, the sociological adoption of a female to male continuum, discussed above, seeks to focus on relationships between men and women, or gender relations, and acknowledge that the meaning of womanhood is culturally and temporally specific. (Delmar, 1986, p.28)

8. Delmar, however, warns of the subversive power of an associated deconstruction in the meaning of womanhood to also dilute political potency (1986, p.28)
"We create the community, so you can create the family."

From: Landcom creating communities advertising campaign.

FEMINIST ANALYSIS OF HOUSING

Feminist analysis of housing has been a relatively recent development, despite evidence of an historical recognition of the importance of housing for the quality of women's lives and access to employment and other opportunities. In 1986, Watson advanced a general feminist analysis of housing in Australia. She commented on the still-existent need for a "systematic feminist analysis, redefinition and reconstruction" of issues related to gender. Within the housing system she appealed for analysis of the processes operating at an appropriate spatial level which serve to produce and reproduce patriarchal relations. (1986(a), p.1)

Themes developed in the feminist housing literature which will be considered below are housing and the family; housing, the family and the labour market; women and dependency and domestic labour as production and consumption.

Housing and the Family.

The analysis of housing has primarily been based on a Marxist-feminist theoretical interpretation. The central tenet of feminist housing theory is that in Australia, and other advanced capitalist countries, particularly Britain, both housing policy and ideology have been based on an assumption of housing as available through a male wage. For example, housing finance for owner occupation has been calculated on a universal assumption of an equivalent full-time adult male wage, despite differences in earnings between full-time male and female workers which will be discussed in Chapter 5. In essence this assumption marginalises a number of groups as well as women. Young people earning a junior wage will be indirectly discriminated against on the basis of that assumption alone,

10. Indirect discrimination is defined as arising through imposition of invalid assumptions to a population subgroup, and will be discussed further in relation to the access of divorced women to the housing market in the next chapter.
the unemployed, social security recipients, low income earners and those with any other characteristics or disabilities\textsuperscript{11} which affect their labour force participation or income earning potential. With structural change, an unlikely return to 'full' employment\textsuperscript{12}, an increasingly complex pattern of labour force participation and the level of social and economic change discussed in the introductory chapter, the assumption of housing as accessible through a full-time male adult wage is increasingly unrealistic\textsuperscript{13}.

The thesis of housing as accessible through a male wage, with an associated assumption of his wage as providing for a family household, is founded on analysis of the policy of provision in the public housing sector, policy bias towards nuclear households in provision of statutory loans for owner occupancy in Australia and preferential treatment of traditional households in the private rental sector\textsuperscript{14}. Given the high level of real subsidy to owner occupation historically in Australia this implies a major gender as well as class-bias in public spending.

The housing market in Australia is heavily dominated by owner occupied housing. This dominance increased post World War II in association with an emphasis on increasing housing stock\textsuperscript{15}. (Flood and Yates, 1987, p.87) The proportion of owner occupied dwellings increased from 53\% of occupied private dwellings in 1947 to 70\% in 1961, a proportion which has been constant since then. (ABS, 1992(a), p.314)

\textsuperscript{11} Given links between the male wage, the family and owner occupation discussed below, all of these groups have a reduced level of access to owner occupied housing. The notion of disability is another good example of the operation of dichotomous systems of classification. Ability is established as the norm, and disability, being opposite to the norm, as marginal.

\textsuperscript{12} Where the notion of full employment post-War was defined in relation to male workers only.

\textsuperscript{13} As it was for the 98,997 women now aged over 55 who didn't marry in the post-War period. (ABS, 1993(a))

\textsuperscript{14} These points will be argued in Chapter 3 as elements of discrimination affecting the access of divorced women to the housing market.

\textsuperscript{15} Jolly images of young marrieds living in garages in far-flung suburbs such as Punchbowl and Canterbury and scrounging for building materials, which were in short supply to post-War, to owner build their homes, have been popularised in recent years through the nostalgic eyes of the next generation - the baby boomers, by Australian authors such as Helen Townsend.
The tenurial domination of owner occupancy has been explicitly linked to the nuclear family composition, both in Australia and elsewhere. In the United States policy originating in the 1940's which favoured home ownership was blatantly racist as well as sexist in specifically excluding white women of all classes, who were expected to gain access to housing through their husbands; white elderly working and lower middle-classes; minority men; minority women of all classes; and minority elderly of all classes. (Hayden, 1984, p. 55)

The linkage of owner occupancy to the detached housing form as well as the nuclear family has been widely discussed in the feminist literature and has been an enduring characteristic of the Australian housing market. In 1991, 78% of two parent families and 77% of couples, compared to only 59% of lone person households and 52% of single parent families were owners or purchasers. (1993(a), Table B42) Ninety two per cent of two parent families, 81% of couples, 76% of one parent families and 55% of lone person families lived in detached dwellings. (ABS, 1993(a), Table B44). Almost ninety per cent of owners and 92.5% of purchasers lived in detached dwellings. (ABS, 1992(a), p. 315) The strength of this association implies a skewed provision of both explicit and implicit subsidy to the nuclear family through encouragement of owner occupation and through a high level of public subsidy implicit in the development of urban release areas on the urban fringe.

As discussed above, the connection between the detached dwelling and the nuclear family has been analyzed by feminist urban theory as fostering a physical and ideological separation

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17. Enduring because of the historical dominance of the detached dwelling, particularly as the most appropriate form of housing for child-raising and the limited impact of recent policy measures to encourage a more consolidated urban form. Current estimates indicate that the most optimistic estimates of medium density construction over the next 10 years would result in an overall increase in medium density housing of only 5% above the current level of 30%. (OP, 1993)
19. As discussed briefly in the introductory chapter of this thesis.
of the spheres of reproduction and production to the economic and psychological disadvantage of women, and inhibiting integration of work force and domestic responsibilities.

The growth of owner occupancy post War was also associated with pro-natal government policy in Australia, a re-assertion of "traditional" values20 and promulgation of a consumption ethos. Women as "homemakers" were responsible for over 80% of consumer spending decisions, (Game and Pringle, 1979, p.9) and were coaxed back to the family by dint of the dangers of "maternal deprivation" and to the kitchen with promises of "fitted kitchens" and modern household appliances, in their dusted off and pseudo-scientific role of home manager. (Hayden, 1984, p.34) The inclusion of more radical items from the reconstruction agenda following World War II was subverted by conservative elements such as the Church. (Allport, 1984, p.7,12)

In the lexicon of advertising of the time, the trim young housewife in the crisp, frilled apron, high heels and carefully waved hair, leaning dreamily on her vacuum cleaner was advised paternaly by the Bank of NSW....

"Running a home is no small job, even with the help of modern equipment. That is why so many young wives have a household cheque account...see the Manager of your local branch..." (Australian Homemaker, October 1954, p.73 in Spearitt, 1978, p.102)

The role of owner occupancy as a conservative and stabilizing influence, imbuing individual workers with a work ethic of benefit to capital has been more widely addressed in mainstream Marxist housing theory. (Harvey, 1978, p.15) Ownership encourages the spread of economistic orientations among workers, and functions as a mechanism of social control. (Berry, 1981, p.6; Forrest and Williams, 1984, p.1769) The working class is divided along ownership lines. Debt encumbrance, necessitated by owner

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20. although whether these values were traditional, or particular to that period, is open to conjecture, as indicated in the Chapter 1.
occupancy, at a broader scale facilitates separation of the political and economic spheres. (Berry, 1981, p. 6) Conversely, 'the home' has been viewed as an escape from the rigours of capitalist production, as a non-material haven for the male worker and his family. (Hayden, 1984) While home ownership has been seen as a palliative for family dysfunction (Watson, 1988, p. 11-12, cited in Chapter 3) and as a facilitator of social stability\(^{21}\) (Bassett and Short, 1980, p. 209-210) paradoxically, changing household structures, in concert with economic conditions and increased rates of unemployment, have been seen as causing a plateauing of owner occupancy rates since the 1960’s. (Cass, 1991, p. 10)

The linkage between household composition, the individual dwelling and consumption is still discernible. The consumption ethos, in terms of the energy costs of the detached dwelling form is now only gaining a minority recognition, but the ownership of household appliances still increases with household income (ABS, 1992(b), p. 40) and is higher for households in detached housing. (ABS, 1992(a), p. 320) Access to a household telephone is considerably higher for couple or nuclear families (around 97%) compared to single person and single parent households, (ABS, 1992(a), p. 320) as is access to private transport. Whereas 19.2% of single persons and 35.6% of lone person households (no doubt boosted by the proportion of the elderly in such households) did not own a car, the same was true of only 2.7% of nuclear families and 6.7% of couples. (ABS, 1993(a), p. 21)

The dominance of home ownership within the Australian housing market has produced an inflexible system which cannot easily adapt to changing household needs (Watson, 1988, p. 75) and which, within the cultural, economic and political context within it operates provides tenure alternatives of considerably less

\(^{21}\) it is claimed that the growth of owner occupancy post WWII was seen as essential in re-establishing the stability shattered by both the depression and the war. (ABS, 1992(b), p. 12)
economic and practical attraction than owner occupation, and little alternative to the detached dwelling. From an economic viewpoint "almost anyone who opts, by choice or necessity, for not being an owner-occupier is almost invariably acting in a way which is demonstrably irrational in terms of his own long-term scope for maximizing real wealth and income." (Patterson, 1975, p.28 in Berry, 1977, p.55, my emphasis)

Unlike some other advanced capitalist countries such as Sweden, where untrammelled movement between tenures traditionally occurred in response to the changing social and economic circumstances of households, (Young, 1986, p.17) in Australia significant cost disincentives, which may differ by State, operate in addition to ideological prejudice. This has commonly resulted in a stereotypic one way housing career (Kendig and Paris with Anderton, 1987 in National Housing Strategy, 1991a, p.8) which involves movement from the parental tenure to private rental accommodation and then to owner occupied housing in association with, or in preparation for, child bearing and rearing. The notion of a housing career is, however, increasingly open to challenge because of the changing housing context as discussed in Chapter 1 and a growing number of non-traditional households. While the lack of flexibility in the Australian housing system is commonly attributed to the lack of alternatives in terms of tenure and housing type, the secondary point that flexibility and mobility are also impaired by the cost penalties of geographic movement and movement between tenures is not so widely acknowledged.

The notion of a housing career, with the assumption of owner occupancy as associated with the nuclear family, clearly represents the tendency of modernist theory to universalise a dominant trend. The housing career led to the policy imprimitur that other household forms and tenures were transitory, and therefore did not constitute an important policy focus. In

22. For example, legal costs and stamp duty for owner occupancy and bond and connection costs for private rental.
fact, over a third of households at any point in time, were marginalised by this assumption.

The dominance of home ownership is of particular importance to divorcing women in that it increases the importance of the ideology of family law in distributing an indivisible (unless sold or bought out) asset, which usually constitutes the principle marital asset at divorce. In Britain, the identification of property as a key issue in divorce was associated with rising rates of owner occupancy in the 1980's. (Symon, 1993, p.159) In Australia, with a much longer tradition of tenure dominance by home ownership, the linkage has been more enduring and of great popular interest. Although it has been popularly assumed that women as the custodians of children after divorce have access to the family home, it is shown in Chapter 4 that this is not necessarily the case. It must be acknowledged that in a post industrial society where career assets are becoming more important than property as an asset, particularly given the decreasing age at divorce, (see Chapter 3), in many ways the distribution of the marital home is of less importance than the ability of husbands to retain the main income-earning assets (see Chapter 5).

Housing, the family and the labour market.

Given a capitalist system of housing provision, with a minimal state intervention of a public housing sector, linkages between the housing and labour markets are crucial. Linkages for women are mediated by the still-dominant of female domestic responsibility and the sexual division of labour within marriage, which operates most strongly when children are involved. Domestic responsibility often shapes or usurps women's role in the labour market, demonstrably to their long term disadvantage on divorce. As discussed in Chapter 5 the most common reason for women leaving the work-force is to undertake additional domestic responsibility, usually child
care. Irregardless of their marital status women spend more time than men on domestic duties. (Cass, 1991, p.3)

Women's independent position in the housing market is linked inexorably to their position in the labour market. It will be shown in Chapter 5 that despite legislation aimed to provide equal pay to men and women, a substantial wage gap still exists. While the usual explanation for women's lower rates of pay is that women are more likely to work part time than men, figures for male and female wages within the same industrial and occupational groupings show considerable disparity. The labour market is also very sex-segregated both industrially and occupationally, with evidence that the sexual division of labour in the home carries over to the work force. This allows considerable potential for gender-linked systems of job evaluation and classification, which are bound to become more pronounced with new systems of industrial relations and job evaluation currently being instigated in the labour markets of New South Wales and other States. (Burton, 1988) Given their lower union membership, women are also potentially disadvantaged in systems of negotiation, although it has also been widely claimed that the union movement as a whole has been either neglectful or tardy in recognising the needs of their women members and thus of little assistance in improving their situation in the labour market, particularly in advocating child care needs, which usually continue to be the responsibility of the female worker even when she is in paid employment. (O'Donnell, 1983, p.279). These issues will be further explored in Chapter 5, particularly in relation to divorced women.

The sexual division of labour within households forms part of the explanation for the relations between the spheres of production and reproduction. Although the point has been made that women may gain a source of non-material happiness from their participation in the non-market sphere, particularly in relation to child raising (Roberts, 1991,) the penalties are
material when the marriage ends. Satisfying as they may be, the (possibly) ongoing intangibles accruing from participation in the domestic sphere do not pay the bills! As will be seen from the next chapter, one of the most distressing aspects of women's role as child carers is the chronic under-valuation of their role by both the Family Law system and by the women themselves. Their role as caregivers and child minders, and marital/domestic cement within the economy of marriage is generally seen as less worthy a contribution to marriage than participation within the paid labour market. Reform of matrimonial property law could contribute to the improvement of women's status by recognising the value of women's work and the context of their work as an economic and legal system which is unsympathetic to the family and community benefit deriving from their work. (Evatt, 1991, p.1)

Dependency, the family and the labour force.

The dependency of women, implying their access to housing through a male income, was legitimised by labour market law. Until 1966, the Commonwealth Public Service prohibited married women from any permanent employment (Scutt and Graham, 1984, p.93) and not until 1974 was the family wage component discarded from minimum wage calculations and a equal minimum wage provided for men and women under legislation. (Funder, 1993(b), p.21) Despite the dominance of female-headed households as social security recipients, in this area women are also categorized and defined in relation to men, (Turner, 1981, p.176) perpetuating a rhetoric of dependency.

The concept of the family wage, which survived in Australia from 1907 to 1974 was used by employers and trade unionists to marginalise women workers regardless of their circumstances. The concept has been used to argue that that women (especially married women whom it is assumed already have access to a male wage) have a lesser right to employment, that they are "taking jobs away from men". (Roberts, 1991, p.8) This attitude is
subject to sporadic reincarnation, particularly at times of economic hardship, despite the obvious occupational and industrial segregation of the labour force by sex, different patterns of work-force participation and (sometimes) work-force motivations of men and women.

With an increasing instability in traditional family structures, Freeman prescribes the need for women's (and by extension, children's) welfare to be much more closely tied to labour market participation rather than dependency. She views the labour market as "more reliable and accessible than marriage as a means of economic support." (Freeman, 1980, p. 16)

Her point is well-taken, with evidence that women who have had continued labour force participation over the life of a marriage fare much better economically on its demise. (see Chapter 5) Conversely, women who have undertaken unpaid work for the collective benefit of the family during marriage are not compensated for the ongoing economic effects of such withdrawal from the work-force by either maintenance payments awarded at distribution or property settlements. (Funder, 1986(b), p. 98, Weitzman, 1980-81)

Housing and domestic labour: production or consumption?

The idea that domestic labour should be viewed as production within the capitalist economy (Vanek, 1974, in Watson, 1986) and allocated a component of the national GDP has been advanced within the feminist literature. Feminists have, however, in discussing the changing relations between production and reproduction implicitly tended to view housing as consumption. It has also been argued in the mainstream housing literature, however, primarily by Pugh (1986, p. 34) that if housing was viewed as production (according to its role in the reproduction of labour) that domestic labour would be accorded greater social and economic recognition.23 Recognition of domestic

23. The housing as production argument is also mostly lost in general housing research. Hall, for example, considers that for most capital, housing is a cost. (1981, p. 64)
labour as production would likely also result in greater recognition for the role of carers and child minders in the case of marital breakdown.

CONCLUSION

This chapter has presented elements of feminist and mainstream housing theory which attempt to explain women's place within the urban environment and the housing system. For women, housing access is mediated through a male partner's wage and the primary determinant of women's access owner-occupied housing continues to be the presence of a partner. For men, access is controlled much more directly through the labour-market. (Munro and Smith, 1989, p. 6) The absence of children aids young people in attaining owner-occupancy, as does a secure income.

The next chapter will focus on the characteristics of, and responses to divorce which will affect access to both income and housing.
"And so I always advise men clients who are in the position to pay more money to the wife....as a joke I don't mean it seriously because if you give her too much she may think she's on to a good thing and hang on to it. But I always say send her expensive perfumes, offer to babysit for her and get her, you know, send her out to dances....because the sooner she's off your hands and into someone else's the better. ....You know you've got to strike a nice balance so that she's happy and attractive and then somebody else will take her because theoretically she's on his back until she remARRIES" (Smart,1984,p.190)

INTRODUCTION

Socially and economically, divorced women illustrate a transition from mainstream to marginal. In this way they provide a longitudinal profile of the importance of many of the issues related to the patriarchal structure of housing provision and economic welfare.

The process of divorce also involves many useful insights into the operation and economics of marriage and the family. (Smart,1984;Funder,1993(b),p.245) Given the traditional view of marriage and the family as the social and economic cornerstones of society, Smart argues that it is enlightening to examine these institutions at the point of breakdown

"because it is at this point: that the economic vulnerability of women caused by marriage and the sexual division of labour is most clearly exposed. At this point the sphere of the private is rendered open to public scrutiny, and the disproportionate poverty of women as a whole, but most especially women with children, is revealed. In this sense divorce opens a window on to marriage and the private sphere and consequently constitutes a valuable resource for understanding of family life." (Smart,1984,p.xiii)
While traditionally economists have assumed that husbands and wives derive similar utility from the sexual division of household labour (Ferber, 1982, p. 276-277) and share equally in the household income (Edwards, 1982, p. 255) and expenditure (Spalter-Roth, 1983, p. 231) divorce in many cases proves these assumptions to be ill-founded. The disproportionate poverty of women can arise from an inequitable distribution of resources and labour within marriage, inequitable sharing of human resources related to income earning when the marriage ends and the usual responsibility of women for children once the marriage has ended.¹

The consequences of divorce suggest the need for further research on the exercise of power in decision-making and the economic situation within intact family units. (Ferber, 1982, 278-279) Recent research, for example, has indicated that within marriage husbands more commonly exercise orchestration power, which is defined as the making of important, but infrequent decisions. Within this framework wives more commonly exercise implementation power, or the carrying out of less important time-consuming tasks made within the framework of the husband’s broader decision-making. (Madigan, Munro and Smith, 1990, p. 635) The lesser role of women in influential decision-making in marriage is an ideological partner to the sexual division of labour and will impair their ability to function independently on divorce. The experience of divorce also raises the question of the relative power of each spouse in the case of divergence within ongoing families.

ATTITUDES TO DIVORCE

In 1948, Goode noted that a divorced women had no clearly defined social status, with her and her family existing in social limbo. In 1971, Staples commented that the single-parent family continued to be regarded as a deviant form (Brandwein,

¹ Mothers gain custody of children in at least 90% of cases. (Raymond, 1987, p. 34)
Brown and Fox, 1974, p. 505-6) a situation that has not changed significantly since. In fact, many authors assume that the single-parent state is temporary, and remarriage constitutes re-equilibrium of the family, (Brandwein, Brown and Fox, 1974, p. 507) reducing or negating the need to provide for a temporary situation. (Symonds, 1982)

In similar ways, the problem of other non-traditional households has been disguised by consideration of their situation as temporary or their behaviour as pathological. During the 1960's in Britain, for example, a pathology model was applied to the homeless, which Watson claims distracted policy attention from underlying structural changes. (Watson with Austerberry, 1986, p. 59)

While divorce has been viewed in the past in policy terms as indicative of a "bad home environment", to which our political leaders have prescribed home ownership as the palliative. (Watson, 1988, p. 11-12) and the single-parent family as an aberration, sociologists argued in the 1960's and early 1970's that divorce can also be viewed as an adaptive device, enabling greater attention to be paid to the quality of marriage and allowing the dissolution of less than ideal marriages with the likelihood of remarriage. (Yeatman, 1970-71, p. 28-33) Smart echoes Watson's criticism of assumptions about the homeless, by pointing out that the flaw in the sociologist's argument at that time was to abstract the discussion of divorce from a legal and social context which favoured the nuclear family unit, and present it as a matter of individual choice. (Smart, 1984, p. 56-59)

With regard to divorce, it has also been argued that "the freedom of modern life is bought at the price of the instability of family ties", (Scholnick and Scholnick, quoted in Glick and Lin, 1986, p. 145) with consequent personal losses to provide benefits to capital.
SOCIAL AND ECONOMIC CONSEQUENCES OF DIVORCE

Little information has been available in the past on the social and economic consequences of divorce. (Eekelaar and Maclean, 1984, p.208; Smiley, Chamberlain and Dalgleish, 1984) Recent studies undertaken by the Australian Institute of Family Studies (AIFS), in association with the Law Reform Commission Matrimonial Property Research, have collected survey-based data which addresses the economic consequences in a more comprehensive way.

Two parts of the AIFS survey have been conducted. The first, in 1984, examined the economic circumstances of 825 divorced men and women during the latter years of their marriage, immediately after separation and 2 to 5 years after final separation. The second stage of the survey, in 1987, examined the economic fortune of parents only, in the period 5 to 8 years after marriage breakdown2. The survey aimed to collect data from groups representative in demographic and legal process terms of cases passing through the Family Court. The "younger" group interviewed in both of the stages was representative of the largest number of cases passing through the Family Court. They had been married 5 to 14 years, divorced in 1981 or 1983 with two dependent children and it was the first marriage for both partners. The "older" group had been married at least 15 years, were divorced in 1981 and the wife was aged between 45 and 59 at the time of separation.

"The "older" group was chosen to explore the situation of a numerically smaller population of women whose circumstances and potential economic vulnerability might require special provisions. Older women have been described as susceptible to economic adversity. Following marriage breakdown after a long union, during which they have usually withdrawn from the workforce for long periods, women have great difficulty

2: Based on the finding of the first survey that older women and parents were particularly disadvantaged following divorce.
achieving economic independence, or security in their retirement. (Funder, 1986(a), p.17)

These studies were biased towards those of a higher socio-economic status, the Australian-born, English-speaking and higher-educated groups as well as those who were less mobile. (Funder, 1986(a), p.28-30) Other possibilities for bias include the fact that only records from the Melbourne registry of the Family Court were used to access records for the sample and only those younger couples divorcing with two dependent children were included in the sample. As shown on Graph 3.1, in 1991 only 23.2% of all divorces involved families with two children and 10.9% more than two children. In this sense couples divorcing with 2 children might over represent the longer term costs of divorce for the majority of cases currently divorcing. The sample was, however, constructed to represent the majority view of divorcees in the early 1980's.

DIVORCE AND POVERTY

Studies generally have shown that poverty is both a cause and a consequence of divorce. Empirical evidence in the US and Britain has shown socio-economic bias in divorce, and in the absence of contrary data it is likely the case in Australia also. (Funder, 1986(a), p.28) Poorer families are more likely to divorce. (Espenshade, 1979, p.615) Sullivan, based on evidence in Britain from World War II to 1976 has also shown tenure bias in divorce rates. Those who began their married lives in local authority housing are more likely to experience marital breakdown than those who started off in an owner-occupied home, irrespective of age at marriage and other factors thought to be associated with the risk of marital breakdown. (Sullivan, 1986, p.37) Although it would be expected that low income would be correlated with public rental, to some extent it is surprising

3. The younger group was selected as representative of the greater number of cases passing through the Family Court. For example, in 1981, 48% of divorces were granted to couples married 5 to 14 years, 9% of husbands and wives had not been previously married and, of these, 34% had two children. (Harrison, 1986(a), p.16.)
GRAPH 3.1: Divorces by no. of children

aged under 19, Australia, 1991.

Source: ABS, 1992(c).
that public tenants in the short term would not be as economically advantaged as owner-occupiers.

Although it is not certain in Australia whether the rate of divorce varies inversely with socioeconomic status, it has been noted that mothers in one-parent families are in general less educated than mothers in two-parent families. (King, 1983, p. 14) This is unlikely to be simply a result of selective remarriage, as overseas experience, discussed below, suggests that remarriage rates are also higher for females of lower socioeconomic status.

Poverty also results from divorce, especially where it is a pathway into social security recipiency. For many women, social security recipiency follows a change in marital status. (Montague, 1985, p. 9) Australian data show a high level of reliance on social security at some time in the post-separation period regardless of socio-economic background, attachment to the workforce or past or present family circumstances. For the AIFS study the highest incidence of receipt was by mothers out of paid work at the time of separation (93%), women who were not involved in the decision to separate (88%) and those whose personal income at the time was less than the Supporting Parents Benefit rate (85%). Eighty one per cent of women with 10 or fewer years of education had received social security in the 5 to 8 years following separation and 79% of those who did not repartner. (Funder, 1993(b), p. 104) The study indicates very unambiguously that women, rather than men, bear the burden of poverty following divorce. Issues of social security recipiency and economic well being will be further explored in Chapter 5.

Weitzman examined the social consequences of divorce, but only on children affected by their parents' divorce. She found that moves following divorce, often tied to reduced income availability, had implications of loss of continuity and stability. At the same time the "extreme financial burden" on their mother often meant a reduced quality of care for the
period immediately following divorce, without a commensurate increase by other family members. Demands on the mother also prevented establishment of a new social life for herself. (Weitzman, 1980-81, p.1263)

PROFILE OF THE CURRENTLY DIVORCING POPULATION

In 1991, there were 385,955 divorced women, or 5.8% of women aged 15 and over, in Australia. A further 201,645 women (3%) were separated. This compared to 25.8% of never married women, 55.4% of married women and 10.1% widowed. (ABS, 1993) The distribution of males by marital status differed in that there was a greater proportion of never married men (33.1%), fewer separated and divorced (2.7% and 4.8% respectively) and a lower proportion of widowed men (2.5%).

Graph 3.2 shows the distribution of marital status by age for women in 1991. It can be seen that the highest proportions of divorced women occurred in the age groups 35 to 54. 9.7% of women aged 35 to 44 remained divorced and 10.2% of women aged 45 to 54. The highest proportions of separated women were aged between 25 and 54.

Marital status in 1991, however, represents merely a snapshot. Women shown as divorced represent a wide variation in length of separation and subsequent divorce. Women included in 1991 in other marital categories may have been through the process of separation and divorce in the past. Women previously involved in de facto relationships may be self-classified as never married although in effect they could share similar problems to women classified as separated or divorced.

The length of time since separation and divorce is an important aspect of the economic impact on women. (AIFS, 1986 & 1993)

Unfortunately data is not available to classify divorcees by length of time since divorce.
GRAPH 3.2: Marital status by age, women 

HOUSEHOLD COMPOSITION OF DIVORCED WOMEN

The distribution of divorced women by household type in 1986 is shown in Table 3.1. Similar detailed results from the 1991 census have not yet been released.

<table>
<thead>
<tr>
<th>Family type</th>
<th>Separated</th>
<th>Divorced</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>m</td>
<td>f</td>
<td>m</td>
</tr>
<tr>
<td>Parent &amp; dep ch (%)</td>
<td>9351</td>
<td>57089</td>
<td>12293</td>
</tr>
<tr>
<td>Couple (%)</td>
<td>11191</td>
<td>8807</td>
<td>24351</td>
</tr>
<tr>
<td>Couple &amp; dep ch (%)</td>
<td>10545</td>
<td>11241</td>
<td>19419</td>
</tr>
<tr>
<td>Related adults (%)</td>
<td>12285</td>
<td>17786</td>
<td>23792</td>
</tr>
<tr>
<td>Parent, dc adult fm (%)</td>
<td>3776</td>
<td>17051</td>
<td>5155</td>
</tr>
<tr>
<td>Couple adult fm (%)</td>
<td>8167</td>
<td>5660</td>
<td>13388</td>
</tr>
<tr>
<td>Couple dc adult fm (%)</td>
<td>5726</td>
<td>6354</td>
<td>7851</td>
</tr>
<tr>
<td>Total family (%)</td>
<td>61045</td>
<td>123990</td>
<td>106249</td>
</tr>
<tr>
<td>Non family (%)</td>
<td>80878</td>
<td>43869</td>
<td>142178</td>
</tr>
<tr>
<td>Total (%)</td>
<td>141924</td>
<td>167859</td>
<td>248426</td>
</tr>
</tbody>
</table>

Source: ABS, 1986 Census, microfiche Table CX0007

Table 3.1 shows that separated or divorced women were much more likely than men of the same status to be living as single-
parents. One quarter of divorced women and 34% of separated women were living alone with dependent children. A further 10.2% and 8.3% respectively lived as a single-parent sharing with other adult family members. In contrast only 5.3% of the total female population lived in a single parent-family. A further 26.1% of separated women and 33.3% of divorced women lived either alone or with others in a non-family household. Table 3.1 shows that separated or divorced men were more likely to have repartnered.

THE DEMOGRAPHY OF DIVORCE

Figures from the Australian Bureau of Statistics for divorces in 1991 (ABS,1992(c),p.1) give a total of 45,630 divorces in that year. As noted in Chapter 1, after an initial rapid increase in divorce rates following changes to the Family Law Act, rates have fallen and remained relatively stable, although dropping slightly from the mid-1980’s, and increasing in 1991.

The 45,630 divorces in 1991 compares to an average of 17,348 divorces per annum for the period 1971 to 1975. By 1976 to 1980, following changes to the Act, the number had increased to 45,220, boosted by 63,230 divorces in 1976 alone.

While the number of divorces can partly be attributed to population increase, the number of divorces in 1991 represents 263% of the annual average number of divorces, 1971 to 1975, and 679% of the 1956 to 1960 number, obviously not in proportion to population increase. The increased potential for divorce in the 1970’s has been attributed to the unprecedented proportion of the population of the adult population marrying in the cult of domesticity which followed World War II. This cohort provided much of the potential for divorce in the 1970’s. (Jupp 1980 in Funder and Harrison,1993(c),p.17) The subsequent policy focus on the increased number of single-parent families as a consequence of divorce in the late 1970’s and early 1980’s is not surprising, particularly given changes to the eligibility for a Supporting Parents Benefit at the same
time which saw beneficiary numbers increase from 57,000 in 1977-78 to 182,000 in 1989-90. (Funder and Harrison, 1993(c), p.23) with consequent increases in costs. Evidence suggests that the public costs will continue given the high level of social security recipiency following divorce. About 40% of marriages contracted in the 1970's and 1980's are expected to end in divorce. (McDonald, 1983 in Funder and Harrison, 1993(c), p.23)

As noted in the introductory chapter, divorce has been most common for those aged 25 to 29. In 1991, a disproportionate increase in divorce for younger people occurred. For the first time the divorce rate for women aged less than 25 exceeded the rate for those aged 25 to 29. For males, divorce was still most common for those aged 25 to 29. In 1991 48% of women were aged under 35 at both separation and divorce. A further 33% of women were aged 35 to 44 at divorce. (ABS, 1986, 1987, 1992(c))

FURTHER CHARACTERISTICS OF THE DIVORCED POPULATION

The median length of marriage before divorce has decreased since 1966 from 13.8 years to 10.3 years in 1991. The median duration of marriage prior to separation was 7.4 years, with 60% of marriages lasting less than 10 years prior to separation, so for most divorcees the period of separation prior to final dissolution lasted around 3 years. (ABS, 1992(c))

Table 3.2 shows the proportion of marriages by length of marriage to final separation and divorce. Whilst almost half of marriages lasted less than 10 years to divorce, with the median age at divorce 38.4 for males and 35.5 for females, 10% of divorces (or 4654) involved those who had been married 25 years or more. The implications of divorce for women from these marriages who were less likely to have been involved in the movement of married women into the workforce and having few years and opportunities available to re-enter the workforce and a lower likelihood or remarriage, are likely to be quite different than for younger women. In addition to the operation
TABLE 3.2: Divorces. Percentage distribution and median duration (years) between marriage and final separation and divorce, Australia, 1991.

<table>
<thead>
<tr>
<th>Length of marriage</th>
<th>To separation</th>
<th>To divorce¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>(years)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Under 5</td>
<td>37.7</td>
<td>21.3</td>
</tr>
<tr>
<td>5 to 9</td>
<td>22.5</td>
<td>27.4</td>
</tr>
<tr>
<td>10 to 14</td>
<td>14.4</td>
<td>17.6</td>
</tr>
<tr>
<td>15 to 19</td>
<td>12.0</td>
<td>13.1</td>
</tr>
<tr>
<td>20 to 29</td>
<td>11.1</td>
<td>16.1</td>
</tr>
<tr>
<td>30 and over</td>
<td>2.3</td>
<td>4.5</td>
</tr>
<tr>
<td>Total no²</td>
<td>45,630</td>
<td>45,630</td>
</tr>
<tr>
<td>Median (years)</td>
<td>7.4</td>
<td>10.3</td>
</tr>
</tbody>
</table>

¹ To date decree made absolute.
² Includes not stated

Source: ABS, 1992(c), Tables 13 and 15, p.7,8.
GRAPH 3.3: Years from marriage to separation and divorce, Australia, 1991

Source: Table 3.2
of the sexual division of labour within marriage, as discussed in the previous chapter, these women have experienced active discouragement to workforce participation. Of the 2114 women aged over 55 who were divorced in 1991, 55% had been married 30 years or more.

With the long term trend towards a reduced length of marriage prior to divorce, the number of divorces involving children has also decreased, from 66.5% in 1967 to 54% in 1991 (ABS, 1992(a), p.51) but the average number of children per divorce has remained constant at 1.9 since 1983. The distribution of divorces by number of children, and change over time, is shown in Graph 3.1. Of the 45% of divorces not involving children, one quarter involved marriages of over 20 years duration, where any children of the marriage would be more likely to be over 18 years and excluded from the data. So a total of one-third of divorces involve childless couples.

Fifty six per cent of divorces in 1991 occurred between couples both born in Australia. Just over 7,000 divorces (or 15.4%) involved women from non-English speaking backgrounds who were born overseas. (ABS, 1992(c)) These women are likely to experience particular problems on divorce, particularly if they have been in Australia a short time and are lacking in English language skills and support networks.

Figures for 1991 show that 16.3% of males and 15.4% of females divorcing that year had been divorced prior to their present marriage. While the median length of marriage, as stated above, was 10.3 years for all divorcees, this showed considerable variation by marital status at the date of marriage. For never married women, the median length of marriage was 11.2 years, compared to 7.7 years for previously divorced women. The proportion of previously divorced women involved in divorce is increasing in line with the pool of divorced women. In 1966 8.5% of divorces involved previously divorced women. By 1991 this had increased to 15.4%. (ABS, 1992(c))
REMARRIAGE- TRENDS AND CHARACTERISTICS

Australian Bureau of Statistics data for 1991 show a median age at remarriage of divorced persons of 39.7 years for males and 36.1 years for females, with similar times to remarry for men and women. Within 5 years of the dissolution of a previous marriage, 68.9% of males and 65.9% of females had remarried, with a median interval to remarriage of 2.8 years for males and 3.1 years for females. (ABS, 1992(d), p.2)

Results differ from those of the AIFS work on divorcing parents, which found that for the first 6 years after divorce males had a consistently higher rate of remarriage than females. This trend has been consistently confirmed elsewhere (Cass, 1991, p.2; Cotts Watkins, 1985, p.9; King, 1983, p.9) for the divorcing population as a whole. At the end of 6 years a total of 57% of male compared to 38% of female respondents to the AIFS study had remarried. Men also remarried more quickly than women. Twenty seven per cent of divorced men remarried within the first year of divorce and 39% within the first 2 years, compared to 15% and 25% (respectively) of women. As confirmed by other studies, remarriage rates were highest for the first few months after divorce*. (Weston and Khoo, 1993, p.57-59)

As also confirmed by other studies, remarriage varies with age and socio-economic status. AIFS research conducted up to 6 years post-separation found that older women were much less likely to repartner than any other group. Their rate of repartnering was 15%, compared to 44% for older men. Younger men were more likely to have repartnered than younger women but the discrepancies were not as great as for the older men and women.

For those who were repartnered, one third were living together and two thirds remarried for all groups except younger women

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4. Although this section examines a number of demographic indicators from a range of studies in terms of the rapidity of change in such characteristics, it is important to consider the time at which research data was collected and the country from which it originates.
who had been separated for less than 3 years, where the proportions were reversed. (McDonald, 1986(a), p. 58-59)

As found elsewhere, it seems that for younger women, repartnering is inversely related to socio-economic status, a relationship which is not eroded by time. Younger women whose husbands had higher level occupations or women with higher level education themselves were less likely to repartner. Rates of repartnering were also higher for women who had separate incomes or controlled the household finances prior to separation, or who were the 'leavers' in the separation rather than the 'left'. (McDonald, 1986(a), p. 60)

Interestingly a study by Glick in the United States found, contrary to the AIFS study, that remarriage rates were higher for women not in the workforce, especially those with preschool age children (in Symonds, 1982, p. 4-5) perhaps indicating a need to remarry for economic reasons. The AIFS study has found that, particularly for mothers caring for children after divorce, there may be strong financial incentives to repartner as the only way of saving their children from financial deprivation.

Ambert has developed this point further, studying attitudinal differences between financially secure and financially insecure women in Canada towards remarriage. She found that financially secure women were less tied to the idea of remarriage as the "main mode of future life" but that it was "very difficult to establish if it is the financially insecure woman's lack of a financially sound base which makes her more in need of remarriage or if it is her personality configuration of dependency which does so". In contrast to the financially insecure woman, the financially secure woman has both resources and a sense of personal control which raise her self esteem and sense of autonomy. (Ambert, 1983, p. 52)
For older men repartnering was positively associated with socioeconomic status (income and education) and having previously been married to a wife who did not work.

For older women, socioeconomic status does not appear to be associated with repartnering. Those repartnering were more likely to have had independent income or financial control of finances during marriage. (McDonald, 1986(a), p.60)

In all cases, those instigating the separation were more likely to have repartnered than those who were left. This was perhaps not surprising given the possible pre-existence of a new partner prior to separation and a greater preparedness for separation.

It also appears from overseas studies that the age and number of children affects women's rates of remarriage or repartnering. (King, 1983, p.12; Glick and Lin, 1986, p.42-43) In Britain, Eekelar and Maclean found a greater likelihood of childless divorcees remarrying than those who had children (63% and 46% respectively). Although the authors consider that the higher rate of remarriage for the childless might be correlated with younger age, they point to the importance from an economic perspective, given the pre-eminence of remarriage in improving the economic position of mothers. (1984, p.219)

In Australia it appears, however, that age at divorce is a more critical factor than number of children. In 1982, while two-thirds of women aged under 30 at divorce had remarried regardless of the number of children, for older women remarriage decreased with the number of children, especially where two or more children were involved. (ABS, 1985, p.16-18)

For women who repartnered, it was most common for new partners to have a similar occupational status to their former husband. This conforms with the general view of marriage as enforcing norms and linking individuals of similar socioeconomic status and background. (Mauldin et al, 1990, p.204) Two-thirds of the
younger divorcees and over four-fifths of older divorcees formed relationships with previously married individuals. (McDonald, 1986(a), p.61)

The general question of repartnering and the policy implications of such is both emotive and vexed. A similarly vexed question is that of the apportionment of costs of spouse support and child-raising, particularly in the short term, between former partners and the State in the event of family breakdown. While the legitimation of female dependency has underpinned much housing, social and welfare policy formulation, increased rates of family breakdown and reformation have complicated the individual provision of financial support.

A study for the South Australian Housing Trust in the early 1980's was based on the premise that an examination of remarriage behaviour would identify those single-parents whose need was likely to be essentially short term and best provided for by a private housing subsidy rather than provision of public housing. (Symonds, 1982) Presumably other single parents would be catered for by re-integration into a nuclear family economy.

PHILOSOPHY OF FAMILY LAW - EFFECT ON DIVORCING POPULATION

"There are four different policy areas which intersect to supposedly help, but often hinder women who are divorcing: the housing system, the law, the income maintenance system and labour market policies." (Watson, 1988, p.74) Watson observes that "the rhetoric in each is contradictory" (p.74) and that no thought is given to the interaction of these policy areas.

The impact of the ideology and practice of family law on divorcing women has been considered by a number of feminist authors. The availability of housing and other resources from the marriage are subject to the ideology of family law. Despite
the fact that in 1982 only 30% of cases for matrimonial property division went to the Court and 4.7% of cases were judicially determined, (Hambly, 1984, p.11) it has been argued that decisions of the Court have an effect in out-of Court settlements of the remaining 70%. Reported decisions of the Court guide registrars on the interpretation of law. (Scutt and Graham, 1984, p.40)

The level of legal process engaged is correlated to both socioeconomic status (Harrison, 1986(b), p.49) and length of marriage. (Hambly, 1984, p.11) Both higher socioeconomic groups and marriages of longer duration are more likely to have a greater amount of marital property to divide. Paradoxically, the level of uncertainty and dissatisfaction with the outcome of the proceedings also tends to increase with use of a higher order legal process.

It is often argued that the influence of family law is limited by the fact that many divorcing couples have little to divide, (Clive, 1984, p.197; Weitzman, 1980-81, p.1264) in fact some may only have debts. This particularly reflects the younger age and lower socioeconomic status of the divorcing population and will be increasingly the case given the trend towards divorce at younger ages.

The current legal system in Australia is discretionary and based on a system of ‘no fault’ divorce. Division of matrimonial property is open to judicial discretion based on assessment of contribution and need. While the advantages of such a system are flexibility and the potential for overcoming some of the income inequalities perpetrated through marriage and especially child-raising responsibilities, (Watson, 1988, p.97) the perceived disadvantages have also been widely discussed. Detractors point particularly to the record of family law in failing to realise potential to reduce inequalities in outcome between spouses. Sugarman and others, however have cautioned that as family law is not the sole cause
of inequalities between men and women, it cannot be expected to "rectify imbalances single handed". (Harrison, Funder and McDonald, 1993, p.199) The role of the divorcing spouse, as compared to the role of the state, in compensating for sexual inequalities perpetrated through marriage, education and the workforce is a contentious issue underlying much of this debate.

The disadvantages of the current discretionary system are the subjectivity of Court rulings, (Scutt and Graham, 1984, p.77) the unpredictability of outcome and expense, which advantages the party with the greater power or resources. (Harrison, 1986(a), p.10)

Sexism is alleged in the assessment by the Court of relative contributions towards the acquisition of matrimonial property and prospective need. The principles of contribution and need are given a different emphasis according to the facts presented, there is no requirement that use of discretion be judicially explained, (Harrison, 1986(a), p.7) and no useful standards for considering non-financial contributions. (Harrison, Funder and McDonald, 1993, p.192) Although the Act requires recognition of the contribution of a parent and homeworker, it is not required that the contribution be deemed equal to financial contributions. (Scutt, 1983, p.130) Findings from research by the AIFS indicate that both women and men have been socialised to undervalue the non financial contribution of women to the marriage, resulting in inadequate property allocation and income transfers. "It is perhaps an indication of how hidden and undervalued child-rearing is in our society that mothers did not see their role as providing an important contribution to the marriage." (Harrison, Funder and McDonald, 1993, p.197) Women are also held to be disadvantaged in a legal system administered by men (Ullrich, 1986, p.42) both for judicial and out-of-Court settlements where they may be subject to pressure and unable to afford costs to challenge the settlement. (Scutt and Graham, 1984, p.41)
Women's contributions and rights are seen by law as pertaining to basic assets such as the house, car and furniture, rather than more valuable assets such as businesses, shares farms and superannuation (Harrison Funder and McDonald, 1993, p.194), of which husbands gain a disproportionate share (Weitzman, 1980-81, p.1204). While "career assets" such as training and workforce experience accrue, usually to men over the period of the marriage (often aided by the wife's domestic labour) these assets, as well as other fringe benefits of employment are not easily divisible at divorce, but they have long term implications for the maintenance of inequality between former spouses.

In terms of value, "career assets" and earning capacity may be much more valuable than basic assets (Weitzman, 1980-81, p.1192). Because of the difficulty in measuring such assets they are not often included as matrimonial property, arguably to the disbenefit of women. In contrast, woman carry the burden of lower income-earning potential because of absences from the workforce, domestic responsibility during marriage and structural inequalities in male and female income-earning potential. These issues will be discussed further in Chapter 5.

The "clean break" principle is advocated in Australian family law. That is, necessary continuing interaction between spouses should be limited by final determination wherever possible. A "clean break" is more difficult to achieve in cases where dependent children are involved, as on-going child-maintenance payments are required of the non-custodial parent. The "clean break" principle is also seen to obviate continuing dependency by one spouse, usually the wife, to allow for changing circumstances, often remarriage of her ex-husband.

The issue of the relative financial needs of a new family formed by repartnering and a former family is both complex and

5. This will particularly disadvantage women divorcing in rural areas where suitable employment is also likely to be lacking. It may help explain the tendency, discussed in Chapter 4 for women to migrate to urban areas on divorce.
emotive. While repartnering for women is the fastest way to improve their economic situation after divorce, the perpetuation of women's economic dependency on a male wage is seen by Smart as attributable to the operation of the law (for example, social security, taxation, pensions) and other social and economic policies (for example, provision of childcare, equal work and pay opportunities) which allow little alternative. (Smart, 1986, p.11)

Funder ratifies this view. The problem with the Family Law Act as she sees it, is its assumption of gender neutrality in both personal relationships and the economic arena. While the Family Law Act and similar law reforms in other Western countries were founded on a premise of individual autonomy and gender neutrality, in the absence of true gender equality in society, it has been found that "women, especially mothers, appear to bear the brunt of the costs of deregulated divorce" (Funder, 1993(a), p.4) contributing significantly to the so-called "feminisation of poverty".

While there is evidence to show that the needs of children may be influential in an enlarged share of property going to the custodial parent, "there is little evidence that any other need, in particular the need for income, plays a great role in the determination of property shares". There is some evidence, however, that repartnering on the part of women is considered as reflecting an absence of need6. (McDonald, 1986(c), p.192)

DISCRIMINATION AFFECTING DIVORCED WOMEN AND THEIR HOUSEHOLDS.

Discrimination by financial institutions.

Divorced women seeking access to housing are also subject to the philosophies and policies of financial institutions. Given the dominance of home ownership in Australia and the lack of

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6. In fact, women's property shares were significantly reduced if they repartnered, while men's shares were only reduced slightly. (McDonald, 1993(c), p.188)
real alternatives (see Chapter 1) financial institutions exercise a large degree of control within the Australian housing market.

Both indirect and direct forms of discrimination against women are exercised by financial institutions. Direct discrimination is defined as rules, policies or requirements which limit women’s access to credit or impose unfavourable conditions, because of their sex or marital status. Indirect discrimination is defined as based on rules, requirements, policies or actions which appear gender-neutral but which in affect significantly reduce women's access to finance or mean that women do not obtain finance on terms as favourable as men. (NSW Anti Discrimination Board, 1986, p.6-7)

Direct discrimination exposed in the Anti-Discrimination Board report which is likely to be of particular concern to divorced women is the refusal of credit on the basis of a former husband’s bad credit rating, and the assumption that a single woman has no need for access to finance or that she will prove to be financially incompetent. Cass comments on the paradox that married women contribute to the credit-worthiness of married couples by both their participation in the paid labour force and their household work and childcare which free their husbands to act as principal wage earner, yet these very contributions are considered a handicap to the women’s credit worthiness. (Cass, 1991, p.27-28) Women who had operate joint accounts with husbands during marriage are often denied ownership of the credit rating achieved as a couple, inhibiting their access to further credit on separation, while former husbands achieved a continuing credit record. (NSW ADB, 1986, p.56) These findings were confirmed by Watson in a survey in Canberra in 1985 (Watson, 1988, p.50-55) and by a Department of Housing phone-in in 1987 (Shortus 1987).

Direct discrimination also arises from patronising and discriminatory attitudes of loan officers as gatekeepers,
(Watson, 1988, p. 50-55) who often believe that "women are, or ought to be, dependent upon men and thus should have no autonomous standing in the world of finance". (NSW ADB, 1986, p. 47) Lenders also commonly exhibit a fear of the potential of pregnancy to disrupt loan payments. (Shalala and McGeorge, 1981, p. 39) and give preference to loans for couples. (NSW ADB, 1986)

A lack of information provided by financial institutions specifically targeted to those of non-English speaking backgrounds may constitute a form of indirect discrimination. Although identification of direct racial discrimination by lending authorities is an infrequent complaint, some evidence suggests that people of non-English speaking background are lacking in basic information about obtaining housing finance, the operation of the housing market and low cost options. (Shortus, 1987, p. 8) This could represent a particular problem for divorcing women of non-English speaking background, especially given the tendency for husbands to make major decisions in marriage, such as those related to housing.

Indirect discrimination arises predominantly as a result of creditworthiness being assessed on the basis of a labour force pattern which is more typical for men than women, that is, a permanent full-time income of sufficient size to service a loan. (NSW ADB, 1986) This discrimination exists despite research from the United States which suggests that although women have lower economic status than men, they are good credit risks. (NSW ADB, 1986, p. 81) Cass endorses this view, based on evidence from a Victorian study of low-cost consumer loans. "There is growing evidence of low-income people's (and especially low-income women's) caution in relation to indebtedness and credit, and their consistency and reliability in making repayments." (Chalmers and Prosser in Cass, 1991, p. 28) Cass asserts that the observation based on consumer loans is likely to also hold for repayment of housing loans.
The structure of traditional lending arrangements acts as a constraint to women's access to finance because the high real levels of repayment in the early years of a traditional credit foncier loan artificially raise the level of income needed to service the loan. The practice of using current income to determine the ability to service the loan over a 20 to 30 year term is also not rational, particularly for single mothers, for example, whose social security recipiency may apply for only a small segment of the loan period. (Nippard and Zika in Watson, 1988, p.47)

Low-income women who are successful in obtaining a loan will be committed to repaying a higher proportion of income than higher income earners. (Yates, in Cass, 1991, p.28) As discussed in Chapter 1, price-based rationing following deregulation has actually moved borrowing constraints further up the income scale. The only counter to this trend for low-income households who are unable to pay an increased proportion of income in repayments is to buy lower priced housing, which is likely to require a greater need for maintenance or repair, requiring skills and income that many women lack, or a less advantageous location for access to employment and services.

Access to statutory home purchase schemes

Of perhaps greater concern is the bias towards traditional families in the policies of statutory authorities assisting movement into home ownership. Priority for single women, for example, in policy current in NSW in the mid-1980's recognised their priority need only as mothers, not individuals. (Watson, 1988, p.48)

The needs of single households after relationship breakdown were not recognised in schemes where concessionary loans were given on a once only basis. If women, as part of a couple, were able to obtain concessionary finance then their needs on
leaving the relationship are more likely to be more pressing, particularly when children are involved. To be of sufficiently low income to obtain a concessionary loan the couple are unlikely to have generated significant marital property for distribution, to offset the additional costs following marital breakdown.

Access to public rental housing

Public housing has not been immune to criticisms of bias in providing for varying household types. Although bias has been historically based, institutional mores are slow to change. Public housing both in Australia and in a number of other countries has been criticised for directly discriminating against non-traditional households. For example, until 1983 in NSW single people without children were not eligible for public housing. (Forsyth, 1985, p.1) It has also been criticised for a paternalistic and discriminatory attitude exhibited in selecting a "deserving" client group. (Jones, 1980, p.267; Berry, 1981, p.11; McDowell, 1983, p.64; Roberts, 1991, p.124)

"We have forgotten the poor. Unfortunately State housing authorities for good reasons find the truly poor, the so-called multi problem families, a nuisance. They do not pay rent, they are dirty, they demoralise their neighbours. So they never get into State housing, or if they get in they are evicted." (Mendelsohn in Carter, 1980, p.106)

In Britain there is evidence post-War of allocation of "deserving" groups to newer, more prestigious, pleasant and well-located public housing estates. The policy was blatant enough to evince tenant recognition of such a system of allocation.

"We were told that after the estate had been occupied for twenty years they could put anyone in, know what I mean?... You know like black people, Greek people. Up until then I think they were very selective of their
tenants". (Public housing tenant, quoted in Roberts, 1991, p.124)

Unfortunately as public housing policies have become ostensibly less discriminatory and more liberal in their approach, funding cutbacks and changing political priorities have handicapped realisation of the benefits implicit in such a change. (Roberts, 1991, p.151)

**Access to private rental housing**

Discrimination is exercised by real estate agents and landlords as gatekeepers of access to private rental housing. Anecdotal evidence suggests that in this situation, women as parents are discriminated against. Single women make the best tenants, the cleanest so long as their are no kids.... some owners won't have kids, Lebanese, unemployed or pets." (Watson and Coleman, 1986, p.24)

Indirect discrimination may pertain to separating women who seek private rental housing, because of of the requirement for payment of expensive bonds and connection fees prior to occupation.

**Conclusion**

This chapter has examined trends in, and characteristics of divorce. It appears that, given the projected incidence of divorce amongst recent marriages, concerns surrounding the societal and personal management of what constitutes at a personal level a major life trauma will not be short-lived. At a societal level, divorce constitutes, particularly in the short term, a source of new household formation, with resulting needs for servicing and often income maintenance. It appears that, socially, a history of intolerance to a 'deviant' household such as that formed by divorce is still perpetuated.

Although recognisable trends are evident in the demographics of divorce, divorcees represent the full social strata, indicating
the potential for a wide range of resulting circumstances and problems. Although divorce has historically been biased towards the young, a trend which is becoming more apparent in recent times, a significant number of divorces still represent the dissolution of marriages of long duration. While an increasing number of divorces do not involve children, the majority of divorces still do.

Sixty per cent of marriages ending in divorce last less than 10 years to separation and almost half less than 10 years to divorce. The incidence and rate of remarriage attests to the resilience of many divorcees, and perhaps, as some studies have suggested, the strong financial incentives for many women, especially mothers, to repartner. A number of studies have indicated that variables associated with remarriage vary by gender and age, with overall men more likely to repartner and to repartner more quickly than women. Older women exhibit the most conservative repartnering patterns.

At any point in time, women who are separated or who remain divorced are likely to be living as single parent households or in non-family households, both non-traditional in housing terms.

Although the operation of a discretionary system of Family Law in Australia suggests the potential for redress of economic disadvantages sustained through divorce, in practice this has proved not to be the case. The law delivers sexism in process and outcome, to the detriment of divorcing women.

Several elements of discrimination are likely to effect divorced women in their access to housing after divorce, and the form of discrimination varies by tenure. Policies of financial institutions affect the access of divorced women to housing finance for owner occupation. A number of studies have documented the gender-discriminatory policies, both direct and indirect exercised by financial institutions. Divorced women
are likely to be concurrently affected by policies which discriminate against low-income earners.

For a number of reasons, explained in part by the intransigence and inertia/conservatism of housing policy, divorcing women are likely to be discriminated against by statutory loan authorities and, especially in the past, by public housing authorities. Unfortunately the ability of public housing to assist non traditional households has diminished in line with the growing welfare orientation and depletion of government priority to public housing.

The next chapter will examine the housing situation of women when their marriage breaks down.
CHAPTER 4

THE HOUSING EXPERIENCE

"Whatever job you take up when you leave school, one thing is almost certain - you will want to make a home of some sort. Perhaps it will be in a house or flat for your husband or children, or perhaps it will be in one room for yourself. If it's just for yourself, there's no reason why you shouldn't be just as comfortable, as well fed and have just as comfortable as surroundings as any married woman." (Creese, 1965)

INTRODUCTION

Many of the comments in the literature regarding the housing situation of women after divorce have been speculative, based on assumptions of the demography of divorce and the relationship of married women to the housing market, rather than based on a rigorous analysis of the situation of divorcing women themselves. It has been assumed that while marriage will have advantaged divorcing women in terms of housing access, relative to never married women, that divorcing women, particularly those caring for children of the marriage (54.2% of divorces in 1991 involved dependent children under the age of 18, and it is uncommon for fathers to have custody of children) (Harrison and Tucker, 1986, p.268) will be hampered by providing for housing on a low income at a time of major social and economic change for the household unit.

In Australia, there has been little specific focus on housing as an issue related to divorce. In the popular press, attention has been much more directed towards the adjustment and needs of the children of divorce, family dysfunction as represented by

1. School textbook for girls.
2. Anecdotal evidence suggests that men who attempt to gain custody are frequently dissuaded by their lawyers from doing so, on the grounds that they have little chance of winning, and to attempt to do so would be a waste of time and money. (Harrison and Tucker, 1986, p.268)
more spectacular cases of domestic violence, and income-related issues rather than housing issues.

As introduced in the previous chapter, policy pertaining to housing, law, income maintenance and the labour market has many areas of intersection for divorcing women, but the interaction of these policy areas is infrequently considered, either in academic or policy analysis. As discussed in the introductory chapter, housing analysis and policy is rarely placed within a broader social and economic context.

Although this thesis is not specifically policy oriented, the connection between elements which have been treated as separate is an essential point. While Paris and Stimson (1986, p.3) argue that

"many policies which are not usually thought of as housing policy have effects on housing which may be far more profound than effects of policies specifically aimed at housing."

Milligan argues the flip side, that at one level women's housing issues are not related to housing, but derive from women's unequal access in Australian society...

"This inequality pervades all economic, social, political, legal and value systems, including those surrounding the provision of housing. If the economic problems that derive from women's lower income, lower labour force participation, economic and psychological dependency within family structures and unpaid labour were to be fully addressed the policy directions would not, in the main, be housing focused." (Milligan, 1986, p.4)

While attention to housing issues after divorce seems tardy, given the external benefits of housing for location, access to services and facilities and security, it is symptomatic of a wider neglect of the linkages between income, and particularly the labour market, and housing. In a capitalist system it is obvious that access to housing will generally be mediated
through household labour market participation or access to alternative income sources, (Berry, 1981, p.9) but it has been argued that, in a macro sense, linkages are much more complex than a simple relationship between housing markets and labour markets. Marcuse contends that the linkage between labour and housing is a "fundamental internal one" in which "the content of labour and the form of housing are directly related and are prior to the external relations of the markets of each." (Marcuse, 1989, p.211) In a more general sense, an informational gap in Australia has been recognised in terms of the relationship of urban planning to labour markets. (Burke, Hancock and Newton, 1984, p.54)

While the next chapter will consider the income characteristics of divorced women, the current chapter looks at the housing situation in terms of tenure, adequacy and affordability. Pertinent to both of these chapters is the recognition that the circumstances of divorcing women will change over time and that although the previous chapter has provided a demographic profile of divorcing and divorced women, in fact they are not homogenous groups.

MEASUREMENT OF DIVORCE

Divorce is a process not an event. (Kiernan, 1991, p.291) As such, two aspects of housing related to divorce are relevant. The first is the immediate housing consequence of the decision to separate. The second is the longer term effects on a residual divorced population, reduced by attrition through repartnering (with the previous or a new partner) or death. Obtaining a reliable picture of the divorced population at these two junctures can be difficult because of the way in which statistical collections are compiled. What is ideally required is a longitudinal profile of a particular population cohort, to standardise for educational opportunity and other social and economic variables and to provide a non-divorced control group for comparison with the divorced population. This
could supplement the 'snapshot' provided by collections such as census data. While a longitudinal profile would reduce the complexity of background factors, cross sectional census data has the advantage of being comprehensive in terms of population coverage.

The danger is that aggregated data from census or other sources can lead to a false sense of cohesion within chosen categories. In this case women of various lengths of time since divorce and other characteristics will be grouped. In this sense, it is important to recognise diversity both within and between family (and other) category types (Bird et al, 1990, p. 37; Hassan, 1986, p. 1) and the values (temporally defined and ideological) governing particularly the conceptual organisation of the data. (Oakley and Oakley, 1979, p. 173-174)

In terms of studying divorce through data organised conceptually into marital status categories, for example, the housing situation of women leaving de facto unions is likely be missed unless they self-classify their household composition according to the more traditional marital categories.

To examine the short term effects of divorce in relation to housing, the most useful data set currently available is that produced by the Australian Institute of Family Studies. As discussed in Chapter 3, this data contains several possible sources of bias, particularly in its examination of the situation of only younger people who were parents, but it provides the only detailed longitudinal profile in Australia of the effects of divorce.

WHO STAYS IN THE MARITAL HOME?

The AIFS study shows that, despite the widely held assumption of women as dependent, it is women who most often initiate

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1. In this regard, the ABS has modified several conceptual units of data organisation in recent collections which had previously been criticised as sexist. The concept of a normative, male household or family head was excluded from the reporting of the 1986 census, replaced by the less evocative / determinative notion of a family reference person.
separation and, as shown by both ABS and AIFS data, apply for divorce. (Harrison, 1986(b), p.42) Ironically, it appears that male and female specialisation in spheres of work, and socialisation, has led to an increasing expectation of marriage to provide companionship (Game and Pringle, 1979, p.12) and personal fulfillment rather than solely economic advantage. When this expectation is not met, and given other options (even if less attractive economically) women will choose to leave the marriage.

The period immediately following separation is disruptive and stressful in terms of economic, family and housing arrangements. While conventional wisdom ordains that women and children remain as occupiers of the matrimonial house while husbands leave, this is not borne out by fact. Overall, women were more likely to remain in the matrimonial dwelling at separation, but this was not inevitable. In the first three months, 50% of husbands and 42% of wives left. Younger women were more likely to stay in the marital dwelling than their husbands, whereas there was no difference for men and women in the older group. In this way, continued occupancy of the dwelling was tied to women's responsibility for children, as the sample was structured so that only parents with two children were included in the sample of younger people. In contrast, none of the older group were living with dependent children.

The association of continued occupancy with responsibility for children of the marriage was not inviolate, however, and the association was stronger for men than women. Over a third (36%) of women with children left the marital dwelling, while 87% of men caring for children remained. (McDonald, 1986(b), p.157) Studies in Britain have confirmed the tendency for women, in

4. although the exact dynamics of the situation may be much more complex than a simple decision by one partner. (Harrison, 1986(b), p. 41-42)
their role as parent, to retain tenure of the family home. (Symon, 1993, p. 159)

The question of who remained in the home is also connected to the decision to separate. The more frequent occurrence, as discussed above, is for the women to decide to end the marriage, and in this case she remains in the house in only one third of cases. (McDonald, 1986(b), p. 158) Whereas attribution of guilt is not held to be a tenet of the current system of family law in Australia, it appears that a de facto judgement of guilt is still associated with the decision to leave the family home, as the person leaving the home is most unlikely to obtain the house at distribution. (McDonald, 1986(b), p. 169)

The likelihood of women staying in the matrimonial home was also related to socioeconomic status. Middle class women were more likely to stay in the home, compared to poorer or wealthier women. Propensity to stay was positively correlated with the women not earning an income prior to separation. Middle level education, shared or total control of the household income during the marriage and the women assessing her main contribution to the house to have been income earned during marriage, rather than contribution to running the household. (McDonald, 1986(b), p. 156) For those in public or private rental at separation men and women were equally likely to stay. For non-private dwellings such as company houses, the husband was more likely to stay, (McDonald, 1986(b), p. 156) as housing would most likely be tied to his employment. When the house was fully owned, the husband was more likely to stay. This is likely to relate to the greater ownership rates amongst older respondents and the greater likelihood of the house being owned solely in the husband's name (18% of cases for the older group). (McDonald, 1986(b), p. 153)

Evidence from a survey in Great Britain which considered marital breakdown for women aged less than 50, post World War to 1976, shows that 53% of women aged 16 to 29 at breakdown
left the marital home compared to 37% aged 30 to 39 and 27% aged 40 to 49. In this survey, unlike the AIFS survey, not only parents were included for the younger group. Propensity for women to leave the home at breakdown was also related to tenure (59% for private rental, 45% for owner-occupied housing and 35% for public rental) and to presence of children (56% of women without children, 41% of women with children). (Sullivan, 1986, p. 37-38) Although this data is historical, it suggests that the inclusion only of parents in the AIFS study for younger age groups may overstate the likelihood of women remaining in the marital home, within the general population.

Of particular concern from the AIFS data set are the one third of younger women who left the marital home with children, who would have been unlikely to receive financial assistance from their husbands. Many of these women would have been of low socioeconomic status given the greater tendency of lower and upper, as compared to middle status women to leave the home at separation and the overall lower socioeconomic bias of divorce. They would be likely to possess few job skills if they did not work for many years prior to bearing children. Given the greater tendency of women who had not participated in the financial management of the household to leave the marital home at separation, these younger women would also be likely to be deficient in such skills and possibly knowledge of the operation of the housing market.

FINANCIAL ASPECTS AFTER SEPARATION

For those leaving the home, there was greater difficulty in meeting housing costs in the first three months after separation. While younger women (30%) were more likely to be given free accommodation than older men or women or younger men (all 20%) this entailed dependency on parents, friends or a new partner. As shown in Table 4.1, and discussed in Chapter 3, apart from those moving to their own accommodation, older men

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5. remembering that the sample had marriage lengths of 5 to 14 years and 2 children.
TABLE 4.1: New accommodation in the first three months of the person who left the matrimonial home at separation.

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<tbody>
<tr>
<td></td>
<td>men</td>
<td>women</td>
<td>men</td>
<td>women</td>
</tr>
<tr>
<td>With new partner</td>
<td>5</td>
<td>9</td>
<td>15</td>
<td>2</td>
</tr>
<tr>
<td>Own accommodation</td>
<td>42</td>
<td>41</td>
<td>60</td>
<td>77</td>
</tr>
<tr>
<td>With parents</td>
<td>14</td>
<td>24</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>With other relatives</td>
<td>5</td>
<td>3</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>With friends</td>
<td>18</td>
<td>10</td>
<td>-</td>
<td>2</td>
</tr>
<tr>
<td>Boarded</td>
<td>5</td>
<td>-</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Moved often, a mixture</td>
<td>3</td>
<td>7</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>8</td>
<td>6</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>Total %</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>(n)</td>
<td>148</td>
<td>152</td>
<td>57</td>
<td>70</td>
</tr>
</tbody>
</table>

Source: McDonald 1986(b), Table 8.4, p. 158.
were most likely to reside with a new partner, younger women to rely on parents for initial accommodation and younger men on friends. Older women were the most independent in providing their own accommodation.

Fifty per cent of women who stayed in the owner-occupied marital home after separation received assistance with mortgage repayments from a former partner, compared to only 5% of women who left. (McDonald, 1986(b), p. 159) It seems then, that the likelihood of receiving assistance is also tied up with notions of guilt. In cases of women leaving the marital home for reasons such as to escape from domestic violence, they are unlikely to seek contact for financial support or other reasons.

RESIDENTIAL MOBILITY

Table 4.1 shows that the group most likely to be residentially mobile in the first three months after separation are the younger women, although only 7% in this case. It has generally been widely surmised in the literature that mobility will be one of the consequences of separation and divorce, although not necessarily just in the short term. (Hassan, 1986, p. 7) Sullivan found that over 25% of women who leave at breakdown experience a dramatic increase in shared accommodation (from 14% sharing in all tenures prior to breakdown to 61% post breakdown) and experience at least one move in the 12 months following breakdown, usually out of shared accommodation. (Sullivan, 1986, p. 39)

Hassan, in a survey of 82 single parents drawn from the records of the South Australian Housing Trust in 1982, found that 27% of single parents had experienced no interim move, 39% had experienced one to three interim moves and 27% had experienced

6. The AIFS data do not elucidate such reasons for marital breakdown. In fact, women victims of domestic violence as a cause of marital dissolution would be "lost to the system" in surveys such as the AIFS study, which are based on tracking respondents by residential address.
7. 70.3% of women were already SAHT tenants, and 18.1% were SAHT applicants. The group consisted of 79 female-headed families, and 3 male-headed. Of the total, 68.3% were either separated or divorced.
four interim moves prior to their existing tenure. Only 7% had not moved from the accommodation occupied prior to single-parenthood status. (Hassan, 1986, p. 7, Table 3)

The reasons most often given for the initial move were fear of partner (11.9%), high rent or financial problems (17.1%) and lease expiry (11.8%). Lease expiry continued to be an important reason for subsequent mobility, as did financial problems. Increasingly, SAHT allocation provided an impetus to move into public rental.

The perception of initial housing problems in the South Australian study was that housing costs were the primary difficulty, followed by overcrowding, tenure security, dwelling type and location. By the time of interview, with most respondents in public rental, location and dwelling type were identified as the main problems, with housing costs a problem for 20.9% of respondents. Hassan surmises that at the initial stage of single parenthood, respondents had little choice in accommodation selection, accounting for the range of issues identified as problems. As respondents moved into public housing the focus of criticism shifted to issues which have been more widely recognised as criticisms of public housing stock and location.

In a wider context it has been recognised that financial and housing problems in the time immediately after becoming a single-parent can seriously impair the ability to cope with the situation. (Milne, 1983, p. 21) High rates of mobility for those who are undergoing marital breakdown have implications for the ability to both assimilate social support networks (Bryson, 1984, p. 125) and to achieve "an organised lifestyle which would facilitate securing of employment and self help activities." (Hassan, 1986, p. 12-13)

Although the Hassan study provides some indication of domestic violence as a factor in residential movement, no indication is given of homelessness at any point between single parenthood
and interview. High rates of sharing after a change of status (Sullivan, 1986, p. 39; Hassan, 1982, p. 6), which the AIFS study indicates is highest for younger women, might indicate an element of disguised homelessness. Whereas homeless men will be more likely to provide evidence of their homelessness by "sleeping rough" women's homelessness is more often rendered invisible (Watson with Austerberry, 1986) by sharing with friends or relatives, entering relationships to obtain access to housing or re-entering a violent relationship in preference to the dangers of sleeping rough. (Cass, 1991, p. 46)

MOBILITY OF CHILDREN

Although the corollary of the assumption that women generally remain in the matrimonial home is that, with assistance, the woman will be able to continue purchase of a home previously owned or being purchased, the AIFS study found that, in the majority of cases, by 3 to 5 years after separation neither partner remained in the matrimonial home. Within 7 years of separation, over 80% of divorced persons moved from the matrimonial home; 86% of men and 78% of women. (Khoo, 1993, p. 68)

Although continuing provision of housing for children is often argued as one of the tenets of family law, in fact the majority of children leave the matrimonial home within a short time after separation. Seventy five per cent of children moved from the home with one parent within 5 years of their parents' separation. (Khoo, 1993, p. 81) One-third of children living with their father continued to live in the matrimonial home 5 to 8 years after separation, compared to one-quarter of those who lived with their mother, further strengthening the role of children in providing an entree to housing for men rather than women, as is generally assumed.

The fact that the matrimonial home was more likely to have been left by both partners when children were in the custody of their mother exposes an element of disadvantage for younger women in continuing purchase of the marital home. Given the
larger mortgages taken on by those purchasing dwellings other than the one occupied during marriage, the option of continued independent home purchase is problematic.

LONGER TERM TENURE CHANGES

Tenure has been widely used as an indicator of relative housing status. Tenure often changes as a result of marital breakdown and change over time in the economic and social circumstances of the resulting households, and allocation of the home for those who were owners or purchasers prior to separation.

Not surprisingly, according to Sullivan in Britain,

..."marital breakdown exacerbates the housing disadvantage experienced by those who are already disadvantaged in other respects: for example, manual-class men. In contrast, those who may be said to be relatively advantaged while married: for example, non-manual class owner-occupiers, seem able to negotiate the process of marital breakdown relatively unscathed in terms of their housing conditions." (Sullivan, 1986, p.46)

While ostensibly this conclusion might also apply to divorcees in Australia, AIFS data shows the situation to be somewhat more complex. While the tendency exists for many of those surveyed to return to the marital tenure within a relatively few years of separation, this is often assisted by reformation of a couple relationship, rather than exercise of a new-found financial independence. Access to housing and income after separation and divorce is also not tied irrevocably to the marital socioeconomic status and is in part determined by gender. As discussed further in the next chapter, families of the most wealthy men are often left in the least favourable circumstances, and women generally bear the ongoing costs of the sexual division of labour in marriage.

The AIFS study examined tenure prior to separation, in 1984 (3 to 5 years post separation) for younger and older groups and in
1987 (5 to 8 years post separation) for younger groups only. They sought to identify longer term adjustments and re-equilibrium by extending the data set to the second survey.

Data for 3 to 5 years post separation, which is unfortunately unable to be disaggregated by younger and older groups because of reduced data reliability, shows that for owners or purchasers prior to separation, those who remained in the matrimonial home and were allocated the house at distribution (32% of women), around one quarter fully owned their home in 1984 and around 70% (68% for men, 71% for women) were purchasers. Highest levels of private rental (35% for men, 26% for women) were sustained by those who left the matrimonial home and whose spouse was allocated the house at distribution, with similar levels in the case of the house being sold (30% and 29% respectively).

Women who left the marital home had the highest levels of ownership 3 to 5 years after separation- 32% were owners, 35% purchasers and 26% renting privately. In this case, ownership would be commonly associated with repartnering, given the greater likelihood of leavers repartnering and the rarity of the person leaving in the first three months gaining occupation at the time of distribution. (McDonald, 1986(b), p.161)

In the case of the marital home being sold (45% of women) 22% of women were owners, 37% mortgagees and 29% renting privately, demonstrating a higher rate of rental and lower rate of ownership than is generally the case for Australian women as a whole. The house was more likely to be sold when the mortgage was high and equity in the house low or the value of the house high and equity in the house represented a high proportion of the couple's wealth. (McDonald, 1986(b), p.156)

It seems only in the case of women who were owner-purchasers prior to separation, who remained in the house at separation and were allocated the house at distribution, that is, one third of women, were women protected from entry into the
private rental sector. In circumstances where the woman left the home and the house was allocated to her former spouse or the house was sold, between one-quarter and one-third of women became private tenants. For women who remained in the house, although they retained the external benefits of owner occupancy and the benefits of not having to move, continuation of house purchase or maintenance costs would place the 50% of women receiving no financial assistance from a former spouse in difficult financial circumstances. No certainty for these women is available until distribution at divorce, which as shown in Chapter 3 takes on average around 3 years.

Despite the importance attributed to public rental for female-headed households by the housing literature, less than 3% of women in this case were in public rental housing by 1984. This could be attributed to the upper socioeconomic bias of the sample, waiting times for public housing or a reluctance to apply for public housing tenancy. Hassan found that 35% of single parents surveyed had taken more than two years to apply for SAHT tenancy, (Hassan, 1982, p.10) a fact he attributed to an initial reluctance to apply for public housing but later acceptance of the need in the face of continuing housing problems. Lee reiterates this view, further advocating that clustering of single parent families in the least preferred forms of public housing is attributable to their worse decision-environment which negates the possibility of refusing a public housing offer. (Lee, 1977, p.45)

Although the literature often advocates assistance with continued mortgage payments for women remaining in the marital home after distribution as a policy initiative, it seems that only a relatively limited proportion of women, only one third of former owner-purchasers, are likely to benefit from such an initiative.

Graph 4.1 shows overall changes in tenure for 3 points in time. Unfortunately this data is not able to be disaggregated by sex.
Graph 4.1: Housing tenure and changes over time for parents.

* Tenure distribution at 1991 for all families

Source: Khoo, 1993, Table 5.5, page 73.
ABS, 1991 census, 1993(a), Table B42.
The graph shows that, overall, the significant decrease in purchasing from separation to the first survey period was largely compensated by an increase in private rental, and to a lesser extent, increased ownership. For the second period, private rental declined to a level intermediate to pre-separation and the first survey period, with a minor increase in public rental and a further increase in outright ownership.

Table 4.2 provides a detailed description of tenure changes by individual respondent for the 3 points in time. Three to 5 years after separation 60% of respondents were in the same tenure as before separation, and 57% 5 to 8 years after separation. The table shows that continuity of tenure, as measured at the survey periods, varied by tenure type. Home purchasers (54%) and public tenants (46%) were most likely to have continuity of tenure. Owners and purchasers were more likely to move between these tenures, with 85% of former owners either owning or purchasing in 1984 and 77% in 1987. A total of 19% of former owners moved into private rental by 1987, surprisingly spread evenly across the 2 survey periods.

Purchasers and public tenants prior to separation were least likely to move into private rental. While 18% of purchasers used private rental as an interim measure, more had moved into ownership than private rental by 1987. Public housing was of minimal assistance at any stage.

Only 27% of private tenants prior to separation were still renting privately in 1987, compared to 47% in 1984. By 1984, 47% had become owners or purchasers and 62% had made this change by 1987. A small number had moved into public rental, spread evenly across the two periods.

For those who rented public housing prior to separation, more than half changed tenure by 1987, mainly to become owners or mortgagors. This was more common for female than male renters.

---

8. also, unfortunately, unable to be broken down by sex.
9. this does not allow for additional tenure mobility between the survey periods.
<table>
<thead>
<tr>
<th>Status pre separation</th>
<th>Status in 1984</th>
<th>Owned</th>
<th>Mort</th>
<th>Rent</th>
<th>Other*</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Mortg</td>
<td>priv</td>
<td>govt</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fully owned pre separation</td>
<td>Owned (1984)</td>
<td>12</td>
<td>2</td>
<td>3</td>
<td>1</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>Mortgaged (1984)</td>
<td>6</td>
<td>18</td>
<td>2</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Rent: private (1984)</td>
<td>0</td>
<td>2</td>
<td>5</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Other* (1984)</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>18</td>
<td>23</td>
<td>10</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Mortgaged pre separation</td>
<td>Owned (1984)</td>
<td>25</td>
<td>14</td>
<td>4</td>
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</tr>
<tr>
<td></td>
<td>Mortgaged (1984)</td>
<td>31</td>
<td>204</td>
<td>14</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Rent: private (1984)</td>
<td>4</td>
<td>30</td>
<td>27</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Rent: govt (1984)</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Other* (1984)</td>
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<td>2</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>60</td>
<td>252</td>
<td>47</td>
<td>10</td>
<td>9</td>
</tr>
<tr>
<td>Private rental pre separation</td>
<td>Owned(1984)</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Mortgaged (1984)</td>
<td>3</td>
<td>12</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Rent: private(1984)</td>
<td>3</td>
<td>7</td>
<td>10</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Rent: govt (1984)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Other* (1984)</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td></td>
<td>Total</td>
<td>7</td>
<td>22</td>
<td>13</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Govt rental pre separation</td>
<td>Owned (1984)</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Mortgaged (1984)</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Rent: private(1984)</td>
<td>0</td>
<td>2</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Rent: govt (1984)</td>
<td>1</td>
<td>4</td>
<td>0</td>
<td>13</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>5</td>
<td>7</td>
<td>3</td>
<td>13</td>
<td>0</td>
</tr>
<tr>
<td>Other* before separation</td>
<td>Owned (1984)</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Mortgaged (1984)</td>
<td>1</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Rent: private(1984)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
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<td>0</td>
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<td>2</td>
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<td>Other* (1984)</td>
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<td></td>
<td>Total</td>
<td>3</td>
<td>7</td>
<td>3</td>
<td>2</td>
<td>0</td>
</tr>
</tbody>
</table>

* includes company housing, living rent free, and other status not defined

Source: Khoo, 1993, Table 5.7, p. 75
and was strongly associated with repartnering. (Khoo, 1993, p. 75) Data from Hassan's study, which is not standardised for length of time since change of status, indicates that for previously married respondents who became single parents and applied for or became public tenants, 52% had been private tenants while married, 38% purchasers and 5% public tenants indicating a much greater role for public housing to provide housing on divorce, in this case spread across the marital tenure spectrum. (Hassan, 1986, p. 6) Given the length of public housing waiting lists and the dire circumstances needed to gain crisis accommodation, it seems that public housing will generally have a limited capacity to assist women in the immediate aftermath of separation.

TRADING DOWN

The possibility of remaining in owner-occupied housing by "trading down" following realisation of housing equity following divorce has been suggested as a means of retaining access to tenure advantages. Some evidence of trading down following divorce in Britain, (Symon, 1993, p. 159) which suggests that divorced owner-occupiers in major urban centres such as London were more able to stay in that tenure because of their greater ability to trade down market has been documented. (Symon, 1993, p. 160) It is unlikely that this path to retention of owner occupancy could be relied on widely in Australia, given the general socioeconomic and possible tenure bias in divorce discussed in Chapter 3, which is likely to correlate with lower levels of housing equity. Also, it seems that divorce is associated with movement to urban areas for women divorcing in rural areas of Australia (Watson, 1988, p. 81-82) in which case there would be no ability to trade down.

Results from the AIFS study show no evidence of trading down for those who left the marital home. In cases where trading down was possible, likely consequences would be purchase of a
dwelling requiring renovation or maintenance which would be an additional burden for a low income purchaser.

With the advent of innovative loan repayment schedules following deregulation in Australia it would not be uncommon for those repaying a low start loan to have a negative equity in their house in the early years of repayment in which case there would be little ability to retain the dwelling or trade down. Twenty to 27% of younger women in the AIFS study, and 14% of older women showed equity in the home as zero or negative as a proportion of total wealth of the couple, including superannuation and life insurance\textsuperscript{10}.

(McDonald, 1986(b), p.156)

RELATIONSHIP BETWEEN TENURE AND FAMILY COMPOSITION

Repartnering confers significant tenure advantage, primarily differentiating between home owners or purchasers and renters (Khoo, 1993, p.80) Table 4.3 shows, for 1987, that while the repartnered were over-represented as owners and purchasers, non-repartnered divorcees, particularly single parents were over-represented as renters. This is not surprising given the higher living costs of single parents compared to single divorcees.\textsuperscript{11} It is likely, on the evidence of cross sectional data from the census and the greater tendency for remarriage and more rapid remarriage for men in this survey (as discussed

\textsuperscript{10} As documented in Chapter 3, women have much less access to non basic assets from the marriage, such as superannuation and life insurance.

\textsuperscript{11} A study of 5000 American families post-divorce found that the real income of divorced men and women decreased, compared to an increase over the same time period for still-married couples. On the basis of household needs in relation to income, however, divorced women were found to fare much worse than their former husbands. Based on need relative to income, over 7 years, men's position improved by 13% while women's family's position deteriorated by 39%. Calculation of a similar index in California since the introduction of discretionary no-fault divorce shows a more extreme situation, with men improving their situation 42% at the same time as women experienced a 7% loss. (Weitzman, 1986-91, p. 130-31)

<table>
<thead>
<tr>
<th>Family composition</th>
<th>Owners %</th>
<th>Purchasers %</th>
<th>Renters %</th>
<th>Total %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alone</td>
<td>5</td>
<td>5</td>
<td>9</td>
<td>6</td>
</tr>
<tr>
<td>Single, with others</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>One parent family</td>
<td>28</td>
<td>27</td>
<td>44</td>
<td>31</td>
</tr>
<tr>
<td>Couple</td>
<td>12</td>
<td>10</td>
<td>7</td>
<td>9</td>
</tr>
<tr>
<td>Couple, children</td>
<td>52</td>
<td>56</td>
<td>35</td>
<td>51</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>(N)</td>
<td>(94)</td>
<td>(311)</td>
<td>(117)</td>
<td>(522)</td>
</tr>
</tbody>
</table>

Percentages may not add to 100 because of rounding

Source: Khoo, 1993, Table 5.12, p. 80
in Chapter 3) that disaggregation by sex would further exacerbate the differences by family type.12

For those who have repartnered, new partners are likely to contribute to the cost of housing, especially for those who have left the matrimonial home. For those who stayed in the matrimonial home, 15% of men's new partners and 24% of women's new partners contributed to the housing payments, despite the fact that divorcees were likely to keep the house in their name only. (Khoo, 1993, p. 71) The financial assistance of new partners was thus much more significant for women than the continuing assistance of former husbands. Commensurate with the principal of a clean break, the former husband was still paying the mortgage or rent for only 7% of women living in the matrimonial home and 4% of women who had left the matrimonial home, 5 to 8 years after separation. (Khoo, 1993, p. 71)

ANALYSIS OF CENSUS DATA

The advantages for couples as compared to single people in gaining and maintaining access to owner occupied housing have been demonstrated in the literature. (for example, Cass, 1991, p. 12; Watson, 1988)

"The evidence is overwhelming that access to and retention of private home ownership is predicated on lifetime access to earnings and income through the period of working life, which is facilitated for both women and men by being part of a couple relationship." (Cass, 1991, p. 20)

This section examines the housing outcomes for those who remain divorced. Given the fact that a minority of women can expect to remain in the marital home during separation and be awarded the house (presumably with mortgage attached) at distribution, what are the implications for tenure distribution? Also, given the fact that up to two thirds of divorcees, and more men than

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12. Evidence from Chapter 3 also shows that the remarriage behaviour of this group differs in being lower than that of the Australian population as a whole, probably also because of the upwards bias in socioeconomic status.
women can be expected to remarry within five years of divorce, and there are complex variables determining remarriage behaviour in a corporate sense, what are the housing implications for those who do not repartner? What can be inferred about the housing implications of second or subsequent marriages where responsibility for previous families is enforced under the Child Support Scheme?¹³

Detailed cross-tabulated data from the 1991 census which would allow an exploration of housing characteristics by marital status are not yet available. This analysis relies primarily on detailed data from the 1986 census, supplemented where possible with 1991 data, and compared with results from 1981 to seek some evidence of how changes in the economic welfare of various household types have transmuted into housing outcomes.

Table 4.4 shows marital status by tenure for 1986.¹⁴ As expected, married men and women have the highest levels of home ownership and purchase. Ownership levels of the married population are surpassed only by the widowed population, who have benefited in the past from access to home ownership through marriage. Although Table 4.4 does not differentiate between public and private rental, Graph 4.2 shows that the majority of marrieds is likely to be in private, rather than public rental. The proportion of renters and those in non-private dwellings is comparatively low.

The never married have ownership and purchase levels intermediate to the married and divorced populations. While Graph 4.2 indicates that the never married improved their situation markedly between 1981 and 1986, this could be partly due to methodological discrepancies between the two data sets, as 1986 data includes data for all persons never married aged

¹³ For parents separating after September 1989. (Weston, 1993[b], p. 158)
¹⁴ Comparative data by marital status is not available for 1991.
Table 4.4: Marital status by age by sex. Australia, 1986

<table>
<thead>
<tr>
<th></th>
<th>Owned</th>
<th>Purchasing</th>
<th>Rented</th>
<th>Other &amp; ns</th>
<th>NPD</th>
<th>C'van</th>
<th>Total</th>
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<tr>
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<td>29.8</td>
<td>4.6</td>
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<tr>
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<td>26.1</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
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<tr>
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<td>4.0</td>
<td>100.0</td>
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</tr>
</tbody>
</table>

Source: ABS, 1986 Census, microfiche, Table CX0007
Graph 4.2: Tenure by marital status by sex of household head, Australia 1981 and 1986

Source: 1981 census, Table 87 microfiche.
1986 census, Table CX0007 microfiche.
15 and over, which could inflate the rate of ownership by those aged 15+ and living in families.

Graph 4.2 indicates the dominance of private rental for the never married although this situation could have changed since 1981 given, for example policy changes as regards access of single people to public housing in NSW.

Table 4.4 and Graph 4.2 indicate significant and persistent differences in tenure distribution for the separated and divorced population as compared to other groups. The separated population have particularly low rates of ownership and the lowest rates of purchase apart from the widowed population, whose low rate of purchase is explained generally by the age distribution of the widowed population rather than other axes of disadvantage. Graph 4.2 shows that in 1981, 57% of separated women, compared to 47.6% of separated men were in rental housing, with 17.4% of women housed by public housing authorities. By 1986, just over 50% of separated women were renters, while separated men were more likely than women to live in non-private dwellings, some of which were no doubt employment related. The relative disadvantage of separated men relative to other groups of men, given the minority of men caring for children of the previous marriage, is likely due in part to the upper socioeconomic bias in remarriage for men after divorce. As stated in Chapter 1, the advent of the Family Law Act in the late 1970's reduced the proportion of the long term separated. It is probable that the very poor housing situation of the currently separated represents a greater proportion of those experiencing the great disruption and stress of the initial period of separation.

The divorced population exhibits a tenure distribution slightly improved from the separated population, but vastly different to that of the married population. Almost 40% of divorced women were renters, with around one third of renters in public housing in 1981. Divorced women’s tenure situation is
intermediate to that of separated and married women, which concurs with the view of the AIFS study that re-equilibrium does occur over time for divorced women, but clearly not to the same advantage of those who remain single as for those who repartner.

Graph 4.2 indicated changes in tenure which have taken place from the early to the mid 1980's. It appears that in this time there was a general increase in equity between the tenure distribution of male and female-headed households, with a relative decrease in female-headed households in rental accommodation. The general increase in equity, however, disguises differences by marital status. It seems from Graph 4.2 that while the purchasing ability of never marrieds now more closely approaches that of the married population, the separated and divorced populations (both male and female) are disadvantaged.

AGE AND OWNER OCCUPANCY

Further analysis of 1986 census data reveals that while 70.7% of married women achieve home ownership by age 65+, this compares to 60% for never married women aged 55 to 64 and 50.8% for never married women aged 65+; 40.3% of separated women aged 65+ and 47.7% of divorced women. By age 45, over half of married women were home owners, compared to only one quarter of separated women and 31% of divorced women.\(^\text{15}\)

The implications of home ownership as a bulwark against poverty in later life are quite profound, and are borne out in a number of studies which showed a changing focus of poverty during the 1980's to younger age groups and particular household types. (Rossiter, Vipond, Warren, 1985; Vipond, 1986) Statistics from the Household Expenditure Survey showing average weekly household expenditure by the nature of housing occupancy quantify the average expenditure of home owners on housing costs and household services and operation as $54.18 in 1988-

\(^\text{15}\) see appendix 1.
89. This amount compared to $68.01 for public tenants, $132.16 for private tenants in unfurnished dwellings and a substantial $149.72 for purchasers. (ABS,1990,p.10) Housing costs for younger households were generally higher. It is obvious from these figures the significant potential cost savings accruing to those who become home owners at an early age. It appears that not only do 'marginal' populations, in this case separated and divorced population groups have, overall, a reduced access to home ownership and purchase, but that access to these tenures is delayed until a later stage of the life cycle. (Cass,1991,p.13) This has obvious disadvantages for lifetime cost of housing, even if all other variables are constant, which demographic and other evidence suggests they are not.

A further breakdown of the divorced population into household type by tenure yields greater complexity. Table 3.1 showed the distribution of separated and divorced women residing in various household types, and found that approximately three-quarters of separated women and two-thirds of divorced women lived in families, with the remaining one-quarter and one-third (respectively) not members of a family. The most numerous family type was the single parent family, with almost one-third of divorced women and 44.2% of separated women living in single parent families alone with children or with other adult family members. Around one-fifth of divorced or separated women lived in some derivative of the couple family, compared to around one-quarter of men of the same marital statuses.

Comparison of the household compositions of the divorced and separated populations does provide some evidence of reconstitution of the nuclear family over time. However, the proportion of single parents, while higher for the separated than divorced population does not approach the levels evidenced in the AIFS study, where just over 60% of younger mothers were living in single-parent families 3 to 5 years after separation and almost 50% 5 to 8 years after separation. In fact, single-
parent families were found to be the most stable family type after couples with children. (Weston and Khoo, 1993, p. 64)

The series of graphs at 4.3 show that younger divorced women were concentrated more in families, with the converse true of older women. Women not in families, and particularly older women, were much more likely than those living in families to be living in non-private dwellings, including caravans, hospitals and homes for the aged. A higher proportion of older women not in families were in rental accommodation.

In 1981, 90.4% of single women in public housing were over 44 years of age and single women were 3.6 times as likely to be in private rental accommodation rather than public, (1981 census, Table 87, microfiche) so most of the younger women not in families would be likely to be in the private rental sector. The number of women not in families who may be sharing accommodation cannot be ascertained from the data classification in Graphs 4.3. Shared accommodation has been shown to offer economic and social benefits, with appropriate building design making an important contribution to the success of sharing by balancing the need for individual privacy and social interaction. (Baum, 1986, p. 206) A survey of shared housing by Baum found that 63% of those surveyed living in such accommodation had previously been married or living with a partner. (Baum, 1986, p. 206)

Generally these graphs show that the addition of extra adults in the household improves the tenure situation of both couples and single-parents, but to a greater extent for couples. The addition of extra adults in the household usually constitutes an ageing of the population profile, with some associated increase in the proportion of owners.

The graphs also show that for divorced women in all types of couple relationships, the prevalence of home ownership or purchasing is much greater as compared to renting, than for sole parents. While it could be argued that tenurial
Graph 4.3: Divorced women by household type by tenure, by age Australia, 1986.

Source: ABS, 1986 census, Table CX0007, microfiche
Divorced women in couple families.


A) 25-34 35-44 45-54 55-64 65+

B) 25-34 35-44 45-54 55-64 65+

Divorced women in couple, adult

f/m (excl. families, Australia, 1988.)
disadvantages accruing to groups such as single-parents could be offset for some by a greater rate of rent-free accommodation observed for both single parents and single people, in fact rent-free accommodation is most available to single men\textsuperscript{16}. (Cass, 1991, p.12) This finding departs from that of the AIFS study in which young women were more likely to receive rent-free accommodation immediately after separation. The AIFS study also found, however, that amongst all people who were assisted with housing immediately after separation it was more common to pay something for housing rather than to live rent-free. (McDonald, 1986(b), p.158-9)

Although Graph 4.3 demonstrates tenure variations between divorced women in different family types, with single parent families disadvantaged relative to couple families, interestingly, it appears that such women may still be much better off in terms of tenure than single parents who have ever married, (Cass, 1991,p.16) a group increasingly dominated by those giving birth in de facto relationships rather than single teenage mothers. (ABS, 1992(a),p.54-55) Given the ownwards socioeconomic bias of those aged under 35 living in de facto relationships, (ABS, 1985,p.6) some disadvantage could be expected to be perpetuated for this group although not to the same extent as single teenage mothers.

AFFORDABILITY

The affordability of housing is as pertinent to quality of life as tenure distribution. Affordability is affected by location, tenure type, household income and household cost of living, in turn affected by household composition. (Flood and rates, 1987,p 54)

The AIFS study found that 3 to 5 years after separation older men were the least likely to have onerous housing costs. Forty

\textsuperscript{16} The longer housing dependency of young men generally on their parents, prior to partnering, has previously been observed as one of the explanations for a reduced rate of household formation in the latter half of the 1980's. (Chapter I)
nine percent of older men living alone and 57% of those who had repartnered had no rental or mortgage costs and few paid more than 25% of net household income for housing. Older women showed a polarity in housing costs, with a general advantage accruing to repartnered women, although not to the same extent as older men. While 52% of older women living alone and 65% of those who were repartnered had no housing costs, 27% and 15% respectively had costs in excess of 25% of income.

Younger men and women, overall, fared worse than the older group, with single mothers and men living alone most likely to be paying over 25% of income in housing. Of the most recently separated single mothers, 50% paid more than 25% of net income for housing. (McDonald, 1986b, p.168)

While the measure of 25% of net household income used in this study as a measure of excessive housing payments is no doubt stringent, the National Housing Strategy has refined a definition of housing stress to include those who pay more than 30% of income on housing and are in the lowest 30% of the income distribution. (NHS, 1992, p.14) The dual criteria of the National Housing Strategy definition ensures that the description of housing stressed is attached only to those households who jeopardise their general standard of living by excessive housing costs, rather than to those to whom the consequences of a relatively high housing repayment are less debilitating, and who may be exercising an element of choice in maintaining high levels of housing payments. In comparison to the National Housing Strategy definition of housing stress, Cass argues that an affordability benchmark of 20 to 25% of income for low income private renters would be more appropriate. (Cass, 1991, p.38) The level suggested by Cass relates more closely to that used by public housing authorities. (NHS, 1991b, p.14) In NSW, for example rental
rebate is available for public tenants whose rental exceeds 20% of GROSS household income. (DOH, 1987, p. 25)

Five to 8 years after separation, for AIFS respondents, tenure had a significant impact on the proportion of income spent on housing. Those in private rental sustained a significant cost disadvantage relative to owners and purchasers. The significant association between gender and tenure meant that women in private rental had particular affordability problems. Single mothers in private rental paid on average 34% of their income on housing. (Khoo, 1993, p. 81)

More generally in the housing literature the frequency of affordability problems for particular household types has been recognised. Women, increasingly are over-represented in such household types. In 1988, based on the National Housing Strategy benchmark for housing stress, a higher proportion of women than men were housing stressed. Household types most notably affected were single-parents (86% headed by women in 1988, of whom 66% were divorced or separated) (Cass, 1991, p. 12, 16), and singles. Those of non-English speaking background were also over-represented amongst groups experiencing housing stress. (ABS, 1992, p. 33) Given the fact that presently around 7,000 divorces each year involve women from non-English speaking backgrounds, (see Chapter 3), this could be a significant axis of disadvantage.

The 1988 data confirms a number of studies in the last decade which have named singles, single parents and private tenants as having particular affordability problems. Recent research for the National Housing Strategy confirms that the largest groups, both numerically and proportionately, in housing stress were private renters, social security recipients and single-income units. Rental payments for low-income private tenants exceeded
40% of income for almost all age and income unit types. (NHS, 1992, p. 14)

Obviously a large amount of overlap exists between these categories and divorcing women are highly likely to be represented in one or more of the categories. The high rate of recourse to social security, especially in the early separation period, was referred to in Chapter 3 and as this chapter has shown, women commonly experience episodes of private rental following separation. Up to four-fifths of longer term separated and divorced women reside in single income households.

LOCATION OF DIVORCED AND SEPARATED WOMEN

Women-headed households are generally more urban focused. As discussed above, there is some evidence in Australia that movement to an urban area is associated with separation for some rural women. Female-headed households in urban areas are less concentrated in detached dwellings, and generally in smaller dwellings than is the societal norm. The advantages to women-headed families of an inner city location have been discussed in the literature, and in fact in Sydney the divorced and separated of both sex are concentrated in the inner city or scattered elsewhere in public housing areas. (Horvath, Harrison and Dowling, 1989, p. 30) The distribution of low income-single parents is much more concentrated on fringe public housing areas in the west and south west of Sydney.

ACCESS TO THE BENEFITS OF HOME OWNERSHIP IN MARRIAGE AND IMPLICATIONS FOR DIVORCE

The introductory section of Chapter 3 discussed the notion of divorce as a window onto marriage, especially the allocation of economic resources within marriage. The myth of the indivisibility of a marriage partnership is perpetuated by analysis of statistical data frequently at the level of the household, with no acknowledgement of an internal hierarchy of
power relations\(^\text{17}\). (Institute of British Geographers, 1984, p.45) This occurs despite the fact that analysis which has been done on the allocation of money and operation of power within marriage indicates that wider social inequalities are translated into marriage. (Pahl, 1980, p.47) It was argued in Chapter 3 that resources are frequently less equally distributed between partners to a marriage than has been assumed both by the economic literature and the ideology of marriage. This lack of equality has implications when the marriage breaks down.

To further this point, with regard specifically to housing, Madigan, Munro and Smith (1990, p.633) argue that the exchange advantages of owner occupancy are experienced differently by spouses, a fact which has been largely ignored in the literature which has more commonly focused on gender differences in housing consumption\(^\text{18}\). They isolate three aspects of exchange which may be experienced differently by spouses—capital gain, the right to trade the house and the ability to borrow against the value of the house. They identify the need for further research into the differential impacts of these aspects of exchange which will have important implications on divorce.

Important linkages exist between transport and housing, particularly in Australian cities where a cost gradient generally operates towards the poorly serviced urban fringes. While the differential access to private transport has been observed between male and female headed sole-parent families, it is likely that married women also have less access to private transport than their partners, based particularly on journey-to-work statistics. This lack of access, allied to

\(^{17}\) while similar problems can attach to the analysis of other household types by household, in the case of marriage the myth of indivisibility is strengthened by the ideology of marriage.

\(^{18}\) "the rights of occupancy related to tenure (and their implications for the meaning of the home as a display status), to the conditions of occupancy (which are tied to the meaning of the family) and to the utility of the home as a housing service (in particular as a locus of safety and security)" (Madigan, Munro and Smith, 1990, 638)
child care responsibilities, will in many cases circumscribe labour force participation.

HOUSING SATISFACTION

Despite obvious difficulties with access to housing for some women after separation, particularly those who left the marital home, it was found in the AIFS study that the only time at which women were less satisfied with their housing than prior to separation was three months after separation. By 3 to 5 years post-separation women generally rated their satisfaction with housing moderately, increasing to highly at the next interview. (5 to 8 years post separation) In contrast, satisfaction with income was rated as persistently low. (Weston and Funder, 1993, 214-221)

Although housing is not identified by the women respondents as a persistent source of dissatisfaction, this is likely to disguise a range of response between individuals, especially single and repartnered women. It has been found, based on research in the United States, that although, objectively, female-headed households are worse housed than two parent families they mitigate against housing dissatisfaction by developing unconventional housing preferences. (Winter and Morris, 1982, p.83) While Winter and Morris suggest that the operation of constraints affects the conventionality of preferences, hence satisfaction, (1982, p.72), Ahrentzen (1983, p.86) argues that the constraints encountered for low income female-headed households in trying to improve their housing situation compel them to satisfaction with lower quality housing—perhaps two brands of satisficing. Similar processes or rationalisation could be operating for participants in the AIFS study.

Other work has shown that the uneven allocation of resources within the marriage may be a spur towards women leaving the marriage. In a study of abused women, Pahl found that some opted to live as single-parents in order to have control over
financial resources of the household even though an associated consequence was a much reduced income. (Pahl, 1980, p. 39)

CONCLUSION

Although the housing situation of women after separation and divorce has many variables, two points have emerged particularly clearly from this chapter. The first is that it appears in housing terms that there is a general trend in the medium term for a return to the housing conditions prevailing prior to separation. The situation, in terms of tenure, for divorced women is intermediate to separated and married women. This fact, however disguises a tendency for mobility, and affordability problems in the interim. High levels of mobility, particularly in the period immediately following separation, are likely to impair the emotional, social and economic adjustments which are taking place at this time, and which are crucial to the longer term equilibrium of the household.

The second point to emerge from this chapter is a reiteration of the importance of repartnering as a means of returning to pre-separation circumstances for women. A move to owner-occupancy for women was associated with repartnering, whereas non repartnering was associated with private rental. In this sense, women who left the marital home were advantaged by the greater likelihood of a partner contributing to housing costs.

The assumed ability of owner-occupancy prior to separation to defray the housing difficulties of separation is a reality for a minority of women, and their access to the marital home is by no means assured, even by the presence of children or the absence of blame for the separation. Most men, women and children leave the marital home in the medium term. It seems, though, that home ownership may confer some advantages to older people, as their housing costs were less likely to be onerous, although this was particularly the case for older men. Women
who remain single and younger people in general, are most likely to have difficulty meeting housing costs.

Given recognition that women found income to be a source of profoundly more dissatisfaction than housing, the next chapter will examine the income consequences of divorce.
CHAPTER 5

INCOME AND HOUSING, DIVORCE AND INCOME.

"Younger women did not think in terms of acquiring qualifications or a career path. Like their mothers they took work as it came, not thinking of themselves as lifelong workers but as potential wives and mothers." (Montague and Stevens, 1987, p. 59)

"The best financial adjustment that most women can make once their marriages end is to find a new partner. If this strategy is considered not desirable or not feasible, then living standards are likely to remain low. However, for those whose career or other income earning assets are well developed towards the end of marriage, the poverty, which threatens other divorced women who remain single, is usually avoided." (Weston, 1986(b), p. 149)

INCOME AND HOUSING

As asserted in the second chapter, the relations between the labour market, income and housing operate at several levels, some of which have been better considered by the housing literature than others. At a macro level, the relations have been incompletely theorised. At a micro level the implications for housing of varying work-force participation patterns and decisions as to how best optimize household spending in the longer term are incompletely understood. This is because a dominant model of home ownership is still assumed, housing research has focused on economic issues rather than behavioural aspects and in both policy and the popular psyche Australians still live in a time warp of secure full-male employment, the nuclear family and social and economic stability. As argued in Chapter 3, even the formulation of Family Law defers to an era of marital stability.

In a capitalist system, housing is seen as accessible through income earned by labour-force participation. For those unable to access housing by means of such income, the welfare safety net is available. The positive relationship between poor
housing and low income has long been recognised (Jones, 1972), with employment the dominant factor determining whether or not people are in poverty. (Henderson Poverty Inquiry in Raymond, 1987, p.77)

Unfortunately, as well as prescribing a limited access to housing and housing alternatives, low income also limits access to health, educational and other services. (Jones, 1972, p.205) Limited access to these services is a reliable transmitter of intergenerational poverty. This transmission of poverty has been argued as one of the disbenefits of marginalisation of single parent families for whom poverty is a frequent outcome of divorce. The educational and career disadvantages to children of longer episodes of their mother's poverty after divorce have been documented in Australia, the USA and the Britain. Evidence also suggests that the children are then at greater risk of living in poverty as adults. The implications of episodes of poverty which are of shorter duration are less clear, but even relatively few years of poverty could comprise a large proportion of their childhood. (Weston, 1993(a), p.155)

Stigmas still attach to recourse to a welfare safety net in a society which purports to* run on individualised provision of services. The welfare net also tends to marginalise individuals, often from further access to the labour market. In this way the relationship between public housing occupancy and attachment to the labour market has become quite explicit, with public housing increasingly viewed as a non labour-market tenure. The geographic location of public housing tends to perpetuate this relationship as much public housing in urban areas has been built in poorly serviced outer areas with little

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1. Denying the subsidies implicit in private home ownership and individual child care. The ideology of private provision is particularly inappropriate in Australia on divorce given that the level of income available through public provision was taken into account as a baseline by the Family Law Act before the financial circumstances of the spouse were considered. (Harrison, Funder and McDonald, 1993, p.201) until amendments to the Family Law Act which came into operation on 1st April, 1988. (Harrison, 1993, p.50-51)
available public transport and high private transport costs\(^2\). As discussed in Chapter 4, significant concentrations of divorced and separated women are also concentrated in inner areas, where access to less expensive rental housing, public and private, and a more supportive social environment is available (Mann, 1985, p.48). The problem of such location is that many of these areas have also been areas of employment decline, as have some of the isolated country towns in which single parents have been allocated public housing (Raymond, 1987 p.89-90) Marginalisation also occurs in social terms, (Young, 1987, p.8-10) depleting the self esteem and confidence of income and housing beneficiaries, and thus reducing their chances of employment in a competitive market.

The view of public and private systems of allocation of housing and income as mutually exclusive domains creates the potential for operation of a poverty trap which discourages movement from the public system. Attainment of employment may result in a reduction of real income where it also entails a possible loss of access to public housing (Raymond, 1987, 92) and the ancillary benefits of social security recipiency, in addition to the transport, clothing, child care and other costs of employment. The lack of integration between public and private solutions may thus promote conservatism in moving from a secure but paltry\(^3\) level of public provision.

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2. The transport costs in petrol consumption alone have been estimated at $2000 for an outer suburban household, compared to $660 for an inner suburban household in Perth. (Newman, Kenworthy, Lyons, 1990, p.ix)

3. In June 1993, only married couples with no children were more than 20% above the poverty line, based on an update of the austere 1975 Henderson poverty line, and thus not classified as poor. Single parents fared relatively worse than married couples in terms of the relation of their income to the poverty line adjusted for household composition. The situation could be improved somewhat by factoring in allowance for fringe benefit entitlements. (Institute of Applied Economic and Social Research, June 1993).
WOMEN AND INCOME IN AUSTRALIA

Industrial and occupational segregation of the labour force

The Australian labour force is highly segregated by sex on industrial and occupational lines. Evidence from Australia and the United States indicates that this degree of segregation may have increased during the 1980's. (Fallon, 1985, p. 4-6; Mitchell, 1986, p. 40) Sixty five per cent of women in Australia work in sales and service industries. (ABS, 1992(a), p. 213) The relative importance of these three areas varies by age, with 47% of 15 to 19 year olds employed in the wholesale and retail trade, but only 22% of 20 to 24 year olds. (ABS, 1993, Table B21) Of the 20% of women in professional and technical occupations in 1991, 44% were teachers and 39% nurses, traditional 'caring' occupations, and 32% were clerks. (ABS, 1992(a), p. 212)

While women in general are disadvantaged by segregation of the labour force racial segregation is also an important factor. Southern European, Middle Eastern, Asian or Aboriginal women are further concentrated into "the worst, dirtiest, most insecure and lowest paid jobs of all." Nearly 30% of Yugoslav women work in 4 of the 388 census occupations—machinists, cleaners, office and factory workers. Together with Greek and Italian women they are invisible in the professions. (Fallon, 1985, p. 6)

Qualifications

Women on the whole are less qualified than men, although this observation is no doubt skewed by older women. Forty five per cent of women aged 15 to 69 had not completed secondary education compared to 35% of men in 1991. Sixty seven per cent of females as compared to 55% of males had no qualifications, with the disparity most obvious in vocational training. (ABS, 1993(a), Table B16) Although in recent years secondary retention rates for females have overtaken those of males, and women now have greater participation rates than men at higher
education institutions, courses studied are still stereotypic and women still have lower rates of participation in higher levels of tertiary education. (ABS, 1992(a), p.138,145-148) and a lower level of access to retraining. (Fallon, 1985, p.7) The results of increased educational participation where it has occurred will take some years to be reflected in the labour-force, so that women currently divorcing will not accrue the benefits attached to these higher rates of training.

It was observed in Chapter 3 that sole mothers are generally less educated than mothers in two-parent families. Women living alone are more polarised in level of education, with a higher level of university education, but also a lower level of completion of secondary education than married mothers. These figures tend to vindicate the view of divorced women as generally less educated, (Bryson, 1984, p.128-133) given that these are the family types in which two thirds of divorced women live. (Chapter 3) Women living in non family households with others have considerably higher levels of qualifications than other women discussed.(ABS,1993(b),p.5)

Labour force participation

In 1992 53% of Australian women were in the labour force, compared to 76% of men. (ABS,1992(e),p.38) As noted in the introductory chapter, the increase in women's labour force participation has been a phenomena of the 1980's, and mainly attributable to increased participation rates of women with children, particularly married women. Reduced labour force participation for women, beginning in the child-bearing ages, is principally related to child care and domestic responsibilities. For Victorian women leaving the labour force between 1975 and October 1991, 56% of women left because of the birth of a child and another 30% to care for children or others. Increasingly, on child birth women left the way open to return to the labour force, with the use of maternity leave increasing from 11% to 44%. (ABS, 1993(c),p.140) Roles of
caring for the aged and disabled also fall almost exclusively to women and labour force participation rates are universally lower for these women as carers than for the general female population. (ABS, 1993(c), p. 77)

Unfortunately the prime years for women’s partial or absolute withdrawal from the work-force for child-bearing and rearing also coincide with the prime years for divorce, with almost half of women separating and divorcing at less than 35 years and 81% at less than 44, at which stage, as argued in Chapter 3, the Family Law system may fail to recognise the individual implications of the $101,513 worth of unpaid work4 done by women in the community and household each year. For the minority of households in which women did not participate in the paid labour force and for those in which women worked part time the opportunity costs of this ‘free’ labour would be subsumed in the marital economy. If divorce subsequently occurs, the implications are borne by women, with insignificant recompense. For women who continue to work full time5, the majority of costs will be still borne by them personally, but will be spread more between the marital and post-marital economy6.

The tendency for women to tailor their employment to an assumption of major child care responsibility can be seen by labour force participation rates which increase as child care responsibility decreases. Forty four percent of married women with children aged 0 to 4 were in the labour force, compared to 66% of women with 5 to 9 year-olds and 72% with 10 to 14 year-olds. For single-mothers participation rates were 29%, 45% and

---

4. 38% of the GDP at award rates. (ABS, 1993(c), p.152)
5. 17% of women with children 0 to 9 only. (ABS, 1992 (cl).p.16)
6. Where the cost in the marital economy will relate partly to losses potentially arising from a generally preferential treatment for the husband’s occupational advancement and the ‘double duty’ of employment and domestic duties. A large number of studies over the last 20 years have shown that even women working full time continue to do the majority of domestic tasks and this continues to be the case. (ABS, 1993(c), p.165) Although attitudes towards sharing of domestic tasks are changing, this is in fact happening in advance of practice (Ponder, 1986(9), p.90) and practical changes are more likely to take place in families of higher educational or occupational status. (Bryson, 1984, p.128-133)
53% respectively. Participation rates for women drop significantly for age 55 and over, boding ill for the 10% of women divorcing after marriages of long duration, or 5% of women who were aged over 55.

Women's wages

Despite equal wage decisions in 1969 and 1972 a gender wage differential of 15% for full time workers still existed in 1990. (Rummery, 1992) When overtime is included women's wages reduced to 78% of men's and when all employees were included the proportion reduced further to 67%. (Funder and Harrison, 1993, p.22) As shown in Graph 5.1, the female/male earnings' ratio varies with age, being largest at older ages. Post-school qualifications will generally help to reduce the differential, except for women under 25.

Graph 5.1: Full year, full time workers: Female/male earnings ratio, Australia, 1989-90

<table>
<thead>
<tr>
<th>Age Range</th>
<th>Earnings Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>15-19 years</td>
<td></td>
</tr>
<tr>
<td>20-24 years</td>
<td></td>
</tr>
<tr>
<td>25-34 years</td>
<td></td>
</tr>
<tr>
<td>35-44 years</td>
<td></td>
</tr>
<tr>
<td>45-54 years</td>
<td></td>
</tr>
<tr>
<td>55+</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>With post school qualifications</th>
<th>Without post-school qualifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>60</td>
<td>▲</td>
<td>△</td>
</tr>
<tr>
<td>80</td>
<td>▲</td>
<td>△</td>
</tr>
<tr>
<td>100</td>
<td>▲</td>
<td>△</td>
</tr>
</tbody>
</table>

Source: ABS, 1992(a), p.251

It is estimated that forty per cent of the gender wage differential derives from women's intermittent labour force participation which creates a difference in years worked between the sexes. Discrimination, particularly the different

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7. unfortunately the convention of a female to male earnings ratio also connotes male work experience as the norm, whereas it exists simply as a result of the historical precedents of the social and economic organisation of marriage.
increments in earning accruing to males and females for years of education is the other major factor. (Rummery, 1992, p.361) It has been suggested that this element of discrimination might influence the decisions of women to participate in education given that the financial costs of attaining higher education will be equal for men and women. (p.354)

Other reasons given for the differential include better rates of pay in male dominated sectors helped by strong unionism and discrimination in the skill classification of jobs according to the sex of the worker, (Phillips and Taylor, 1980, p.79; Burton, 1988, p.17) the under-representation of women at the apex of the career structure (Funder and Harrison, 1993, p.22) and the gender segregation of the work-force discussed above. Inclusion of part-time and casual employment positions more likely to be filled by women further reduces the average access of women to income.

The wage disadvantage of women relative to men is spread across the occupational and industrial sectors, and it is not only in the waged sector that women receive lower incomes. Female pensioners and beneficiaries also received only 78% of male income and for non-earned income4 women's earnings were less than half male earnings. (45%) (ABS, 1992(a), p.249)

Increasing participation rates for women have distracted attention from the fact that the major growth has been in part-time and casual employment, located in traditional areas of female employment, compared to male employment growth which has been full-time. This has led to fears that it may, in fact represent a downgrade of women's employment status and situation in the longer term, (Fallon, 1985, p.4) realizing the fear of part time work as a women's ghetto. (Gamarnikow, 1978, p.395)

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4. such as superannuation, interest, dividends and rent
The general experience of women's work-force participation does not hold true for all women. Aboriginal women, for example, have an overall participation rate of 36%. While consistently lower rates of work-force participation occur across all age groups, disparities are greatest for the prime work-force years of 25 to 54. (ABS, 1992(a), p. 170)

The Growing Importance of Women's Wages in the Marriage Economy

The importance of women's wages in generally helping to sustain or improve real household incomes in the 1980's and support continued access to home ownership was discussed in Chapter 1. Women work primarily for economic reasons. Their wages are not 'pin money', but are used primarily for essentials. (Funder and Harrison, 1993, p. 21) Given a choice, women would choose to keep working, no doubt because of the greater personal freedom, access to personal income and other non tangible benefits of employment. This preference holds despite the onerous nature of the 'double day', combining household and labour force work.

Despite the growing importance of women's work, evidence suggests that the behaviour of married couples is to still give prominence to the husband's labour-force participation and development of career assets, which he then retains on divorce. For example, the exchange value of owner-occupied housing, enabling owners to move residences is enjoyed differently by men and women during marriage. Even in two career households, residential moves are made to benefit the man's career, almost never for the benefit of the woman's career alone. (Madigan, Munro and Smith, 1990, p. 636) Location close to the man's employment can inhibit the labour force participation of women who usually require a shorter journey to work than men because of domestic responsibilities, and young people. (Cass, 1991, p. 66) The disadvantage for women's employment

9. given also lower rates of participation for Aboriginal men, it is not surprising that that only 21.8% of Aboriginal and Torres Strait Islanders own their own dwellings, 27% are private renters and 31% public tenants. (Cass, 1991, p. 56)
will be most pronounced when male employment is in non-urban resource or utility industry.

LONGER TERM IMPACTS OF CHILDREN ON WOMEN’S INCOME

As discussed above, women’s labour-force participation is shaped by their responsibilities for children. It has been estimated that the lifetime earning loss to women who have completed secondary education of raising children is $(1986)336,000 for 1 child, $(1986)384,000 for 2 children and $(1986)419,000 for 3 children. In percentage terms, Joshi estimates the gross cash earnings foregone by a mother of 2 as 47%. (in Funder, 1986(b), p.68) While it has been argued that non tangible benefits may accrue to reduce the perceived economic disbenefits for carers, evidence suggests that carers can also suffer significant stress and health problems in addition to a reduced labour force participation because of their responsibilities as carers\(^\text{10}\). (NSW Health Department, 1993)

The overall impact of marriage on women’s earnings is a subject of some conjecture. While marriage clearly enhances men’s earnings, (Horin, 1993, p.17) whether it is only child raising that lowers women’s income or whether marriage per se has some contributing effect is open to debate. It is likely that the effect of marriage per se will vary with women’s age given that different cohorts of women have been exposed to changing expectations and a changing ideology of marriage.

INCOME CONSEQUENCES OF DIVORCE

A multitude of studies have shown the dire effects of separation and divorce on the income of women. Analysis of income after divorce has been mainly related to women who become single-parents. The focus on single mothers has been both pragmatic (given the large and growing public cost of income support for such households) and symptomatic of the

\(^{10}\) in this case, only women as carers of persons with disabilities or long term illnesses were considered.
normative view of families (even in this case deviant families) as the basic building block of society. Some attention has also been paid to the income circumstances of older women after divorce.

Studies have shown without exception that the income loss on divorce is much greater for women than men and that the loss is sustained in the short and medium terms, the time focus of the studies reported to date. Much of the work relating to changing income circumstances has been based on longitudinal profiles—particularly the study of 5000 families in the United States\(^\text{11}\) which was able to compare the income and consumption effects of divorcing households to a control still-married population and the more recent AIFS study in Australia. The most remarkable feature of the analysis of these studies is the similarity of conclusions about the income effects of divorce on women, despite data ranging from 1968 onwards in the United States study and 1982/83 to 1987 in the case of the Australian study. The universality of findings could relate to the universality of lower rates of pay for women,\(^\text{12}\)(Funder, 1986(b, p.67) and of their greater domestic responsibility (Hayden, 1984, p. 82–86)

The income losses sustained by women after divorce are profound, are sustained in the medium term, and are greater than the losses sustained by men. At the end of a six year period in the American study it was found that divorced or separated women had an income half that of still-married women and their families. (Espenshade, 1979, p.617) Absolute losses are amplified by their relationship to household need, given that women are burdened with the ongoing costs of raising children. The relative deprivation of wives and children after divorce increases with pre-divorce socioeconomic status, so that although wealth in a marriage may confer a higher asset entitlement on women it does not insulate them from poverty after divorce, as the income gap is more significant than any increased property share. In fact, absolute poverty is a common

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consequence of divorce for women and children, and generally the only significant balm to the economic deprivation of women, particularly those with children, is remarriage or repartnering.

THE AIFS STUDY: INCOME CONSEQUENCES OF SEPARATION AND DIVORCE

In terms of income measured over time, the Australian study shows that in the first survey period (3 to 5 years after separation) both men and women reported reduced income. Men reported income losses of 4% and women of 34%. By 1987 (the second survey period, 5 to 8 years after separation) although the general income picture had improved for both men and women, men’s average income had regained the level pre-separation whereas women still reported a loss of 26%. Relative changes in income are shown in Graph 5.2. Perhaps the most noteworthy feature of this graph is the fact that even 5 to 8 years after separation, almost half the women reported real income losses of greater than 30% relative to pre-separation. (Weston, 1993(a) p.137-139) Given the rising real incomes of many intact married couples over the same period, divorced women would have been doubly disadvantaged in competing for housing and other services.

Whereas 55% of respondents indicated that they had belonged to a two-income household pre-separation, given the greater repartnering rates for men, by 1987 50% of males, but only 40% of females belonged to two-income households, a source of differential household income.

Findings from the 1984 survey indicated that age was associated with greater relative income losses, both for men and women, in the case of women no doubt associated with the lowest rates of repartnering for any group. (Weston, 1986(a) p.106-108) This finding concurs with that of Eekelar and Maclean who found that

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12. In this case for the "younger" groups, parents with 2 children only (see Chapter 1 for further explanation).
GRAPH 5.2: Percentage of men and women indicating losses and gains in household income since separation.

Source: Weston, 1993(a), Figure 8.1, page 137.
in Britain, based on a very small sample of older men and women with adult children at separation, that the women all had incomes below the poverty line and that their circumstances "resemble[d] the position of the single mother at its most difficult, compounded with career chances foregone, membership of the older age group, and little likelihood of remarriage." (1984, p.220-221). For older women the lack of access to non basic assets of the marriage, particularly superannuation, is likely to be a major problem, given that only in the last five years has participation in superannuation schemes for employed women aged over 45 increased beyond 40%. (ABS, 1992(a), p.256) Also given that only 28% of employed women aged over 45 worked full time (ABS, 1992(e), p.16) only around one-tenth of women as an absolute maximum (and assuming they have worked full time throughout their working lives), are likely to have any ability to live adequately on their own superannuation. It is likely that these older women will need to exercise the capacity of all their finely-honed shopping skills, to which Espenshade (1979, p.20) attributes the ability to reduce the level of income disparity between divorced men and women, to offset such income disadvantage!

The financial situation of younger childless women on separation or divorce is completely ignored in the literature. Although such women will have a greater likelihood of repartnering (as discussed in Chapter 3) given their age and relative social freedom, if it is marriage as well as child rearing that affects women's earnings and attitude towards work-force participation, a case could be mounted that their economic prospects could be dampened by marriage.

Income related to need

The AIFS Study used equivalence scales derived by the Commission of Inquiry Into Poverty as a measure of living standards of mothers and fathers after divorce. They found that while the living standards of fathers improved after
separation, the standards of women and children declined. While women's situation improved marginally between the two survey periods by 5 to 8 years after divorce 63% were worse off than pre-separation.  

Whereas 40% of women in 1984 and 31% in 1987, compared to less than 20% of men, had incomes more than 30% below that required to maintain the pre-separation standard of living, at the other end of the scale almost half the men at the two survey periods, compared to 14% of women in 1984 and 19% in 1987 had incomes more than 30% above that required to maintain the pre-separation standard of living.

Changes in living standards by composition of the household are shown in Graph 5.3. The graph illustrates that, universally, women experienced a decline in living standards between separation and 1984, with only the advent of a partner significantly changing this situation by 1987. Women who lived as sole parents over the whole period showed almost static incomes, despite a reduction in social security recipiency from 64% to 52%. (Weston, 1993(a), p.144) Male sole parents, on the other hand experienced over 20% growth in income related to need, most likely resulting from continued work-force participation, with a reduced number of family members. Trends identified highlight the the costs of children and the greater earning capacity of fathers than mothers.

Incidence of poverty

Although changes in actual income and income relative to need are important, an assessment of poverty measured by standard poverty lines gives an assessment of the income circumstances of divorcees relative to the Australian population as a whole.

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13. this compared to 72% of the fathers who were better off in 1984 and 70% of mothers who were worse off. In 1984 father's median incomes were 31% higher than required to achieve a pre-separation standard of living, while women's were 23% lower than necessary. By 1987, the respective percentages were 21% and 14%. (Weston, 1993(a), p.139)
GRAPH 5.3: Changes in living standards: percentage of income above/below pre-separation living standards by family type.

Source: Weston, 1993(a), Figure 8.4, page 143
Graph 5.4: Median poverty-affluence status of women and men.

Source: Weston, 1993(a), Figure 8.2, page 141.

Graph 5.5: Women's and men's poverty-affluence status from pre-separation to 1987.

Source: Weston, 1993(a), Figure 8.3, page 141.
Graph 5.4 shows the large divergence in median incomes between men and women for the two survey periods. Graph 5.5 shows the variation which the median income in Graph 5.4 disguises. It can be seen that as a result of divorce, that even by 1987 over one-third of women were still poor\(^\text{14}\). The stringency of the poverty line can be seen by the fact that the line for sole mothers with 2 children was set at an annual income of $14036 for women not in the work-force and $15981 for women in the work-force in June 1993\(^\text{15}\). Thus an income of at least 70% above the poverty line would be required for working sole parents to approximate the average wage of full-time women workers and just over 100% to approximate the average wage of full-time male workers\(^\text{16}\). Graph 5.3 shows that by 5 to 8 years after divorce, only around 20% of women have incomes 100% or more above the poverty line, and under 40% of women have incomes more than 70% above the poverty line. As the women in this sample were generally better off than the population as a whole prior to divorce, the circumstances for all divorcing mothers are likely to be even worse.

The median poverty-affluence status by family type is shown in Graph 5.6. By 1987, only fathers living alone at both survey points or fathers partnered at both survey points had median incomes in excess of the average male wage. Women who lived as sole parents in 1984 and 1987 had belonged to the most privileged group prior to separation. The 3 years between the 2 survey periods saw only marginal improvement in the situation of these women, 78% of those who were poor in 1984 were also poor in 1987. Weston claims that the feminization of poverty represented in Graph 5.6 is thus not a product of the downwards socioeconomic bias of divorce, but rather the decline of household income relative to costs, poverty traps associated

\[^{14}\text{defined as incomes up to 20\% above the poverty line.}\]
\[^{15}\text{Institute of Applied Economic and Social Research, June 1993.}\]
\[^{16}\text{based on average ordinary wage rates of $27,716 women and $31,910 for men in May, 1993. (ABS,1993[d])}\]
Graph 5.6: Median poverty-affluence status by family type.

Source: Weston, 1993(a), Figure 8.5, page 145.
with social security recipiency and difficulty re-entering the work-force. (1993(a), p. 146)

In terms of both median household income and median living standards the families of the highest paid men prior to separation fared worst in the long run. In 1987 the families of the highest paid men were 30% above the poverty line, compared to low and medium income earners prior to separation, who were between 55 and 60% above the poverty line. This observation has been explained by the fact that wives of the highest paid husbands were least likely to be in the work-force prior to separation. Forty two per cent of these wives, compared to 64% of other wives were in the work-force. The result of this participation pattern was that the families of the highest paid men prior to separation were most likely to receive social security on separation, (51% compared to 38% for other families in 1984 and 37% :17 to 25% in 1987) further exploding the myth of privatised solutions. (Weston, 1993(a), p. 152)

The tendency for repartnering to vary inversely with socioeconomic status observed in Chapter 3 was verified by AIFS data. Whereas 49% of mothers whose former husbands had been the lowest paid prior to separation had repartnered by 1984 and 58% by 1987, only 24% and 32% of wives of the highest paid men had repartnered at the same times. (Weston, 1993(a), p. 152) Given the financial advantages, demonstrated by the graphs above, of repartnering, the continued poverty of the women advantaged prior to separation is not surprising.

Source of income

The greatly diminished household incomes of women after separation were as a result of a major change in source of income, from waged incomes provided solely or primarily by husbands, to a heavy reliance on social security. Sixty nine per cent of women received social security, mainly the
Supporting Parent's Benefit\(^\text{17}\), in the period between separation and 1987. As detailed in Chapter 3, the highest incidence of receipt of social security was for women not working at separation, not involved in the decision to separate, whose incomes were less than the available benefit, who had less than 10 years of education or who had not repartnered.

Conversely, factors predisposing women to a lower incidence of social security receipt were an work-force participation at separation (53% receipt), an income greater than the available benefit (44%), professional employment (56%), repartnering (55%) and children of school age (58%). These factors were more important in determining use of social security, rather than duration of recipiency. For most women social security recipiency begins at, or soon after, separation a time of crisis. Eighty one per cent of women spent one year on benefits, reducing gradually to 36% who received benefits for 5 years (Funder, 1993(b), p.103-106) Only one tenth of those who had repartnered in 1984 mentioned reliance on social security. (Weston, 1986(a), p.113)

Data from the AIFS study which considered the financial circumstances of older women after divorce found that these women had a much higher rate of work-force participation at separation than younger women (81% compared to 50%) and a similar level in 1984 (60%) and consequently a much lower rate of social security recipiency after separation (39% compared to 48 to 55%). (Weston, 1986(a), p.113) The 45 to 59 year age range of these women was quite wide, however, so it is likely to disguise a variety of experience. As observed above, participation rates for women reduce dramatically from age 55. The other factor of importance, as mentioned in Chapter 3, is that for the older women most likely to repartner were those who had exercised financial control or had an independent income prior to separation. This suggests that older women who were not in the work-force would be doubly disadvantaged in

\(^{17}\text{now the Sole Parent's Pension}\)
terms of reconstituting their household income through repartnering.

An analysis of social security recipiency and tenure shows that recipiency was spread evenly across tenures. Owner-occupancy prior to separation did not protect women from recipiency. Although levels of recipiency were marginally higher for renters, the main effect was to extend the period of receipt of benefits. Funder concludes that the "receipt of social security appears to be more related to women's own capacity to earn and employment history than to their husband's pre-separation income, the share of the property they received, their housing circumstances, or remaining in the matrimonial home." (Funder, 1993(b), p. 112)

ATTITUDES TOWARDS DEPENDENCY

As discussed in Chapter 2, the theme of dependency has been intertwined with marriage and women's access to housing, income (public and private), and (as discussed in Chapter 3) access to borrowed finance. Divorce exposes a cultural ambivalence to the issue of women's dependency. This is neatly encapsulated in the Department of Social Security's rationale that a women should be entitled to receipt of income to stave off the immediate financial crisis resulting from separation and to legitimate the option of her staying out of the work-force to care for younger children, but that the important goal of independence is best served by financial incentives which "assist sole parent pensioners to seek independence either through employment or repartnering". (Raymond, 1987, p. 101, my emphasis) 18

The ambivalence extends to consideration of women as "maintenance drones" enjoying a "free meal ticket for life" (Smart, 1984, p. 168-170) or as welfare "bludgers". (Funder, 1993(b), p. 84) Despite a perception that women as mothers

18. thus the State employs the same tactic as that advocated by the solicitor interviewed by Smart who was quoted at the beginning of Chapter 3, and the woman becomes a commodity with both use AND exchange value, just like housing!
should be entitled to public income support it is the mother, rather than her children, who is then seen as dependent. (Weston, 1993, (a), p.147) This occurs despite recognition that dependency is one of the main stresses of married life, that the most important factor protecting women against social security recipiency on separation is a preparedness for the separation (Funder, 1993(b), p.114) and that a major economic reorganisation takes time; be it as a result of retrenchment, separation and the loss of the main income earning assets of the household for which income or asset transfers fail to compensate, or some other cause.

Evidence also suggests that a convoluted logic can operate, such as where the deservedness of women to receive child support for children of the marriage is assessed by the former husband to be tied to notions of guilt or responsibility for the end of the marriage. (Weston, 1993(a), p.148-149) or the notion of "moral entitlement" to maintenance (Smart, 1984, p.169) This only tends to reinforce the view that the economics of divorce are neither objective nor divisible from the social and ideological context.

LESSONS FROM MARRIAGE TO DIVORCE (AND FROM DIVORCE TO MARRIAGE)

Discussion in Chapter 3 indicated the increasing importance of human capital relative to assets in a post industrial society. Evidence from this chapter suggests that it is human capital rather than the normally available assets which will best maintain income and prevent a slide into poverty after separation. The asset level required to compensate for such a paucity of income would be extreme, and given the trend for an increasingly young age at divorce, divorce generally occurring in the most expensive stages of home purchase and at a time when women with children are most likely to have the lowest levels of work-force participation, such asset compensation is increasingly unlikely.
Given the traditional and continuing role division within marriage, it is the human resource, in the form of education and work experience, that is most lacking for women. While development of human resources for women can help to erode the generally massive income decrement on divorce through loss of the major wage earner’s income, it seems that a large stock of human capital, in the order of a professional degree is necessary to increase women’s income potential to any useful extent, (Mauldin et al, 1990, p.208)\textsuperscript{19} particularly when pre-school aged children are involved. Given the sex differential in pay rates, even well-skilled women’s incomes are still unlikely to realise the same level of household income as pre-separation.

Women’s part time work force participation during marriage will not protect them from poverty on divorce, (Weston, 1986(b)p.149) partly because of the difficulty of combining any significant income with social security receipt and the significant full-time income required to allow for payment of child care. The costs of child care have been recognised as a significant impediment for the retraining and re-entry to the work force.(Mauldin et al, 1990 p.209; Raymond, 1987, p.126)

Given evidence from this chapter on the incomes of women after divorce, it is perhaps not surprising that public housing has increasingly become a women’s and non labour-force tenure. Although no doubt this tenure has real benefit for women, and ideologically has potential social and economic benefit to many other groups, its present and likely continued constitution as a welfare tenure prolongs disadvantage for many women and their children.

\textsuperscript{19} This finding was based on a study of young, recently separated or divorced women and the authors warn that it may not be transferable to older women or women who have not experienced recent marital disruption.
CHAPTER 6
CONCLUSION

"Intellectual freedom depends on material things... and women have always been poor, not for two hundred years merely, but from the beginning of time". (Wolfe, 1929)

An analysis of women's housing situation after separation and divorce is as much about the social, economic and ideological environment in which the parting takes place as about the actual housing circumstances and outcomes. The situation after separation is an attenuation of the economic and social organisation of marriage, and the consequences of divorce suggest ongoing inequality within marriage, as in society.

Divorce is not a phenomena equally visited on all sections of the population. Those who are disadvantaged economically are also more prone to divorce, as are the young. Interestingly, although it is abundantly obvious that the economic consequences of divorce are much worse for women, and their most sensible approach in terms of improving their economic and housing situation is to reartner, women are less likely to reartner than men. Older women who often have the least opportunity in the long term for improvement of their financial situation by other means are the least likely to reartner. Is this a perversity associated with age, or merely a reflection that a rationalistic, unidimensional theory will not recognise the complexity and difficulty involved on many levels, in decisions surrounding an ultimately personal experience such as divorce?

Analysis of the consequences of divorce has focused primarily on the single-parent family with some limited attention to the plight of the older woman who has, presumably, already reared her children. After examining the economic consequences of divorce it is perhaps not surprising that this is so. Given the almost universal responsibility of women for children after divorce and the costs of such responsibility, women are grossly
disadvantaged. This level of disadvantage interacts with a pervasive gender differential in the labour market. While Family Law, which until a century age did not admit the rights of married women to ownership of property at all, fails to recognise or compensate for unequal outcomes, regrettably it also fails to promote the rights of fathers for continued parenting. In this sense the inability of a cumbersome legal institution to respond to changing circumstances in society is a major source of friction, as its ability to assume equality, particularly in this case gender neutrality, in the enunciation of its findings, despite axes of inequality evident in society.

Despite the great disruption to housing and housing stability after separation, housing was of lesser concern than income to women in the AIFS study. Although individuals may not necessarily analyse disadvantage in terms of the origins of its components the two are closely connected. In a practical sense, much labour-force advantage and disadvantage is mediated through the housing system, and vice versa. While the housing literature has emphasised the importance of public housing for women-headed households it seems that the increasing concentration of women and the unemployed in public housing threatens the establishment of yet another dualistic system within the housing market. This could be aided by the geographically concentrated nature of public housing provision and the often recognisable building style. None of these characteristics are immutably attached to public housing, but in the context in which public housing has operated in Australia this marginality has been assured.

The housing problems for women leaving a marriage vary by tenure. The least disruption occurs for home purchasers and public tenants. Owner-occupancy prior to separation neither assures maintenance of an adequate income or housing stability. Even for the minority of women who achieve continued residency of the owner-occupied marital dwelling the length of time to distribution, on average three years, will be a period of
uncertainty, and in as many cases as not, no assistance with the continued housing cost will be forthcoming. With the tendency for a younger age at divorce and the increasing difficulty of access to home ownership for lower income groups, even fewer women will be able rely on housing capital as a buffer between them and poverty if their marriage fails.

Given an increasing importance of human capital to economic outcomes after divorce, the intense focus on 'who gets the house' seems in some ways anachronistic. It is probably a reflection of the centrality of home ownership as a rational economic choice and a barometer of personal achievement in the Australian setting. Given the greater emotional investment of women in the home as both a shelter and a source of personal and emotional security and as an extension of their personality, the loss of the marital home may be particularly painful.

One of the interesting findings of this review was of an awkward social ambivalence surrounding the notion of women's dependency. This is particularly apparent for women leaving the institution of marriage, given a continuing assumption of dependency within marriage. It is also interesting that the notion of dependency is tied closely to economic dependency. Husbands are not thought of as dependent because of their use of their wives' domestic labour. The notion of women's dependency within marriage is also a misconception, given women's participation in a "double day" of domestic and workforce labour.

While the findings of this thesis validate the constructs of feminist housing and urban theory, it has been found that many of the policy-related assumptions and stereotypes have been too generalised. Evidence from this study suggests, as would be expected, a wide range of demographic and economic characteristics which will interact with the influence of gender on the outcomes of divorce. While women generally suffer
major housing and income decrements from separation and
divorce, and as a whole the losses are greater than those
experienced by their former husbands, particularly where
children are involved, the situation is much more complicated
than modernist theory or policy would admit.

### NEVER MARRIED (age 15+)

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</table>

Source: ABS, 1986 Census, microfiche, Table CX0007


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