

**The affective burden of separated mothers in PA(S) inflected custody law systems: A
New Zealand case study**

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Abstract

Custody law systems across the Anglo-West are increasingly characterised by the overt and covert use of parental alienation (syndrome) as an aid to the governance of post-separation mothers. Difficulties with care arrangements within PA(S) inflected custody law systems are often regarded as evidence of mothers' alienating behaviours. So deemed, mothers face the prospect of a range of remedial, coercive and punitive censures, including losing resident parent status. I argue in this paper that the synergistic interaction between custody law and PA(S) creates an affective burden for post-separation mothers. Drawing on the voices of mothers in contested custody cases, I show that their affective burden consists of negative emotional states for themselves and their children, emotion work in relation to these states, and court required emotion work in support of father-child relationships. The latter mitigates the risk of being found to be an alienator and losing what matters most to them – their children.

Keywords: parental alienation, post-separation, mothers, emotion work, governance, Foucault

Introduction

I still remember the first time, just over twenty years ago, when a woman I was interviewing spoke in fearful tones of having been accused of parental alienation.¹ A Pākehā² mother in her late thirties, Sylvie, like a number of other mothers in that early study, couldn't understand how her desire to be a good mother, who wanted only to care for and protect her young child from a coercively controlling and oppressive father, was resulting in her pathologisation in New Zealand's Family Court. However, the alienation accusation was causing Sylvie to feel intensely vulnerable about the well-being of her child and herself. Sylvie worried that if she was found to be an alienator the father's claims for more care-time would be looked upon favourably, lessening her ability to protect her child from immediate and future emotional and psychological harm.

In the course of my research over the intervening years, I have spoken with many more separated mothers with partnership histories of oppressive intimacy who have experienced

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difficulties in negotiating care and contact arrangements and have therefore dealt with New Zealand's family law system (Elizabeth, Gavey & Tolmie, 2010, 2012a, 2012b; Tolmie, Elizabeth & Gavey, 2009, 2010a; see also Backbone Collective, 2017; Morgan & Coombes, 2016;). The majority of these mothers, in seeking to advance the complex and contested interests of their children, have simultaneously supported their children's ongoing relationship with their fathers even as they have opposed parenting orders that award often abusive and inexperienced fathers with generous amounts of usually unsupervised time with children (Elizabeth et al., 2010). It's a delicate dance in which mothers run the risk of being regarded as obstructive, hostile and alienating if they speak up about violent and/or coercively controlling behaviours directed at them, make claims about violence and abuse against their children or otherwise suggest that the fathers concerned are ill-equipped to assume the role of carer for any length of time (Harrison, 2008; Neilson, 2018; Lapierre & Côté, 2016; Meier, this volume; Ratus, this volume; Rhoades, 2002; Zaccour, 2018).

The requirement faced by mothers in contested custody cases in New Zealand (and elsewhere in the West) to participate in a dance of ambivalent support for fathers has been heightened over the last twenty years by the rising prominence of parental alienation (syndrome) in custody law systems, or what I refer to herein as PA(S)³ inflected custody law systems. Such custody law systems are characterised by the overt and covert use of PA(S) to reinforce the production of fathers as essential to post-separation care arrangements for children. One of the ways this occurs is through using PA(S) to frame mothers' active resistance to fathers' demands for care-time, as well many ordinary practices of maternal care, in pathological terms as either consciously or unconsciously alienating (Harrison, 2008; Morgan & Coombes, 2016; Zaccour, 2018). Deleted text – 77 words

I argue in this paper that the synergistic (inter)action between custody law and PA(S) creates a gendered affective burden for mothers in contested custody cases.⁴ Building on the work of Cain (2011), I use affective burden to refer to the emotional work post-separation mothers are required to perform as well as the negative emotional and psychological states they bear as a consequence of their governance by custody law. While Cain gestures to some of the contours of this affective burden, and it is also hinted at in critical readings of case law (e.g., Neilson, 2018; Zaccour, 2018), as well as in the growing number of studies that document the frustrations of protective mothers with family law systems (e.g., Backbone Collective, 2017), in-depth consideration of the psychological and emotional costs to mothers of their enmeshment in custody law is rare (For an exception see: Elizabeth, 2019).

In the following section I elaborate on the notion that separated mothers are governed as gendered actors through a custody law system that both overtly and covertly draws on PA(S) as a tool of regulatory power. Having done this, I draw on the talk of mothers I have interviewed to illustrate the kinds of affective burdens that are being imposed on mothers and, by extension, their children through the operation of a PA(S) inflected custody law system.

Governing gender through a PA(S) inflected custody law system

In Foucauldian parlance governing is ‘an activity which aims to shape, guide or affect the behaviour, actions, and comportment of people’ (Macleod & Durrheim, 2002, p. 45). Foucault’s discussion of disciplinary technologies means these are now well-recognised practices for guiding and affecting people’s behaviours, with the panopticon a much-cited example of the way in which the warder’s authoritative gaze is internalised by prisoners who then engage in self-surveillance and regulation. As indicated by the panopticon, the efficacy of disciplinary technologies is derived from people’s internalisation of normative judgements (e.g., the law’s codification of the norms of good post-separation parenting) and people’s subsequent self-regulation.

While Foucault’s work makes it clear that affecting people’s behaviours, actions and comportment through disciplinary technologies involves an exercise of power, it is perhaps less clear that Foucauldian ideas about power and governance implicitly if not explicitly reference emotions. For this insight we have Burkitt (2005) to thank. Foucault (1982) defines power as ‘a total structure of actions brought to bear upon possible actions: it incites, it induces, it seduces ... [it is] a way of acting upon an acting subject or acting subjects’ (p. 220). As Burkitt (2005) astutely points out, to incite, induce and seduce involve emotion:

In order to incite, people must be provoked or stirred in some way, with anger being the usual response to provocation. To induce, people must be persuaded or motivated in a way that calls out a certain type of conduct. ... Finally, the act of seduction must produce a desire or longing for a person, object, goal or ideal (p. 683).

Of course, while anger may be the outcome of having been incited, it is also possible to incite fear, as I note in my opening lines. Interestingly, anger and fear are gendered emotions: anger is masculinised; fear feminised. This does not mean that men never experience fear or that women don’t express anger, but that it is more socially permissible for men to be angry and for women to be fearful. These gender emotional differences are reflected in the limited research on parents’ post-separation experiences of losing time with children, where anger is a commonplace, and not infrequently dominant, emotion for fathers and used to justify their

aggressive pursuit of their 'rights' through the family law system, whereas mothers are more likely to speak about fear, sadness, and shame (Arendell, 1992; Babcock, 1998; Bemiller, 2008). This pattern suggests that the affective burden arising from the governance of post-separation parents is gender differentiated (Elizabeth, 2019a, 2019b).

A key manner in which the state governs the involvement of separated parents in the care of their children is by producing a normative care regime through custody law. Increasingly, what is considered normative are care regimes that entail a high level of father involvement (Elizabeth et al., 2010; Tolmie et al., 2009, 2010b). This may take the form of generous contact provisions, shared care or 50:50 care arrangements (Elizabeth et al., 2010; Tolmie et al., 2010b). Moral post-separation fatherhood is therefore marked by the desire for time with children, something that a proper post-separation father actively pursues through the family court system, if necessary, in order to establish and maintain a meaningful relationship with his children (See Rathus, this volume). Within the domain of Western custody law, fathers who seek to enact normative post-separation fatherhood tend to be positively regarded and rewarded with care time with their children even when they have histories of violence and abuse (Bemiller, 2008; Harrison, 2008; Rathus, 2010).

Post-separation mothers, by comparison, are normatively constructed within custody law as facilitators of fathers' relationships with their children. The proper post-separation mother is thus someone who willingly gives up time with her children so fathers can have meaningful relationships them; prioritises the father's schedule of available time with their children; acts as on-call carer should the father not be available for his care duties; surrenders her aspirations for her personal life when these conflict with fathers' aspirations for interacting with children; accepts compromises to her safety if this is necessary to sustain her children's relationship with their father; and continues to service father-child relationships. The latter is a necessary but taken-for-granted aspect of making contact work. As Smart (1997, pp. 315-316) sagely said over 20 years ago, contact, 'doesn't just happen', rather:

it require[s] negotiations with the father, with the children, with schools. It require[s] careful planning of holidays and all sorts of sport or other leisure activities. It require[s] the packing of toys and equipment and the washing of clothes. It also require[s] a lot of emotional work with children who might be reluctant to go or who may be difficult to settle on their return.

As I will show later, women's domestic and especially emotional servicing of father-child relationships constitutes an important dimension of the affective burden carried perhaps by all

post-separation mothers, but particularly by those mothers who are obliged to undertake emotional work in support of a father who they regard as a risk to their child's well-being.

The facilitative post-separation mother can be contrasted with the 'selfishness' of mothers who are regarded as 'unfriendly', 'obstructive', 'hostile' and/or alienating (Elizabeth et al., 2010; Harrison, 2008; Rhoades, 2002; Tolmie et al., 2009). The problematisation of such mothers in custody law bears a striking resemblance to how they are problematised by parental alienation. This similarity reflects the shared assumption of contemporary custody law and PA(S) that ongoing and meaningful relationships between children, their mothers *and* their fathers are highly desirable (see Rathus, this volume). In turn, this shared assumption and shared problematisation of post-separation mothers who are not explicitly supportive of fathers has enabled fathers' rights groups (Adams, 2006) and PA(S) affiliated scholars and practitioners to argue for the validity of PA(S) as a psychological construct, as well as its relevance to adjudicating custody disputes (see, for example, Clarkson & Clarkson, 2006, 2007).

Over time PA(S) has become an important adjunct to custody law in the governance of post-separation mothers and it works in two inter-related ways. First, PA(S) provides custody law actors – lawyers, custody evaluators and judges – with an interpretive frame through which to make sense of difficulties between parents over post-separation care arrangements, irrespective of whether these take the form of disputes between parents or arise out of children's resistance to spending time with their fathers (See Doughty, Maxwell & Slater, this volume). The interpretive frame provided by PA(S) reinforces the normative order of post-separation mothering embedded in custody law through the pathologisation of a broad range of behaviours defined as undermining meaningful paternal-child relationships to the point where children begin to reject contact with their fathers (Zaccour, 2018). In other words, PA(S) creates a new object of maternal blame – the alienating, hostile and no-contact mother – who is ostensibly recognisable through her display of a number of characteristic negative affects; namely, possessiveness, suffocation, excessive intimacy, hysterical imagination and selfishness (Cain, 2011; see also Zaccour 2018). Deleted 62 words

The second and related mechanism through which PA(S) contributes to the gendered governance of post-separation mothers is by making women much more reticent about speaking about their own experiences of violence and coercive control and/or their children's experiences of child abuse or neglect for fear that their desires to be protected and to protect are misconstrued as indicators of alienation (Adams, 2006; Lapierre & Côtés, 2016; Rathus, this volume; Tolmie et al., 2009). They may also agree to care arrangements they do not believe

to be in their children's best interest for fear that they might end up with even worse arrangements that further diminish their capacity to care and protect their children. These self-disciplinary tactics are a win for fathers, both individually and collectively, because they diminish the extent to which the heterosexual family is revealed to still be a patriarchal institution and they reduce the level of opposition to individual father's demands.

The affective burdens of separated mothers

In this section I outline some of the affective burdens mothers' experience as a result of their governance within a PA(S) inflected custody law system, in this case New Zealand's custody law system. The quotes from separated mothers I include below are derived from a qualitative study focussing on the loss or threatened loss of maternal care-time by separated mothers with disputed care and contact arrangements (Elizabeth, 2019a). Significantly, their comments about the emotional consequences for them and the emotion work they undertook resonates with those made by separated mothers in previous studies I have undertaken in this field (e.g., Elizabeth, 2003; Elizabeth et al., 2010; Tolmie et al., 2010a, 2010b).

The twelve interviews that formed the basis of the loss study were conducted from December 2013 to December 2014. The participating mothers were recruited through advertisements in several Auckland women's centres or through networks associated with these centres. Although not actively seeking women who had been subjected to domestic violence or coercive control, the majority of participants had this kind of history prior to separation. Those women who did not describe former partners as violent or coercively controlling talked of ex-partners who were exploitative and manipulative. In five cases mothers believed fathers were grooming or had actually sexually abused their children.

Seven of the mothers were Pākehā (white) New Zealanders, two were Māori (indigenous New Zealanders), two were white migrants from other Western countries, and one was a non-white migrant from a non-Western country. Participants were diverse in terms of age (ranging from their early 30s to their early 60s), their occupations and income levels; though overall, they were highly educated. At the time of their interviews the ages of their children ranged from pre-schoolers to teenagers. However, at the point at which their loss stories began over two thirds of the mothers had at least one child under the age of six and the remaining third had at least one child between the ages of seven and ten.

All of the mothers subscribed to the tenets of intensive motherhood and described intimate relationships with their children acquired through their practices of care. All but one

mother described the fathers of their children as uninvolved and disinterested prior to their separation. Eight mothers said that the father's mother or new partner was the primary carer for their children when he had them. Although the engagement with New Zealand's custody law system of the twelve mothers in that study varied, all had experiences of the temporal structure of their care-time being determined by at least one parenting order. Through these orders mothers lost care-time with their children to varying extents, with some becoming the non-resident parent.

Most of the interviews were conducted face-to-face in women's homes across the larger Auckland region, with two being conducted via Skype because of the distance that separated us. The semi-structured interviews began by asking about practices of care prior to separation, the reasons for and processes associated with separation, the processes by which care arrangements were determined, and their feelings about these arrangements. The interviews lasted approximately two hours, were digitally recorded and transcribed in full. The interviews were narratively and thematically analysed; I draw on the thematic analysis in this paper.

As is to be expected, experiences of loss were a significant affective burden for the mothers in this study; however, it is not one I dwell on below.⁵ Rather what I focus on is the affective burdens that arise out of the way parental alienation or the spectre of parental alienation shapes mothers' emotion work. As will be seen, mothers work on their own emotions in order to minimise the risk of being seen to display the kind of emotional states linked to parental alienation, undertake emotion work to help their children manage their peripatetic lives, and also perform emotion service work on behalf of fathers at the behest of the court. I begin my discussion with women's reports of how judges positioned them and the implications of this for their emotion work.

A number of mothers reported judges giving them explicit instructions to act or stop acting in ways that could contribute to their child's alienation. In one case this took the form of a prohibition written into the parenting order forbidding Theresa from texting her child when they were in their father's care. Consequently, she could no longer continue a routine practice of everyday emotional care work that centred on asking her child about their school day. Though a seemingly trivial interaction, its loss deprived Theresa of a valuable opportunity to sustain a loving and intimate relationship with her teenager. The teenager had been resisting seeing their father because of the father's angry tirades that could last for hours, a pattern of behaviour that Theresa had been subjected to many times during their relationship. Despite the teenager telling her court-appointed lawyer about these tirades, the distress they caused and her desire to spend less time with their father, her court-appointed lawyer believed that the

teenager's resistance was caused by Theresa's unconscious alienation, an interpretation that no doubt contributed to the judge's unwillingness to overturn the equal care parenting order.

In the second case, Sharon was verbally instructed by the judge to be positive, or at the very least convey the appearance of positivity, about her children's imminent pick-up by their father:

... I've been told by the court you have to go 'Go daddy, go daddy'. 'Yay, you're going to your daddy's. Jump up and down. Daddy, daddy, daddy.' But I'm like, 'how can they expect that?' From Sharon's point of view, the judge's exhortations for her to engage in this form of emotion work were unrealistic given the father's history of being coercively controlling, her fears for the sexual safety of her children when in his care and the simple fact that she would miss them. Nonetheless, Sharon did her best to comply with the judge's directions in order to avoid the implication that the questions she had raised about the father's sexual proclivities were not a deliberate ploy to alienate her children from their father.

Yet mothers didn't have to be on the receiving end of overt judicial discipline for the spectre of PA/S allegations to affectively burden them and produce self-regulatory actions. In the following extract Pearl fearfully speaks about the possibility that her emotional vulnerabilities might have a detrimental impact on the amount of time she has with her child:

And I get scared, and ... I told child 'don't tell your dad I have been crying [about my grandfather's death]'. Because I am scared ... that they will take away [child] because I am emotional. ... That is my biggest fear, losing [child] because of my emotions. Because I have heard of mums who lose their kids because their husbands say they are emotional.

Pearl went on to elaborate how her fear of losing time with her school-aged child had made her become more lenient with them:

Pearl: I don't discipline her anymore because I am scared.

Q: What did you use to do? Did you scold her?

Pearl: I use to scold her when she doesn't finish her food because that's how I was brought up.... But now it's like she doesn't want to finish I say it's alright. It makes me so scared to be a mother, I don't know what to do. If I scold her, I get penalised and [daughter] gets taken away from me....

It's clear from the above that Pearl's fear of the loss of care time meant that she regulated her own behaviours so that her mothering became less risky, or so she believed.

Mothers were not only subject to overt juridical (i.e. Sharon and Theresa) and covert disciplinary (i.e. Pearl) governing power of PA(S) inflected custody law, they also reported being called upon to do emotion service work on behalf of father-child relationships. Again, the performance of this service work occurred in a context of needing to persuade legal actors

that they were not simply ill-disposed towards the fathers of their children. Such emotion service work consisted of coaxing children out of the door, assisting children to manage emotional distress while separated from their mothers, and settling children down after their return. Mothers emotion work was sometimes performed in conflict with their care-based values and practices, as was the case for Theresa below, and sometimes as a necessary extension of their care.

In the lead up to following extract, Theresa and I were talking about the judge's decision not to discharge an equal care order in the case that Theresa had brought at the behest of her teenage child. I began this segment of our conversation by asking Theresa how her child felt when they got the news that the Court wanted a resumption of equal care-time arrangement with their father. Theresa replied:

Theresa: [Child] was devastated and they refused again, and again, and again. And I couldn't get [Child] to go.

Q: You said [Child] was devastated, what did she actually say? Or was it her behaviour that conveyed the devastation?

Theresa: [Child] was angry, [Child] was crying. [Child] said, 'I am not going. I am not going. I am not going'. What got [Child] there in the end was me saying '[Child] I am the one who is accountable here. If I can't take you [to the counsellor where the child was meeting their father after a long hiatus] then I am the one that has to go back to court'. ... It was awful.

Interestingly, as Theresa tells this story, her teenage child only became willing to resume seeing their father upon realising that their refusal was putting their mother at risk of court censure. This realisation reflects Theresa's positioning by the court as their handmaiden as well as the handmaiden of the children's father: as handmaiden Theresa was required to talk her child into seeing her father even though she believed the resumption of the 50:50 care arrangement was detrimental to her daughter's well-being and detrimental to the father-daughter relationship. Moreover, Theresa's 'it was awful' signals her displeasure about the servicing position she is forced to occupy between the court, the father and her child. However, it is a position she believes she must occupy despite the fact that it prevents her from being able to act with the care and empathy she talked of feeling for her children elsewhere in the interview.

Theresa was far from alone in having to persuade reluctant children to leave their care to spend time with fathers. This was a notable feature of the stories of separated mothers with younger children in this study and in the previous study (Tolmie et al., 2010a); both groups of mothers often talked about the emotion work they performed to support their children's departures and returns. Despite their emotion work, young children's transition to their father's

care was not always without drama. Take, for example, the following description Sharon gives of her pre-school son's antics when his father arrives to pick him up:

Sharon: ...[son] was at the stage when he was running up the street and not getting in the car and [father] was running after him. A friend of mine witnessed it one time ... and texted me: 'Sorry Sharon that was really horrible' because [your children] were screaming their heads off. ... He was trying to actually get away from him and hide.

Q: So like if I hide, I won't have to go?

Sharon: Yeah exactly. And it's hard, what do you say to your children, you know, 'you have to go sorry'.⁶

Similar to Theresa, Sharon's 'hard' alludes to how emotionally and relationally fraught being positioned as the court's enforcer of contact was for her. But just as her children have no choice in the matter, neither does she because to refuse to do the court's bidding would expose her to the risk of being construed as an alienator, a possibility that was exacerbated by the concerns she had raised over her son's safety in the father's care.

Returns could also be experienced as emotionally and behaviourally challenging. Below Mae describes her young child's discombobulation at waking up at her mother's place instead of her father's and her reversion to sleeping in Mae's bed in order to be reassured by her proximity:

Q: What difference did it [the extended time with father] make to you and [daughter]? You know, as a mum, did it have any impact on you?

Mae: I think things got worse, because she was gone longer, so when she was coming back, she'd either fall asleep on the car ride home, and then not wake up until the next morning very confused about where she was. She'd wake up in her room, freak out, just immediately screaming, just clearly confused. And what ended up happening was she'd wake up during the night and she'd come into my room from four, and then it turned back to two, and now she just won't go into her own bed. Now she has to sleep in Mummy's bed. ...

Mae's observation that her daughter seemed clingier and less agreeable on her return is a common one, so too is the emotion work mothers expend to respond to children's needs (Tolmie et al., 200x). It is, of course, conceivable that fathers also undertake emotion work in response to similar experiences of children's disorientation. However, what distinguishes Mae's emotion work is that the parenting order which gave rise to its necessity was agreed to by her under duress: Mae was warned by the father's lawyer and the lawyer representing her child that her relatively recent move across the city without the father's permission in combination with her resistance to shared care would be viewed by a judge as signs she was

unreasonable and uncooperative. In other words, Mae's emotion work and the emotion work of many other separated mothers was performed against the background of an ever-present threat that she could face the ire of the court for being an alienating mother. Older children on their return, according to mothers, were more likely to want them to act as sounding boards, enabling children to make sense of what had transpired while at their father's home. However, such emotional care work was risky for their mothers and opened them up, as in Theresa's case, to accusations by custody evaluators or lawyers acting for the child that they were 'feeding their children' and thereby alienating them from their fathers.

Mothers might also receive phone calls or texts from children who had become distressed while in their father's care, looking for their mother's solace and, in some cases, to be removed from their father's care. Because most of the fathers involved did not want to be seen to be unable to manage their children's emotional needs, there was very little possibility of children being returned to their mothers for the soothing and comfort they desired. As result, mothers were rendered powerless to perform desired emotion work for their children and experienced such encounters with their children as 'absolutely horrible' and 'soul destroying'.

Mothers' sense of powerlessness was especially acute when they believed their children were at risk of psychological, physical and/or sexual harm but institutions of the state - namely, the police, child protection services, the family law system - did not share their assessment of the situation. In these circumstances, mothers lived in a state of anxiety, even panic, because they were unable to get anyone in a position of authority and power to recognise the risk a father posed to a child's well-being and make appropriate care arrangements. This is graphically illustrated by Laila's talk below:

Laila: ...I'm sitting here now with two gorgeous kids and *worried sick* about whether they are going to be put into this environment because I'm being accused of alienating my kids. I mean they're saying it's okay to hit my children [crying]. ... It's okay for him to abuse my daughter. ... And that's not even in the picture because I'm the problem because I won't hand over my children. ... And as a result, I've been threatened with having them taken off me and put into state care. So, I'm *frantic*, I'm emailing everybody, I'm saying he's going to hurt my kids.

Viewed as a protective mother, Laila's tears, reference to being 'worried sick' and 'frantic' in pursuit of assistance are simply signs of her desperation to protect her children from a father who had already caused them harm. Yet, within a court inf(lect)ed by PA/S, Laila's emotional state was being read as the actions of a woman alienating her children from their father and was resulting in threatening pronouncements from the judge.⁷

Conclusion

What should be clear from the above is that the governance of mothers through a PA(S) inflected custody law system has far-reaching affective impacts on them. Mothers in contested custody cases are subject to overt exercises of juridical power in the form of explicit instructions from judges to undertake emotion work as evidence they are not alienators. Yet PA(S) as a tool of gender governance operated just as powerfully through mothers' self-policing and self-regulation. Mothers' fear of being perceived as parental alienators and the losses of care time that would likely follow from such a perception caused them to consent to parenting orders they disagreed with and found deeply distressing. It also prompted them to service father-child relations through their emotion work despite the fact that it sometimes meant acting in ways that were not congruent with how they wanted to mother. Not all mothers kowtowed in the face of alienation accusations. However, mothers like Laila, who refused to modify her conduct despite being viewed as 'the problem', run the risk of being subjected to the punitive powers of a PA(S) inflected family law system through the transfer of their children's care to the (abusive) father or the state. The affective burden that results from mothers' loss of their children's care is, as I discuss elsewhere, almost too much for some mothers to bear (Elizabeth 2019a).

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Notes

¹ Parental alienation has highly gendered underpinnings, that are both acknowledged and unacknowledged, and it continues to be used in gendered ways and have gendered effects (**In this volume see:** Lapierre, Ladouceur, Frenette & Côté; Meier; and Rathus; **See also:** Milchman, 2017b; Neilson, 2018; Zaccour, 2018). For this reason, I assume in this paper that it is mothers who are the alleged alienators and fathers who are the supposed victims.

² Pākehā is the name given to white New Zealanders by Māori, New Zealand's indigenous peoples.

³ This notation is used throughout this article to reflect that although Gardiner's theory of parental alienation syndrome has largely lost favour, the lines between parental alienation syndrome and parental alienation are in practice blurred (See Lapierre et al., **this volume;** Meier, 2009; Meier, **this volume;** Milchman, 2017a).

⁴ It is beyond the scope of this article to consider the affective burden felt by fathers. However, my argument in this paper is not that only mothers experience an affective burden, but that the nature of

that burden is generally different from that of fathers because of the way in which mothers and fathers are differentially produced, positioned and regarded as parents prior to and after separation.

⁵ For readers who would like insight into the women's loss stories see: Elizabeth (2019a).

⁶ While many mothers across the studies I have conducted shared similar stories, mothers who dropped off and picked up their children from pre-school or school were much less likely to talk about such vexing incidents. Presumably this is for two reasons: first, children's separations from their mothers is part of their daily routine and not intermingled with going to their father's later in the day; and second, children are not being removed from activities and interactions that they might be enjoying but are transitioning to their father's care at the end of the school day.

⁷ For further elaboration of the dilemma that arises for mothers because of the tension between the best interests principle and protection from harm principle see: Rathus (this volume).

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