

A photograph showing a close-up of a man's arm and hand holding a young child's hand. The man is wearing a light-colored button-down shirt and dark trousers. The child, seen from the side, has short brown hair and is wearing a white t-shirt under denim overalls. They are both against a solid blue background.

Serge Prengel

# still a dad

the divorced  
father's  
promise

Second Edition

This is a free PDF version of the book, which is out of print

**For page numbers, please note that:**

- The page you see in your PDF reader is the page number within the PDF document. The page number on top of the page is the one that is the same as the printed book.
- For the page numbers on top, you will see that there is sometimes a gap between page numbers. This is because the PDF is based on the printed book, where there are some blank pages that are needed but one doesn't even notice, so natural are they (for instance, wherever something starts on a right-hand page, and there is a blank back page, or a blank left page opposite). These blank pages have been removed from the PDF.

Still a Dad: The divorced father's promise

© Copyright 2006 Serge Prengel

All rights reserved. No part of this book may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without permission in writing from the publisher.

Published by LifeSherpa®, New York, NY.

Library of Congress Control Number: 2006902248

ISBN: 978-1-892482-05-1

## FOREWORD

By Edward M. Stephens, M.D.

I have been part of the world of divorced and divorcing dads for four years two months and twenty days. All the emotions and pain I have felt during that time, from my loss of financial security, loss of my children, my way of life, friends and even my dignity as a person were sensitively described in *Still a Dad*.

I have been struggling to repair my life and make it meaningful, in spite of the character assassination of me as father that is plainly and simply the fact of the divorce process for the father.

After reading about what must be the description of your own journey - no one can know this who hasn't lived it - I regained my grip on hope. Not the hope I had, but a new hope, that I had a powerful place in my children's and even my ex wife's lives that was constructive and eternal.

Thank you for describing so clearly the difference between resignation/anger and acceptance, and helping me to focus on the power in what I can do.

Edward M. Stephens, M.D.

Member, *American Psychiatric Association Council on Children, Adolescents and Their Families* and the *American Psychiatric Association Committee on Juvenile Justice*

Founder, *On Step Institute for Mental Health Research*

## **contents**

A fable: John and Jane's story	1
You're out	5
How the system works	15
You've got to pay	31
A time to let go and a time to fight	45
Get a grip	53
Being a divorced father	63
Conflicts with your child	77
Dealing with your ex	93
A sense of peace	105
Acknowledgments	109
About	111

**a fable: john and jane's story**

*John and Jane have a child.  
They both love him very much.*

*John and Jane are not getting along.  
They fight a lot.  
When John and Jane break up,  
Jane says:  
You don't belong in here!  
Get out of the house!*

*John says:  
I want to divorce you, not him!  
The child doesn't say much  
But he's all torn inside.*

*Jane says:  
Look what you're doing to him.  
Jane goes crying to the Judge.  
Look what he's doing to my child.*

*The Judge says:  
It is the best interest of the child  
That the fighting stop.  
John is relieved:  
The Judge will get Jane to see  
A child needs both parents.*

*But the Judge goes on:  
And for the fight to end,  
There is but one way.  
It is that you, John, go away.*

**you're out!**

## **is this typical?**

After John and Jane break up, John wants to share the parenting of their child, and Jane doesn't. They go to court. And John ends up being a non-custodial parent.

How could this story be for real? When fathers are more involved in their children's lives than ever before? When society as a whole seems to put such a high value on the emotional and practical involvement of fathers in all aspects of child-rearing? When many department stores put diaper-changing stations in the men's bathrooms? These days, diapers are disposable, not dads!

As a matter of fact, John's situation is quite typical. Fathers usually end up being non-custodial parents. Government statistics show that, after divorce, mothers are the primary parent in 8 out of 10 cases.<sup>1</sup>

I'd like you to take the time to let these statistics sink in. Pay attention to your emotional reaction.

If you're feeling depressed or overwhelmed, there's nothing strange about that. But this is not a reason to give up. Understanding the context of your situation will actually help you deal with it more effectively.

If you're feeling angry, and afraid of this anger, I'd like to point out that anger need not be destructive.

---

<sup>1</sup> Source: (U.S. Census, America's Families and Living Arrangements 2004 Current Population Survey, March 2005).

You can channel the energy that anger gives you into productive avenues.

What if you don't feel concerned? What if you think: *Hey, I'm a better man. It's quite obvious that I deserve custody, and I will get it.* Well, there's nothing wrong with feeling positive. However, remember that, in the fable, John was pretty hopeful that the judge would see things his way. I'd suggest you make sure that your hopes are based on an understanding of how the system works, not just on your own sense of what is fair.

## **the visitation dad**

Divorced fathers complain about a sense of loss. It is not that they totally lose contact with their children – a typical visitation schedule will include dinner with the father every Wednesday evening, and stay-overs with the father every other week-end. But can anybody honestly say that a few visits a week is an acceptable substitute for an involved parenting relationship?

This is how Vince G. describes his experience:

*My marriage began to fall apart many years ago, and so many resentments surfaced for both my ex and myself. She resented my being so close to our son. I will never regret my time with my son in his formative years. Unfortunately, the residual effect is*

*that we became so close and attached that our separation is very painful and downright overwhelming.*

Fathers are complaining about the loss of being involved in the ordinary events of their children's life. They miss the seemingly insignificant events of everyday life – the rhythm of waking up, breakfast, school, after-school homework, too much TV, time to go to bed now. Once these ordinary interactions are removed, the nature of the relationship changes in a palpable way. It is as if it has now lost its texture. Father and children now interact primarily around entertainment, not on the whole spectrum of activities that make up the children's lives.

Take, for instance. J. W.:

*I have two girls 5 and 7. We had a very close relationship. They are going to miss me very much.*

*Not being able to help them with their homework and read them a bedtime story while sitting right next to them is going to pain me for a long time.*

Or Al, who came to understand later in life how much it meant to him to be an involved father:

*I have a 3 1/2 year old daughter. Divorced a little over a year. I have four grown children and eight grandkids. At my age of 51 I honestly never wanted more children. Amanda has turned*

*out to be my whole life. And seeing her every other weekend and on Wednesday evenings if I am in town, for two hours, is simply not enough. I am just a visiting father. Quality time is limited.*

*These youthful years that mom and dad share and bond with the kids go fast. I missed a lot of that with my first four children by working all the time and feeling that they were just there. Now I am older and being divorced with Amanda so very young, I suffer not being with her. Words cannot express that. Fathers need just the same amount of time to share the work and fun of the children, just the same as the mother.*

There is a big loss to mourn – the loss of being with your children here and now. A day that goes by can never be replaced. It's gone.

## **a lesser parent**

Back to the fable about John and Jane. Most of what Joey, their child, hears about the situation comes from his mom rather than his dad. For one thing, women tend to be more prone to communicating their feelings. For another, Joey spends more time with her. Joey seems to be living the divorce through his mother's eyes. He comes to share his mother's pain and anger. Sometimes, he thinks: *Mom's a better parent. This is why I'm with her.*

Is it that Joey doesn't love his dad? No. But Joey is a child, and he tries to cope with the overwhelming complexity of the situation as best as he can.

Joey loves both his parents. How can he deal with the fact that they're no longer together, and there's a lot of animosity between them? He's still a child: He needs parenting.

A child needs certainties, simple answers, a sense that there is fairness and logic in the world, in order to feel reasonably safe. Mom's now his primary caretaker. Joey desperately needs to believe that the person on whom he depends most is a good person who loves him and cares for him.

If Mom and Dad fight, if both of them can't be good, then it must mean Mom's the good parent and Dad the problematic one. Besides, *Mom wanted Dad out of the way. The law was on her side. It probably means there's something wrong with Dad.*

This kind of logic is not just a childish trait. We all try to simplify very complex situations – situations that involve a difficult emotional conflict. This is what psychologists call removing the “cognitive dissonance”: When there are elements in the situation that we cannot reconcile with what we need to believe, we tend to blot out the parts that don't fit.

As a result, John not only has to contend with the loss of time spent with his son, he also feels a loss in the way his child sees him.

## **a man's role**

It used to be that work was both the burden and the privilege of men. A curse, but also an opportunity to achieve a sense of purpose and accomplishment. And it used to be that nurturing was both the burden and the privilege of women.

In the past few decades, a lot of attention has been given to going beyond these limited roles. There is now a big emphasis on encouraging men to be more focused on relationships (in particular with our children). In some ways, this is a role reversal from the days when women felt pressure to be more like men – more aggressive, more oriented towards the outside world, career and money. Today, being primarily focused on work is seen as incomplete. Our society's role model is the successful working woman, focused on her work as well as her family – or the man who, like her, balances work and family.

As a result, men are now pulled in opposite directions. On the one hand, men are encouraged to be more nurturing. On the other hand, men are still expected to be mostly defined by their work and ability to

make money. This reaches a dramatic point in divorce, when fathers are separated from their children and ordered to give the mothers a significant portion of their income as “child support”.

Writing a check to the mother is not the same thing as actually buying something for a child, and experiencing the loving feeling it involves. Not only are divorced fathers deprived of the pleasure of actively nurturing their children. They feel deeply insulted. Their ability to love and nurture their children is confined to providing money to the mother. The suffering is material, but, at least as importantly, emotional and spiritual.

Each check the divorced father writes re-opens this wound. He feels he's not valued as a nurturing parent, just confined to providing the wherewithal that makes nurturing possible. This is all the more painful that he's been taught to think of nurturing as something more valuable than just providing the mere necessities of life, and he's been trying to live up to that ideal during the years of his marriage.

**how the system works**

In the beginning, it was a private matter among peers. John and Jane disagreed, which was admittedly not an unusual occurrence. But, this time, they could neither resolve the issue nor sweep it under the rug. The argument took on a life of its own. John got scared of Jane. And Jane got scared of John. Whatever trust they had in each other was now replaced by hurt, fear, and anger.

It has never been that easy for John and Jane to make difficult decisions together. Now, they're facing the most difficult decision they ever had to face – how their child is going to be parented.

John and Jane's fight creates a vacuum, so they go out of the family unit to fill it. Society interferes in the fight. Society – the law, the judge – has the following message: *For this, the most important task an adult may have, a competition is set up. One of you will remain as a parent, and the other will be out. May the best parent win.*

The fight is long and hard – lawyers make enough money on it to send their own children to law school. But the result is predictable. The child stays with the mother.

## how this happens

Explicitly or implicitly, divorce laws claim to focus on *the best interest of the children*. The laws are usually written in a gender-neutral style. In theory, either parent can be the custodial parent.

In practice, the custody proceedings turn out to be *a search for the better parent* – or, to be more accurate, the elimination of the less fit parent. Now, the concept of *search for the better parent* is not a legal construct – it is just a way of describing what happens during a contested divorce. So there is no legal definition of what constitutes a better parent.

Essentially, this is a case of: *I can't define it, but I know one when I see one*. This is how unacknowledged biases result in selecting the mother as the custodial parent.

## the logic of the system

What gives the judge the authority to determine who the better parent is? What does a judge actually know about parenting, about what's good for children? Would any sane people turn to a judge to ask him how to raise their kids?

The quarrel between John and Jane has created a vacuum – which the judge is willing to fill. He sees his task as selecting the better parent. This may seem nor-

mal – simply because this is what most judges have been doing.

You may find it deeply disturbing to see such a discrepancy between the gender-neutral content of the laws and what happens in reality. But, sad as it is to say, there's a logic to this madness.

To understand it, just imagine for a moment you're the judge. You have in front of you two bickering people. You don't really know what's behind all the stories they tell about each other. In fact, the more you hear, the less you may be inclined to think that either parent is a decent person. Yet you have to make a decision, choose one or the other.

This is similar to what happens in an election. There has to be a winner, and only one. Even if you win by one vote, you win it all. And winning is based on convincing the voters that you're *better* than your opponent.

In other words, even if both parents are equally good parents, even if the judge trusts the father's ability to be nurturing, all it takes to tilt the scales in favor of the mother is a fuzzy warm feeling about motherhood.

Aren't we all conditioned to have a warm feeling in favor of *motherhood and apple pie*? The mother is almost automatically viewed as the more nurturing parent. And, in the vast majority of cases, the mother is awarded custody.

What this means, in practice, is that a father only gets sole custody when he can prove that the mother is actually “unfit” to be a parent.

## **insidious assumptions**

While the justice system makes a great show of having no gender biases whatsoever, its noble ideal of serving *the best interest of the children* in fact amounts to giving free rein to the unspoken bias that mothers are the true nurturers.

So insidious are some assumptions that people don’t notice that they are just assumptions, prejudices. It takes a lot of time for society to see these assumptions for the put-downs they really are.

It has taken decades for society to disbelieve such statements as “Women are less capable of working than men”. And, despite all the progress we have made in this area, we are still far from being free of gender-related prejudices.

Women are still often viewed as primarily focused on nurturing, and men as primarily focused on bread-winning. These limiting beliefs are all the more damaging because they are implicit, and at odds with our society’s stated goal of eliminating gender biases.

## **what about shared parenting?**

The assumptions underlying these practices are so solidly entrenched in our culture that, to many people, they do not seem to be assumptions. They appear to be self-evident truths. So it is important to point out that there are other ways of seeing things.

In the fable at the beginning of this book, John was asking to share parenting. This is different from the traditional conception of divorce.

In joint legal custody, both parents have a say in the major decisions of a child's life – e.g. Religion, Schooling – but only one parent has *physical* custody. The father has very little say over most of what happens in the child's life – among other things, he has to give the mother child support money and has no say in how it is spent.

Shared parenting involves *both* legal and physical custody. There are no pre-set roles where the woman is the nurturer and decision-maker, and the man the money provider. Children may spend equal time with both parents. Regarding money, parents jointly budget for the children's expenses, and each pay equitably for these expenses.

There are no pre-set rules as to how parents have to share parenting responsibilities. While a 50/50 division of time and tasks seems like a reasonable way to start, it

could be 90/10 if that is what the parents prefer. The same goes for money –some people may opt to give their ex-spouse a set sum of money every month instead of being involved in the day-to-day decisions of how to use this money for the children (there are even married couples who function this way). The difference is that this is a voluntary choice, not something dictated by gender roles.

Some states have now adopted laws that call for presumptive shared parenting; little by little, more will undoubtedly follow. The presumption means that shared parenting is expected to continue after divorce.

Of course, these laws make allowances for cases where one parent is unfit, and it is better for the child to remain in sole custody of the other parent. So what's the difference between laws that have a presumption of shared parenting and traditional laws?

With the traditional laws, unless both parents agree to share parenting, the courts undertake an inquiry as to the better parent. As we have seen, this usually means that father is eliminated and the mother is selected as the parent in charge.

With a presumption of shared parenting, it is not possible for either parent to deny shared parenting without grounds. When a father wants to stay actively involved in his child's life, he doesn't have to prove that they he is *more fit* to be a parent than the mother.

There is no need to argue whether or not a man can be as nurturing as a woman.

If the mother does not want shared parenting, she has to prove that the father is actually unfit (instead of just relying on the perception that, if the court has to choose one parent, the mother is the natural choice).

## **the catch**

However, there is a catch. In most jurisdictions, shared parenting won't happen unless both parents agree to it.

Fathers may be able to obtain joint *legal* custody – which gives them a right to have a voice in some “big” decisions like the choice of religion or of schooling. But it leaves them out of the loop in terms of their child’s everyday life.

So the fable at the beginning of this book follows a predictable scenario. Jane says she doesn’t want to share anything with John, least of all parenting.

John hopes that if he can find the right words, she’ll understand. But the more he insists, the more determined she gets. He keeps hoping against all hope that she’ll eventually see things his way. And even if she doesn’t, how could the judge not understand?

John believes: *There are principles we all believe in, aren't there? This is about the best interest of the child. How could Joey's best interest possibly be to lose me?*

Actually, the judge doesn't want to discuss principles. The judge sees a situation he's familiar with – parents who disagree – and he has a ready “solution” for this situation.

## **conflict resolution**

The judge's basic assumption is that parents who disagree will not be able to effectively co-parent, that they will continue to fight with each other in a way that will be harmful to the children.

His solution is to attempt to eliminate conflict by effectively giving all parental authority to one parent. This seems to echo the wisdom of Solomon's judgment – you can't divide a child between two would-be parents without killing the child.

There is the weight of tradition behind this way of thinking. We are so accustomed to it that we don't realize it is just an assumption, one of several possible ways of seeing the world – not a universal truth.

For one thing, the adversarial process is certainly not the only method our society uses to solve problems. And fortunately so.

Where would we be as a civilization, if we believed that the only way to resolve disagreements is to have one winner and one loser? The progress of civilization has been to replace the law of the jungle with rules that curb our tendency to deal with conflict by trying to eliminate the opponent.

We approve of competition in business, but we tame capitalism in the name of social responsibility. We have antitrust laws to curb predatory practices. We may argue about how much of a safety net society should provide for the neediest, but the concept of having some form of a safety net is generally accepted. Even in war, we believe that there are limits that should not be transgressed – otherwise, we call what happens “war crimes”. So why should we rely on the law of the jungle for conflict resolution in divorce?

## **different conceptions of the family**

There are profound philosophical differences between traditional divorce laws and shared parenting in terms of what it is to be a family.

The traditional laws see divorce as breaking the family unit; after the break-up, assets as well as responsibilities are divided so as to separate the two parties as much as possible.

With the spread of divorce, many people have adopted more fluid concepts of what constitutes a family, and these concepts are reflected in the shared parenting approach to divorce. Essentially, the parents' function of raising a child together continues after they are separated.

The parents are now leading separate lives (they may in fact now be married to other partners, and even have other children in these marriages). But they continue to assume the function of the original family, which is to raise the child they made together. This is what family therapist Constance Ahrons calls the bi-nuclear family.

There's a state of flow, where several families co-exist. In order for a new family to be created, the old one doesn't need to be annihilated.

Shared parenting fosters a relationship of peers – it is based on mutual respect, on respect for differences of opinion, and a common desire to overcome emotional difficulties in order to be good parents. The parents learn that they can disagree yet be able to work out a compromise. The children have a model of how to develop better patterns of communication and problem-solving – ultimately, how to create emotionally-attuned intimate relationships.

This is in sharp contrast to what happens in adversarial divorces. In order to be selected as the better parent, each parent is encouraged to prove how bad the

other one is. And this is horrible, inhuman. A real human being doesn't need to be perfect to have the right to live his life, or to have the right to be a parent to his child. Only in adversarial divorces does it come to feel that way.

## **abuse and violence**

It is not infrequent for a woman to claim in court papers that their husband is abusive, that he is dangerous – to her and to their child.

Sometimes, these allegations reflect reality; sometimes they're just meant as a way to gain strategic advantage.

How is it determined whether an accusation is true or false when there is no conclusive evidence? This is where judgments, arbitrary decisions are made. And errors are bound to be made, one way or the other.

Judges have become more aware of domestic violence in recent years, after decades of ignoring it. They have come to know that, very often, there is no conclusive proof that domestic violence occurred, even when it did. So, where many judges would previously err in not believing the accuser's claim, many now would prefer to err in giving the presumed victim the benefit of the doubt.

It is impossible to be totally fair to everybody. Choices have to be made. Individual judges, but also society as a whole, have to make choices. This is a social contract, where the line is drawn in such a way as to reflect society's values and the respective powers of the groups in presence.

If one places a priority on protecting the innocent from being unfairly punished, one uses only the most stringent criteria to define who is guilty. It is then quite conceivable that many perpetrators will get away with violence (including, possibly, some of the most wicked perpetrators).

On the other hand, if one wants to punish every possible perpetrator, even when the evidence is not incontrovertible, then many innocents will be punished for crimes they didn't commit.

## **the abusive context**

I believe that the problem of abuse in divorce is not limited to those cases where there is actual physical abuse. Those situations in which the mother makes false claims of physical abuse in order to gain tactical advantage over her husband may not be physical abuse, but they are a very potent form of emotional abuse.

I would go even further. I believe the traditional, adversarial divorce itself is a context that fosters abu-

sive attitudes and behaviors on both sides. Sometimes, this gets acted out in physical violence, but the abuse is more pervasive than that.

Even when there is no physical violence, the adversarial system fosters a climate of all-out war in which the end justifies the means. The parties become obsessed with destroying each other emotionally. The battle is conducted in the name of the children, yet the children, who are in the middle of all this turmoil and feel somehow responsible for it, are probably the most deeply abused parties.

There's a lot of talk about preventing violence. Something should be done to curb the mechanism that fans the flames – the adversarial process itself.

## **what about you?**

Divorce proceedings all too often function as if there was a presumption of custody by the mother. This creates a power imbalance, a one-up/one-down relationship between the parents, that fosters an ongoing climate of distrust, insecurity and power plays. If this is true where you live, it serves no purpose to act as if it weren't the case, and as if you had an equal chance to remain involved in your children's lives. Facing reality doesn't mean condoning it.

The way you ask questions of your lawyer may condition the response you get. If your whole presentation to your lawyer is to the tune of: “Ain’t it unfair?”, your lawyer will probably say “Sure, and I’ll help you fight it.” Which may feel nice at the time, but doesn’t tell you much about the chances of success. Now, lawyers do not like to be pinned down to predictions, and this is understandable given how unpredictable the judicial process can be. Nevertheless, you need to get some perspective on how realistic your expectations are.

So ask the tough questions, and be open to hearing the answers you’re afraid to hear.

For instance:

- Is it likely, or even possible, in your state that shared parenting can be imposed even if your ex doesn’t want it?
- Within the context of joint legal custody, is it conceivable in your state that you have some say in how child support money is spent?

It may feel very emotionally satisfying to add fuel to the fire, but you will probably be better off if you don’t. Mediators or lawyers who take a collaborative approach to law can help bridge the gap between your wife and you.

**you've got to pay**

## **child support**

Depending on the state where he lives, a father must pay 15 percent to 20 percent of his *pretax* income (20 percent to 25 percent, or more, after-tax) as child support for one child. This usually goes to 25 percent to 35 percent pretax (30 percent to 40 percent, or more, after-tax) because there is more than one child.

Of course, it is right to expect a father to be financially responsible for his child. All parents should be, whether they are married or not, whether they are fathers or mothers. But the way money is dealt with in a traditional divorce makes fathers feel even more “divorced” from their children.

The system is based on guidelines defined by the states’ legislatures, specifying what percentage of the non-custodial parent’s income must be paid to the custodial parent as child support.

The child support guidelines were created to protect mothers and their children from the fathers who abandon them. They address very real problems, depicted dramatically and often in the media.

We are familiar with the plight of teenage mothers struggling to raise kids while barely out of childhood themselves. We have also heard a lot about the “welfare mothers” supported by taxpayers when the fathers could be picking up the tab.

It makes sense that, as a society, we want to take care of the major social problem of fatherless families. And it's only fair that we want to find ways to get irresponsible fathers to act responsibly.

What's unfortunate is the effect that the laws and guidelines have on fathers like John. Simply because he is a divorcing father, John is automatically treated like somebody who wants to abandon his child. There is an assumption that the mother will continue to be loving and responsible, whereas the father will have to be coerced into doing the right thing. The mother remains in charge of deciding what to buy for the children, and the father has to make child support payments. That a father may have a loving interest in doing the best for his child is not even remotely in the picture.

The point is: The child support guidelines have nothing to do with the situation of fathers like John, who are struggling to remain actively involved in their children's lives. Applying such an approach to a father like John is only adding insult to injury – contributing to the sense of betrayal and isolation that he feels as he sees his parental role taken away from him.

## **the full picture**

Society tends to be sympathetic to the plight of the mother. The media often tell us about how hard di-

vorced mothers must struggle to maintain a lifestyle that can approach what they had when they were married.

But, if things are hard for mothers, it doesn't mean they are easy for fathers. What happens with divorce is that the family's expenses are much higher, while the income usually isn't. Two households are created when there used to be one. Housing costs alone typically account for a high percentage of the family's budget before divorce; and now there are two homes to maintain.

Unfortunately, the adversarial divorce exacerbates the situation by wasting both parents' resources in legal battles. In addition, it creates a mentality of "me first" instead of "how can we conserve the limited resources we have?" .

Saying that mothers live less well after divorce amounts to not showing the whole picture. The harsh reality is that divorce significantly affects *both* parents' lifestyles. In fact, after factoring in child support payments, many fathers end up being much worse off financially than their ex-wives, as we'll see in the following.

## **income shifts**

The effect of the child support payments is to shift *tax-free* income to the mother – while alimo-

ny/maintenance is tax-deductible, child support is not. Conversely, the father's after-tax income is dramatically reduced, as can be seen in the following example.

This is the hypothetical case of a middle-class family with two children. The father's pre-tax income is \$4,000 a month, and the mother's income is \$2,000 a month. The father pays typical child support that is 25% of his pre-tax income. The following chart shows how much money each parent actually has to spend each month, after taking into account child support and taxes.

	father	mother
Monthly gross income	4,000	2,000
Income taxes: Fed, state & local		
after deductions & exemptions	-1,200	-500
Child support	-1,000	+1,000
	-----	-----
Net monthly income	1,800	2,500

In addition to child support per se, the father may be required to pay for additional expenses (all or part of health insurance, day care, etc). In some states, he may also have to contribute to mortgage payments. For instance, in Maryland, the custodial parent gets use and possession of the family's house for three years – with the non-custodial parent required to pay half or all of

the mortgage during that period on top of child support.

Even without these additions, the father in our example is left with \$1,800 a month, and the mother with \$2,500.

The point of this example is not to say that the mother is better off after divorce than she was before – she's not. Neither the father nor the mother is doing well.

The point is that it's going to be even harder for the father to afford a home where his children can really feel at home with him. Their real home is with the mother; they are kind of camping when they visit their father. This makes a mockery of joint legal custody.

## **the plight of the involved father**

The child support guidelines define child support amounts based on income. They usually do not take into consideration whether or not the child is actually spending time with the father – which creates additional costs for the father. For instance, it costs the same to have a room for your children in your home, whether they use it one night a week or seven nights a week.

As a result, a father who wants to stay involved with his children not only has to support the child's expens-

es at his mother's, he also has to find a way to pay for the child's expenses when he's with him.

Two households are more expensive to maintain than one. Unfortunately, most of the current laws and guidelines place this burden primarily on the father's shoulders.

Here's what stepmother Elizabeth P. has to say about this situation:

*My husband has two children by an earlier marriage.*

*He pays child support faithfully and on time; he pays for medical and dental insurance for the children; he pays for a life insurance policy that will go to his children (it will remain in effect until the youngest is 21).*

*He pays for half of the uncovered medical and dental bills, eyeglasses, and contact lenses. He pays part of their tuition. And then there are the expenses related to "visitation".*

*From the time their parents divorced when the oldest child was two years old until they were in their late teens, and school, social life, and weekend jobs got in the way, my stepchildren lived in our house EVERY weekend, one evening a week, part of the summer, and some holidays.*

*Like their mother, we also had to provide a home for them. Our expenses related to the children included: food (a whopper of a bill when they were teenagers; we also fed many of their friends on weekends); phone (also a whopper), gas, electricity, water, bedroom furniture, linens, VCR and TV for their room, toiletries*

*(toothpaste, toothbrushes, combs, brushes, deodorant, contact lens solution, shampoo, conditioner, acne medicine, cough medicine, toilet paper, etc.), clothing, books, magazines, toys, school supplies, games, sporting equipment, birthday gifts, Christmas gifts, summer vacations, allowances, transportation (including 5000 miles a year to drive them between our house and their mother's), sporting events, movies, concerts, babysitters... I think you get the picture.*

## **gripes about money, power and control**

Money issues, as many marriage counselors point out, are symptoms of power struggles within the couple. This is very much the case in a divorce situation. The struggle about child support can be seen as a struggle for control at several levels.

As the struggle escalates, money issues become more and more entangled with emotional issues. For mothers, “taking him to the cleaners” can become a way to “hurt him where it really hurts.” For fathers, having to pay the mother can be seen as having to pay a humiliating tribute to the victor; reducing the spoils of the victor feels like a way to manage the humiliation of defeat.

But, even without going to these emotional levels, control issues very much at stakes in money discussions. One level we've talked about is who controls

how the child support money is spent. Traditionally, child support money is given to the mother, who has sole control over how to spend it. A father who complains about his lack of control is branded as “controlling.” In the case of joint legal custody, this is a crazy-making situation for the father: Both parents are deemed equal, except that one is “more equal”. It might be healthier to call a spade a spade: In this case “joint custody” is a misnomer.

Another level is related to the child support guidelines. As discussed earlier, these guidelines determine the amount of child support the father must pay based on income, not on whether or not the child actually lives a significant amount of time with the father. Divorcing parents are not obligated to follow the guidelines – provided they both agree to another arrangement. When they don’t is when the guidelines take effect. Now, this seems fair – in the sense that both parties have an equal opportunity to disagree.

In practice, this means that the mother has no incentive to make an effort to work out a mutually agreeable way to deal with parenting expenses. If no agreement is reached, she will get the full amount of child support payments defined by the guidelines *and* she will be able to use this money without control from the father.

## **different visions for the family**

This is not just about money. This is about which vision about the family's priorities will prevail.

One vision – the traditional vision – is to keep the family situation as close as possible to what it was before the divorce, except that the father is removed. From this perspective, it makes sense that the priority is for the father to pay a maximum amount of money to enable the mother's household to be the continuation of the original family. As a result, it becomes less important whether or not the father has enough money to maintain "Dad's house."

The other vision is one in which the priority is for children to keep having two involved parents. In this context, "Dads' house" does not come a distant second to "the home." It is on a par with "Mom's house." Both are considered to be homes where the children must feel at home. As a result, "Mom's House" may very well have less money than it would have in the traditional divorce.

## **moral pressure**

In a divorce, money issues are further clouded by a tremendous amount of guilt and blame that's placed

around them. Part of this is manipulation. But part of it is also simply a reflection of the different visions discussed above.

The court views things in terms of maintaining a primary “home.” The father is yearning for a benevolent authority to allocate parenting time between equally respected parents. He is asking for parental responsibilities to be equitably allocated, whereas the court is focused on determining the amount of child support he must pay. But the traditional judicial system has no room for what he wants, no acceptable words for that.

In a discussion such as this one, the father’s interest and the child’s interest are seen as diametrically opposed. When the mother talks about money, it is within the context of providing for the children. When the father argues, he is seen as wanting to selfishly keep “his” money. Reducing child support payments is seen as taking money away from the children.

As a father, you may be tempted to argue that this is unfair. If you live in a place where the laws and jurisprudence are based on the traditional vision of divorce, chances are that this argument will not be heard. You will need to give up on the longing to be understood and vindicated, and just focus on getting what is possible within the framework of the laws.

What you're fighting for is not the right to be a parent. You *are* a parent. No one can take this away from you. What you're fighting for is better conditions to be the parent you want to be.

**a time to let go  
and a time to fight**

## giving up

When they realize how much power their wives have through the children, many fathers are cowed. They fear that, if they displease their wife, they might effectively lose access to their children. Some fathers even rationalize that this attitude gives them a moral victory: *I'll give in, I'll let her have it all, and I'll have the moral high ground.* The trouble is, the mother believes all along that *she* has the moral high ground. It's tragically useless. One does not gain the moral high ground just by virtue of being trampled.

Many a divorced father experiences low moments – even moments when he has fantasies of going away, far, far away, and forgetting the whole thing.

What helps at such times is to imagine your child, grown up, reminiscing about his childhood. Imagine your child thinking: *My dad did not give up. I was that important to him.*

While it is wise to respect the reality of the mother's power, it certainly doesn't mean just becoming a doormat. It may be difficult for a while, but the following comment from Luke C. illustrates the payoff of not letting himself be intimidated:

*My ex-wife's attorneys advised her to claim sole legal custody even though she knew that my son would benefit from having me remain involved as a full parent. After it was over, she apologized*

*for this, as well as for making allegations of spousal abuse, which were false. Although we argued over my access to my son during the divorce proceedings, my ex-wife now expresses great satisfaction with our joint-custody arrangements and my son's favorable adjustment to living with two households.*

## **the dilemma**

On the other hand, there is a time and place for letting go of lost causes. This is not the same thing as hiding a lack of courage behind the pompous construction that “reality” defeats you. This is not the same thing as “managing” a conflict by denying its existence.

The principle is simple enough – there’s a time to fight, and a time to let go. But how do you know when it is appropriate to do one or the other? I wish there was a simple mathematical formula for that: *You fight until the ratio hits level L; beyond that you let go.* But, if there is one, I don’t know it.

Scott writes:

*...My initial reaction was to fight. My attorney fueled this and believes I have a 50/50 chance of winning custody. I trust her (my attorney) and like her, but am not sure this is the best way to go. Even if I did win, the entire ordeal will take 8 months and \$30,000. I determined to settle if my ex would provide a*

*suitable and equitable agreement. She had told me I would receive it on Monday and I agreed to sign it.*

*While driving, I began trying to visualize non-custodial fatherhood. I won't live with my kids, so that will eliminate incidental contact. All communication will lack spontaneity. It occurred to me, "How can I consider myself their "father" when I don't live with them, mostly communicate by phone and can only see them with permission? I panicked and depression came over me like a wave.*

*Today I am with the children and am still indecisive as to whether to settle or fight.*

This situation requires making a decision in the face of uncertainty. You don't know for sure what the outcome of each option is. If you take one path, you'll eventually know what happens, but you'll never know what the other path would have been. So there is the possibility of regretting forever the path not taken.

How can you deal with such a situation?

I believe it's important to realize that it will be a process. It will take time and effort to come to grips with what to do.

There will be no easy answer, so it's uselessly frustrating to try and find out what the solution is, as if there were one solution that fits all.

Given the uncertainty and the risk, the best solution for you is a solution that comes from a place of being

true to yourself, as opposed to one that follows some knee-jerk impulse.

In Scott's case: Scott ended up deciding he'd rather settle to avoid a long court battle. But he also realized he could use what leverage he had to protect his role as a parent. As part of the settlement, he asked that his wife and he work out some form of mediation or counseling to define their respective roles. He asked for some counseling now, and for the provision that there would be more counseling later on, if problems emerged.

## **letting go**

Letting go happens after you squarely face the fact that there are areas you don't like (and may even hurt you very badly) that you cannot do anything about.

Randall writes:

*My ex-wife is very good at manipulating me to the point of upsetting me, she knows what to say, and she does it, in regards to my children, because she knows that's the only way she can get to me.*

*She will try to adjust my visitation, which is set up by the courts as liberal visitation, which we both agreed on, but it seems she doesn't have to always abide with that, if she doesn't get her way, or I don't agree and go along with her requests.*

*I am sending my children to a private school; she told me last week she was refusing to provide their transportation to and from school next year, and that she didn't want anything more to do with the school.*

*Her reasoning? I was told she didn't like one of the teachers. I found out my ex-wife was picking up the kids early, peeking in the windows, and disturbing the class before the teachers had finished their closing tasks with my children, this being very disruptive to the teachers class.*

*The teacher, in a polite but firm way, told my ex-wife that she did not appreciate this type of disruption. This made my ex-wife furious. Then she took it out on me, and said she did not want anything more to do with the private school.*

*She wants to always be in control. I don't know what to do. I have talked to lawyers, nobody is ever on my side.*

Randall talked to lawyers, and they told him the situation is not one that he's likely to solve satisfactorily through the courts.

The key for him is to keep his focus on something he wrote about her -- that *she wants to be in control*. This is probably very true.

She wants control *and she has the means to do so*, given the way our divorce system is. Randall has to accept the reality that his ex will have the deciding vote in terms of selecting a school, whatever her reasons are.

This does not mean Randall has to give up on those rights of his that are enforceable.

## wisdom

Wisdom does not lie in meekly accepting every blow. It is not about turning helplessness into a virtue, or calling passivity a form of moral superiority.

Wisdom is about fighting the battles that need to be fought, as much as it is in knowing which battles are not to be fought.

Some fights are fueled mostly by habit. Their sole purpose seems to be to “prove” how everything can still get worse, and inevitably will.

Courage is not to be mistaken for indiscriminate bluster. Sometimes, the most courageous decision is to stop fighting.

**get a grip**

It takes a spirited fight for John to overcome all the obstacles that stand in the way of his staying involved in his child's life.

There are ups and downs – and it often feels like there are more downs than ups. It's not easy to keep the spirit when the whole situation seems like a huge mess. What do you do when you feel overwhelmed by pressure, consumed by anger, fear, and self-doubt?

To successfully stave off all the outside pressures, you need the inner strength that comes from being comfortable with who you are and what you want. The strength of your conviction comes from a solid sense of who you are – in contrast to the brittleness of rigid dogma, protective armor, defensive arguments. And this conviction, this sense of inner peace, comes from confronting your inner fears.

Looking inside is not a substitute for action – it happens in parallel, as we are trying to make sense of all the crazy, terrifying nonsense that we are trying our best to deal with. Adversity is a powerful incentive to reflect on who we are, deep down.

The more comfortable you are with yourself, the more you like yourself, the better influence you'll be on your child. You need to trust your own power as a human being, to feel it from inside.

The stronger you are emotionally, the better you'll be able to cope with this and other big losses – you won't be as overwhelmed by them.

When the roof collapses, you build another roof. Fight back – not necessarily in the sense of getting embroiled in everlasting court battles. Rebuild your life – for yourself, and for your child.

This struggle is about regaining your inner power. In addition to fighting with your ex, you're also fighting a battle within yourself: Coming to grips with just how long to keep fighting, what to keep fighting for, and how to fight most effectively.

The opposite of despair is faith. This is about finding a way to regain faith that, somehow, life can be good after all. That you have a place in the world, and that you can protect it.

It's not about putting on a mask of fake optimism, fake cheerfulness. It's about embarking on a journey to find in yourself the ability to regain hope in life.

You owe it to your child to get a life.

## **powerlessness**

In the fable, John feels powerless. He cannot have what he wants – what he feels it would only be fair that he gets.

This is an exceptionally unpleasant experience. John feels scared, thwarted, and humiliated – his own will is trampled by Jane's, with the help of the court.

Yet, at the same time, there is an odd kind of pleasure in resisting what Jane wants, an odd sense of power in the powerlessness. *Your victory will not be complete, because I will not be a willing part to it. You have to drag me through it, kicking and screaming.*

There's also an odd kind of reassurance. John feels he doesn't have any responsibility for what happens. She's in charge, so it's all *her* fault. In a way, the worst things get, the more vindicated John can feel. The more the child suffers, the more it "proves" that John was right, and Jane was wrong.

Emotionally, this is an understandable reaction. John is in a lot of pain – the loss of a normal relationship with his child, the humiliation in the battle of wills with Jane. This pain is so strong that he feels: *If I can't be part of his life, he might as well be unhappy. In fact, I'd rather he be unhappy – it will show her (Jane), it will show them* (the court, society, whoever he feels is preventing him from being an involved father).

But, at some point, a shift occurs in him when he realizes the absurdity and horror of the *victimized* position. He has to hope that his child will suffer in order to be proven right. This is the ultimate no-win situation.

As Joey's father, he does want his child's happiness. John's heart opens up. It feels different, in an emotional and physical way. When you feel victimized, there is a tightness in your body, a sort of protective armor. When you feel a sense of outrage, the physical sensation is that of a need to expand a lot of energy, to strike out at the source of evil. When you focus on your love for your child, you experience a softening of your energy into a warm radiating feeling. Sometimes, it's a bittersweet feeling; even then, there is positive energy in the tears that are welling up.

## **like facing death**

An old self must die before a new self is born. A new self? That is, a new way of seeing reality. As you confront difficult situations, you find out that some of our ways of dealing with the world hamper you more than they help you. You progressively let go of them, as you acquire new tools. This is a scary process, akin to the death of an old self – a mentor that you trusted for so many years that you find it hard to imagine living without it.

In her book *On Death and Dying*, Elisabeth Kübler-Ross described a type of emotional journey among people who are facing death. Since she wrote this book,

the model has been found to apply as well, for many people, to other major losses.

Typically, the first reaction to news of impending doom is *denial: It's not true, it can't possibly happen to me, there must be a mistake.* The hero of our fable, John, doesn't quite believe that a nasty divorce can happen to him, so to speak – it only happens to others, doesn't it? That Jane would drag him to court to have her way, to take everything she can from him as if he were an enemy. He can't quite believe that, to her, he is the enemy. Even though he's beginning to hate her.

Elisabeth Kübler-Ross observed that facing the reality of death leads people to feel very *angry*, resentful, rageful. *This is so unfair!*, says John – and this is when he's at his most restrained. He's angry at Jane, but also at the court, the laws, the “system.” It's unfair that, in this conflict situation he's in, the other party has the upper hand.

What do people do when they keep bumping their heads against the seeming invincibility of their opponent? This is the time for *unrealistic bargaining: I'll give you this, and you'll give me what I want.* There's nothing wrong about bargaining – when it is based on offering the other party something they might really be interested in. John keeps offering what he believes Jane should want – but why should she accept to share equitably with him, when she doesn't have to? This bargaining is

still a way of not dealing with the real balance of power in the situation.

Once the reality of death sets in, people feel overwhelmed, they become *depressed*. *All resistance is futile*. And, indeed, John has often been wondering whether there is any point at all to fighting.

Anger, unrealistic bargaining, depression... this is a typical way we struggle against “real” problems in the outside world, but also against our own inner demons.

Some dying people eventually reach a stage where they are fully aware of impending death, and neither angry nor depressed about it. They *accept* it.

## **control**

It has been very painful for John to face how little influence – let alone control - he has over his family. From being an equally important parent during marriage, he’s suddenly becoming superfluous – or so it would seem society thinks. From having an equal say over decisions concerning his child, he’s left on the sidelines.

John has been feeling that Jane is the control freak in the family – wanting to control him, Joey, everything. But, even to the extent that John is simply trying to reduce the damage she’s causing, he’s trying to control her. *Damage control is still control*.

John wants to believe he can control Jane (even though he can't). When he believes this, he gets into even more despair, because he keeps banging his head against the wall that separates what he'd like the world to be, and what the world really is.

What's at work is the human power to rationalize, to deny realities that we fear would be too painful, until such a time when it becomes less painful to face them than to pay the huge cost of denial.

At some point, it dawns on John that his tactics don't work on Jane, they don't work now and never will, and he is wasting his time.

## **acceptance**

Acceptance of reality need not be synonymous with capitulation, humiliating defeat.

Accepting reality means being able to face it for what it is. There is a difference between accepting what is inescapable – like death, when you're dying – and cowardly surrendering when you could have fought more. Acceptance need not mean losing your integrity – it can actually be quite the opposite. You're not giving up. You're dealing more effectively with your situation, because you're dealing with the reality of what you're up against, not what you think you should be facing.

Until now, John's perception of the situation has been: *They're taking everything from me.* They – Jane, the court. Taking everything from him, not just his child, or his money, but even the sense that he has any right to them. He has been feeling exposed, vulnerable, unable to defend himself against overwhelming force.

As he feels a greater sense of safety and wholeness, he's coming to realize that, even if he loses "everything" in the divorce, he'll still have something precious that he can't lose. And he decides to keep his focus on that.

## **the divorced father's promise**

A divorced dad is still a dad. You will always be your child's father – from close or from afar.

You affirm your right to be a father by exercising it – in the best way you can at the time. You define yourself by what you can give, not by what you can't.

**being a divorced father**

The clock keeps ticking. Joey keeps growing up. Soon, he'll be a teen-ager, then he'll be gone. When these thoughts cross John's mind, he gets scared. He is missing out on his son's childhood, on the opportunities to teach him, to have significant moments with him, to have fun with him. Time is slipping by that will never come back.

And yet, as John Lennon said, *Life is what happens when you're busy making other plans.* Life is happening indeed – even if it's not the way John wanted it to be.

## **a conscious relationship**

Regardless of how little time you actually get to spend with your child, you're still his father. You may not be a father in the way you want to be, but yours is as real a father-child relationship as any. This is the one and only way that you can have a relationship with *this* child at *this* point.

If you try to live up to the image of the all-powerful, all-giving father, you are bound to disappoint your child, as well as yourself. You'll end up being defined by your shortcomings.

It's easy to spend a lot of time dealing, not with the reality of your situation, but with your ideas of how it should be. Life becomes simpler when you accept that

what is as a starting point for your actions, as opposed to what should be.

You no longer take the relationship for granted. You cannot take it for granted that you'll have unlimited amounts of time – that there will always be time for saying or doing the important things. Now, you have to figure out what's really important, and consciously make sure that it happens.

You are more conscious of the value of this bond – for you have reaffirmed the strength of your commitment in a conscious way, and geared your lives to this end – the same way as somebody who has been close to death values life even more for knowing how precious it is.

Divorced dads may be even more committed to their children than parents whose right to parent hasn't been challenged. You certainly would not have chosen this challenge if you had a say in the situation, but you might as well see this as an opportunity to have a more conscious relationship with your child.

The following provides some specific suggestions.

## **focus on the child**

John is caught in a system that constantly reminds him of the power and control struggle he has with his

ex, so he tends to be obsessed with her. It's hard not to be reminded of the frustrations of dealing with Jane, how she makes life difficult for him, and how much he has lost in the relationship with his child.

John's relationship with his child feels artificial compared to what it used to be when he was functioning as a full-fledged parent. He has lost a lot of his authority – Joey knows that most of the rules governing his life are his mother's doing, not his father's. Joey can also see how his mother openly taunts his father – how she often does the opposite of what he'd want her to do. John has become less relevant to his child's everyday reality – at times, he feels more like an uncle than a father.

As a result, even with the best intentions, his child's presence tends to remind John of these frustrations. And he loses focus on his child.

## **focusing**

It's difficult for John loosen the grip that Jane has on his mind, difficult to let go of thinking about that powerhouse. He knows, somehow, that it's not right – that, when he is with his child, he should really *be* with his child, not with his problems.

He *should* be with his child. But how can he do this? One thing is clear: As long as he deals with this as a *should*, it's yet another obligation for him.

So, first, John has to let go of the *should*. Which means that he relaxes the pressure he puts on himself to do the right thing. He allows himself to first observe what happens without having to have a preconceived idea about what to do.

He is with his child, and he *notices* that his mind wanders to thoughts and frustrations. He *notices* that he is not fully present, yet he does not berate himself for this.

It is true that it is important for him to be fully present, mentally and emotionally, when he is with his child. But how present can he really be for his child if he is not present for himself? How loving can he be to his child, if he is not compassionate and loving to himself?

Keeping a focus on his child doesn't mean losing himself. Then and only then can he be truly there for his child.

## **expressing feelings**

John is trying so hard to be the father he thinks he should be, that his child doesn't always get to see who

he really is. Slowly, he has come to understand that, in order for Joey to know him, he has to let him see more of his feelings and emotions.

This was much harder in the midst of the harshest battles of the divorce. John used to fear (maybe with good reason) that, if he let go of his guard, his raw feelings would come out, and they would be terrifying and destructive to his child.

As John is getting more of a handle on his emotions, he is becoming less afraid of revealing more of them to his child. He is more aware of a middle ground. For instance, when Joey says something that hurts him, he can tell him that he feels hurt – silence is not the only alternative to uncontrollable pain or destructive anger.

As John keeps revealing more of himself, he feels emotionally closer to his child. He finds it easier to show his love for him – hugging him, telling him he loves him, but also in many other ways. He expends less energy to keep a lid on his feelings, so he has more of it to give to his child.

## **asking questions**

John has always been interested in Joey's life. He is even more curious about it now that he sees Joey less often. Unfortunately, what happens is that, the more John asks questions, the more Joey clams up.

What seems to work best is when John asks open-ended questions: it's an opportunity for Joey to express himself freely.

Feeling welcomed and loved, sensing his dad's willingness to listen to him: Joey feels that dad is really open to him, not questioning him to determine whether or not he approves of him.

The same goes for lecturing. Children often say of their fathers that *he talks too much, he doesn't really listen*. It may be that men tend to express their love by giving advice. If so, there are other ways we can show our love.

By the way, “don’t lecture” doesn’t mean “don’t explain” – just don’t talk too much. “Don’t lecture” doesn’t mean “don’t discipline” either. Just try and do it with fewer words.

## **other involvements**

As John’s child grows up, so grows the boy’s involvement with other activities. John knows it would happen whether or not the parents were divorced. But he cannot help seeing this as a further encroachment on his already limited time with Joey.

This puts him in an untenable position. In a way, he’d want to lean on Joey to get him to curtail his out-

side activities. He feels the connection he has with his son is at least as important as many of these activities.

But he also feels happy and proud to see his child growing up and involved with his peers. In fact, when he starts to think about this from Joey's point of view, his own sense of loss subsides.

What happens is that he understands his child's need instead of feeling deprived because of it.

## **honesty**

There are plenty of times when John doesn't know how to handle a given situation. Now that's not something that's unique to divorced fathers – all parents go through that. What makes it harder on John is that he sometimes feels compelled to be the "father knows best" that he cannot be.

To avoid falling into this trap, John gains time by saying: *I don't know how to handle this situation.* He then thinks out loud some options, showing his child what he is considering, revealing his process.

In doing this, John is making himself more visible, and hence more vulnerable. He is forsaking the sense of safety that comes from being hidden. This loss has a major compensation: He is emotionally closer to his child.

With older children, it helps to admit that you don't have that much control over your child (just as we don't have that much control over many things in life and divorce in particular).

Instead of rigid rules that can't be enforced, try an honest dialogue. This approach goes for any parent of a teen-ager. It applies even more to non-custodial parents who cannot rely on intimidation and old habits to enforce rules. Children know that their divorced dads don't have that much say over their day-to-day lives. It's frustrating – it would be much easier for you to be able to say: *Do it, or else.* But, eventually, all parents have to confront that. You just come to this situation earlier, and more often.

In this sense, being a divorced father prepares you better to being the parent of a grown-up: Relinquishing control over him, treating him with respect, and influencing him through moral authority, love, and mutual respect more than through old-fashioned authority (*You'll do it my way, or else*).

## **discipline**

Divorced fathers are sometimes derisively referred to as “Disneyland Dads” – they just want to have fun with their children and don't do the hard work of dis-

ciplining them. Of course, this is not a fair criticism: Being a non-custodial father makes it hard to exercise authority and to discipline your child. Plus, when you don't see your children much, it's understandable you'd put emphasis on having a good time together rather than dealing with unpleasant stuff. But children need discipline from their father, they need to know what he sees as right and wrong (without being lectured!).

What is discipline? Often, the word has a very negative connotation – essentially, that of punishment. But punishment is only one among many possible ways to create discipline. Essentially, discipline means setting limits, defining the bounds of what is appropriate and what is not. This, in and of itself, is not harmful – harm comes from setting boundaries that are too tight, too rigid. Appropriate boundaries give children a sense of security.

When it comes to enforcing discipline, you have less flexibility, fewer tools than your ex. You may feel you have none. But you actually do.

For instance, one way to foster discipline is to model for your children the appropriate behaviors you want them to follow. In a way, this is what this journey is all about – finding in yourself the moral compass that guides you, and living your life in harmony with this inner sense of truth and goodness.

## staying in touch

Many divorced fathers find it very painful to talk about parenting – it reminds them of how little time they get to spend with their children, how little opportunity they have to actually parent them.

How do you strengthen your relationship with your child when you see so little of him? In many ways, the same rules apply as in any parenting situation. The big difference is – you have fewer opportunities to get involved with your child, so you have to make the most of them.

Many fathers find ways to be creative in going around obstacles. They express their love in many unspoken ways – in making sure to give their children the food they like, in what they read to them. Bob H., a father whose children live too far for him to see them regularly, has been recording himself reading stories, and sending them the cassettes.

Izzy writes:

*I call every Tuesday evening, and one day on the weekend. I try to mail something once a month. I know this sounds corny, but I bake and mail them cookies, or blueberry bread. The kids get a big kick out of it.*

## **overcoming obstacles**

Jim H. says: *I can call you in the evening to see how your day went.* And his daughter replies: *Mom doesn't let me answer the phone when she knows it's you.*

After a while, father and daughter develop a routine. Jessica now knows that, when the phone rings, unanswered, around 6 in the evening, it's her father saying hello to her with the ring itself, if not in words.

This poignant example brings up a lot of questions. Why can't the mother be more cooperative? Shouldn't she let the child talk to her father?

True, but what can you do about it? What is making a change for Jim and his daughter is that Jim is focused on his goal – to stay in contact with his child. He puts his energy into reaching this goal.

## **staying close**

There's no formula guaranteeing a healthy parent-child relationship, even when you're the custodial parent, even when you're still married. You do what you can to be available for what opens up for you and your child.

What counts is that, in the long run, your child feels: *Dad loves me.*

**conflicts with your child**

## **anger in the family**

It's quite obvious that Joey is angry at his father. It doesn't show up in one big outburst, but the signs are there – a recurring surliness, recurring comments... John believes that Joey is seeing the divorce through his mother's eyes – that Joey is angry at him for things that are not his fault.

And yet, in some way, the anger that Joey is expressing is also a mirror of John's own unexpressed anger. At some level, John resents his son – it's all happening because of him; it's because of him that he's at Jane's mercy. These are understandable, human feelings – perfectly acceptable as long as they remain feelings, as long as they are not acted on.

But John is uncomfortable about such feelings, because he loves his son, because he's afraid that feelings such as these might mean he's less worthy to be a parent. So the feelings remain unexpressed, even to himself.

Yet, the best thing John can do for himself and his child is to acknowledge this anger. "Acknowledge" doesn't mean expressing it to the child, nor acting it out. He acknowledges this anger to himself, to trusted friends, to a professional coach or therapist.

## **the child's anger**

Listen to what's happening.

If your child is showing a lot of anger toward you, don't be put off by it. It's understandable that you'd be upset about it. But, when you act upset, you are giving him the message that his expression of anger is not welcome. You might also be subtly trying to demonstrate to him that he's wrong to be angry at you. You'd be dealing with the manifestation, not the underlying causes. If, instead, you listen to him, you'll understand what's really happening underneath, and you'll be better able to eventually find a way to solve the problem.

It's difficult to do so because it's difficult not to feel defensive when your child is angry at you. Plus, it all seems like it depends on causes that are beyond your control, and basically brings you back to the frustration of the lack of power you have in this situation, and the misuse of power by the child's mother.

One thing that helps dealing with the anger is to re-frame it. Think of anger as a warm emotion, compared to coldness and distance. When your child is angry, the good news is that he's showing you his feelings instead of keeping them to himself, having written you off as somebody unimportant, or too rigid to allow it (*What's the point of even showing my anger to Dad?*).

Where there's anger, there's still hope.

## the confrontation

Joey often complains that his father yells at him. John feels that he never yells, and certainly not at his son: *I just make such an effort to stay calm and collected with him. Even when there is so much in my life that I could explode about!*

He feels hurt that Joey sees him in such a distorted way. He feels angry at Jane. *This must be her doing, once again. Even if she's not directly responsible for this, she is indirectly: By fostering a situation where Joey has to choose between two parents, must make Mom into the good one, and the Dad into the bad one.*

Now, there may be truth to all this. But what is John actually going to do? He's tempted to argue, to try to prove to Joey that he never yells. What if he had a video camera to record his moments with Joey? At the end of the evening, he'd play it back for him: *See, no yelling!*

This, of course, is absurd. If Joey's perception of his dad is that he's yelling, all the video would show is that, this one time, or that other, Dad happened not to yell.

Or would it even do that? Wouldn't Joey just perceive the tension in John's voice, the twitches in his mouth, as anger? Seeing a glimpse of his Dad's very real anger (his anger at Jane, at life, etc.), and misinterpreting it as anger directed at him.

What can John do? Even though he feels that, of this one thing at least, he is totally innocent, he nevertheless apologizes to Joey for yelling at him.

John is very surprised: He expected to feel bad for “admitting” doing something bad. Instead, he feels a warm glow – he feels generous. He’s given his son something that really meant a lot to him. He didn’t humiliate himself, he gave a gift. Now, he feels much closer to Joey. He’s also sorry that Joey felt threatened by what he had done.

The funny thing is: Acknowledging the yelling that had never happened opens a door for him to start dealing with the real tension that exists between him and his son. And to start dispelling it.

## **if your child won't listen to you**

If you truly feel that there is nothing you can do, that your child will not listen to you at all. This is an alarm signal. Not necessarily in the sense you’d think – *What’s wrong with the little monster?*

One avenue to explore is: *In what way am I starting to project overwhelming power onto him? In what way am I not seeing him as my child, or even as a human being, but just as a powerful creature that has no love and respect for me, and is out to get me?*

Chances are, in such a situation, you are not dealing with some of your own anger, your sense of being victimized in life and in your divorce in particular, your sense of being powerless and overwhelmed. Chances are it's difficult for you to separate your feelings from your child's.

It would do you good (and do your child good) if you found ways to express more of your anger (probably not with him, at least at first). Do so in a safe setting (i.e. with professional help, or within a trusted support group) where you can explore your anger without adverse consequences.

After all, if you have not been expressing your anger, you have deep fears about how it may provoke dire consequences, and you don't want to be proving to yourself that these fears are true.

Once you become more comfortable with this anger, you will find ways to be more assertive with your child – to be there for him and also be yourself. This, in turn, will change the relationship.

There's a lot you can learn from that perspective. It will help you change your part of the dance anger between your child and you. While the child's role may be to start the dance, it's up to you to be aware of how you stay in it.

## **loyalty**

One frustration too many, and the whole line of dominoes of all frustrations past and present falls. John is right back in the midst of the quagmire, he loses all his hard-won wisdom. He thinks Jane richly deserves to be exposed for who she is: *It's high time Joey knew the truth! High time he saw her for who she really is!* Certainly not the all-loving, selfless mother she claims to be.

But the last thing Joey needs is for the battle to escalate: *You thought I was the bad guy? Here's what a real bad guy is. Just listen to the latest about your mother!* Children of divorce are torn between two parents fighting for their allegiance. This is an untenable position. So John bides his time. He remains silent, when he wants so much to say: *Look at what your mother did....*

For all the pressures he's under, he knows Joey's under even more pressure.

## **avoid loyalty conflicts**

You know better than to put your children in the middle. And yet, there come situations where this seems to happen. For instance, when the mother interferes with your time with your child. It's so tempting then to complain to him: *Your mother is bad for not letting us spend time together.*

Children don't want to abandon one parent in order to be with the other. Instead of hearing how the mother is bad for not letting the two of you spend time together, they'd rather hear that you love them and see that you enjoy spending time together. So, make an effort to shift your focus away from your anger toward the mother, and focus on your child: *I was here last Saturday. Sorry you couldn't come. But I'm happy you're here now.*

Let your focus be on the child, as opposed to against the mother. Be there for your child, until such a time as, being older and able to fend for himself in the world, he no longer needs to defend against the knowledge that his mother is not all-loving and not always right.

### **don't ask the child to protect you**

Children are acutely sensitive and understand more than we often give them credit for. As they watch you and listen to what you say, they can pick up your feelings. If your message to your child is: *I can't see you because your Mom won't let me*, or *The court won't let me*, he'll hear your powerlessness, your desire to be understood and pitied by him. Now, he's not your father, he's your child. You're here to protect him, not the other way around. He may act sympathetic, but you're leaving him

with a big void where there's a need for him to feel the reassuring presence of a protective father.

What if your child is upset about what his mother is doing, if he sees the unfairness of her behavior and resents missing the visit? Given all you've been through, it's tempting to see this as an opening to finally rush in with explanations that will "enlighten" your child. For instance: *She's doing that to get back at me through you.* That's probably true, but the point is, it's better to focus on your child's feelings, to let him know you see he's upset, to show him you understand, and, most of all, that you're happy to be with him now.

Your child lives primarily with his mother and is dependent on her for taking care of him, for ensuring the stability of his life. If you destroy her in his eyes, what does he have left?

Now, you may say: *It's her fault, she's the one preventing me from being there for him. My child should know the truth.* Or: *It's the system's fault, depriving kids of their fathers.* And you'd be right – the mother and the courts are certainly making it very difficult for you to be a father. But what would you rather achieve: That your son pity you for being victimized? Or that he grow up a more secure person, for feeling your ability to be there for him in at least some way, despite the circumstances?

Asking your child to, in effect, protect his father by taking your side against his mother is not going to give him much of a sense of confidence in the world. If a grownup, his father, needs the protection of a child, what is there in this world to grow up for?

Besides, asking him to be the judge of how badly his mother behaves is asking him to play an adult role, in effect to be more adult than you and his mother have been.

### **let your child be a child**

All too often, children of divorce seem to act more mature than their age (this can happen in conjunction with acting, at times, in very immature ways).

Psychologists have coined a word for what happens to children who grow up too fast: *parentification*. When parents are dying, or are fighting so much that they're essentially out of the picture, the kids are essentially on their own. Children of divorce grow up fast because they have to, because there's a vacuum to fill – their parents are children.

This false maturity is a curse rather than a blessing: The children are being robbed of their childhood. Children deserve to be child-like, if not downright childish. If they're too reasonable, it's probably in direct propor-

tion to how childishly their parents are behaving, creating a vacuum they have to fill.

Children are highly resilient to trauma – there's a lot they can handle and overcome. But is this what you'd like their childhood to be?

So, when you catch yourself trying to elicit sympathy for your plight from your child, take a moment to question your own motives. Why is it that you want to enlist your child's help in this battle?

## **why?**

It's not just your child who's struggling with loyalty and closeness and betrayal. You are as well. It is totally normal, in your situation, to feel a lot of sadness and anger and jealousy and envy, feelings that belong to a very childlike place in you, a wounded part. There's despair, too, when you start thinking that you may have, for all intents and purposes, lost your child, irreversibly.

Hector knows it's not really in his child's interest to hear how bad his mother is, so why does he keep doing it? *Because I already lost him. So at least he sees me with some sympathy.*

You have to keep the faith that all's not lost.

## **feeling replaced**

There's a lot of pain, too, when you feel somebody else has been taking your place in your child's life. J. M. writes:

*Boy, do I feel strange. Just got back from my oldest daughter's (11) school where she was acting in a play. My ex-wife was there with her fiancé and my little daughter (8). As I came in and sat behind them, my little daughter was on this guy's lap and they were whispering something. That really bothered me since I'm very close to my daughters, although I don't have physical custody. I had to signal my little daughter to come over to me and say Hi, even though she had already seen me.*

*This guy has the nerve and lack of common or moral sense to display a fatherly attitude towards my daughters with me present. I know I would respect and acknowledge the presence of another dad if I were in the same situation. This guy is a very lucky man tonight because I'm a reasonable and educated man. But I have to tell you, for a split second there I wanted to send this guy to Mars.*

The jealousy is all too understandable, and so is the angry reaction. It's very tempting to want to remove the intruder. But the solution is not to try to keep your

children away from their new stepfather. What's happening is that this man is filling a void in the children's lives. Of course, it's unfair and horrible that this void was ever allowed to exist. But, given the circumstances, the best thing to do *for the children* is for you to focus on ways to get closer to them.

## **fishing for compliments**

When you see how happy your child is with you, it's hard not to ask a question that will lead him to say he's happier, or freer, with you than when he is with his mother. In fact, do the opposite. Let your actions demonstrate that you believe in encouraging your child's identification with both parents. Indicate by your receptive attitude that you're willing to hear him say good things about his mother. Talk positively about her – without lying, just focus on those areas where there's something positive for you to say, however reluctantly.

You don't want your child to censor himself with you – nothing good about Mom to be expressed in this house. Even if *she* does that, realize that doing the same thing is not retaliation that hurts her, it hurts your child.

Create a climate where your child can freely open up about the things he likes about his mother – even those

things that make you cringe because they indirectly undercut your involvement with your own child. As trust grows, it will eventually be possible for the child to open up more and more to you, including discussing with you the things that trouble him about his mother.

**dealing with your ex**

John sees Jane as the scary accuser who is pointing a finger at him, blaming him for all sorts of faults, using her powerful allies in court to take advantage of him.

The irony, however, is that Jane is actually as scared of him as he is of her. Jane's fear is not caused by violent acts, or by threats of physical violence (although this can happen in some divorces as well as some marriages). Her fear of John is the mirror image of his fear of her. She sees him as a scary accuser, garbed in self-righteous outrage, blaming her for depriving their son of a father.

So there you have these two scared children in adult bodies. That's John and Jane trying to hide their fears behind the intimidating mask of self-righteous, blaming parents. Blaming each other. Scaring each other.

Blaming somebody else, no matter how richly they deserve it, does not get us closer to getting what we really want out of life. For instance, what happens when John blames Jane or the court system? He says: *But, in this case, the blame's justified. If it weren't for her, we'd have a reasonable and sensible divorce. If only this were an even playing field....*

But, John, are you doing that well for yourself with this attitude? Is it succeeding in giving you what you want, in court, in talking to your ex, in the way you experience your life?

*Hey, but it works so well for her, it's the way she gets everything.*

Yes, but does it work for *you*? Maybe this “victim” stuff is something you *think* ought to work for you – but doesn’t actually work?

*Not really. It's more like I'm up to my neck in this morass of blame and finger-pointing. She's doing it, and the courts are encouraging her. It has become a way of life. I can't really think of a different way of doing things any more.*

John, you don’t have to keep living this way. You don’t have to buy into the logic of the adversarial divorce system that promotes nasty fighting – the legal construct that there has to be a good parent and a bad one. So why are you so much involved in dishing out blame? I don’t mean unilaterally stop fighting in court – you may very well have good reason to protect yourself. I mean, take a moment to see how much energy you’re putting into both deflecting blame and dishing out blame.

John, listen to Joey. When you’re in your dark clouds – your complaining and unhappy mood – how relaxed are you with him? Are you really there for him – or are you mostly brooding about what you’ve lost, what feels hurtful or infuriating to you?

John, when you’re like this, it’s as if you were giving Jane free access to your mind, inviting her inside to

torment you. Worse: It doesn't even cost her any effort to do this; it's all happening inside your own mind.

You're telling yourself scary stories that make you feel more and more miserable, in a whiny, relentless, endless sort of way. The misery that comes from these thoughts seems to never die. Thoughts always reactivate it – they actually keep feeding it, just like the wind can activate a fire. And so these thoughts keep nagging you – rubbing your nose in your powerlessness.

Is this the life you want to have?

## **mirror images**

Both genders often feel powerless over the other. Men feel powerless over women – especially in a divorce. But many women feel helpless about what they see as men's power. They'll complain that other women give more authority to what a man says than to what a woman says.

We all fall into the trap of losing our own authority, projecting it somewhere else, and being scared by its reflection.

What's strange – tragic, even – is that men and women are not talking about the same thing. They don't see each other. They see their own fears reflected in the other.

The woman sees an overwhelmingly strong man, a potential abuser. She sees him as somebody who doesn't really care about the children, just pretends he wants to be with them to shirk his financial obligations.

The man sees a manipulative witch who uses her alleged weakness as a tool to gain power. He sees her as holding the kids hostage.

We make our worst fears come true. The woman attacks the man, keeps the children, makes it difficult for him to see them, and then complains she has the unavoidable task of being a single mother.

The man fears she'll take advantage of him and humiliate him, and she does, taking his kids as well as his money and authority. She emasculates him under the guise of asking him to be a man, not a woman-like nurturer.

## **how can you get her to...**

You ask yourself: *How can I get her to sit down and talk?* She doesn't want to, and nobody's forcing her to. You feel your child is held hostage by her. What was a battle between you and her has turned into a battle where the children are the battlefield. You see her hiding behind the child to get what she wants: Her pain is described as the child's pain.

You have no control over her. You can't force her to *be reasonable* (she certainly wouldn't agree that reasonable is the right word for what you want), or even talk.

*If only I could get her to agree to mediation....* This is the kind of thinking that keeps you firmly entrenched in the game, the dance you're dancing with her, where you keep feeling powerless without alleviating her own sense of powerlessness and defensiveness.

## **a way out of the game**

A person who keeps repeating the same thing is somebody who doesn't feel heard. This goes for her (why does she keep saying the same thing over and over again?). But this also goes for you (you too keep repeating the same thing to her).

You feel unseen, unheard. So you neither see nor hear her. To change the dynamics of the situation, start doing something different. Try to see her, to listen to her,

Why wouldn't you? Do you feel one-down when you feel she doesn't listen to you and you have to listen? Well, you *are* one-down. Nothing new there, this is unfortunately the reality, for men, of divorce American-style.

So, go back to what your priorities are. Is it more important for you to deal with the pecking order, or to achieve better parenting conditions? For the latter, you need to establish a dialogue with someone who has a habit of not collaborating and, given the system you're operating under, feels she has nothing to lose by not collaborating.

Having feelings about it is understandable. But you may decide not to act on these feelings if your primary goal is more important – your focus is on remaining as involved in your child's life as you can be.

Another obstacle is that, by now, you have assumptions of how she's going to treat you. It's hard to start with an open mind, to assume she's going to be receptive to what you say. It may take her time to recognize you're genuinely listening when you are, and she may at first be distrustful and unreceptive (as in: *Get lost!*).

It's not going to be easy, there will be plenty of setbacks to discourage you. So you need to keep in mind why you want out of the blaming game: It is a game that you're bound to lose. There is also a deeper reason. The blaming game, the adversarial divorce, are destructive practices. Where there once were two respectable parents, you now have two enemies throwing mud at each other, succeeding in exposing each other's worst side – and, in the process, showing their own childish destructiveness – the very opposite of the pa-

rental qualities they'd like to instill in their children. Behaving like unruly nasty kids instead of responsible parents: This is not what you really want, is it?

### **train yourself to listen to your ex**

You don't know what's in her mind. Stop pretending you do. Train yourself to ask: *Are you saying...*, and repeat what she just said. *Are you saying, in the context of our finances, that I could pay more?*

At this moment, you're really trying to hear what she's saying. You're not trying to change her mind to what you believe is the right way. Of course, the tone of voice is important. We're talking about a tone that conveys an honest interest in hearing and understanding her position, not a sarcastic comment on her lack of realism.

Instead of confronting her, ask her: *Are you saying that, because you carried the child, you should have custody?* What does she really want? Maybe not as much custody as recognition, acknowledgment – from you, but also from the child. Security, material and moral, in a troubled and scary period of her life?

It doesn't mean you don't have the same needs. It doesn't mean you're not entitled to them as well. But, when you recognize what her needs are, you may be in

a better position than when you're acting out of your fear of her overwhelming power.

The tragedy of divorce in the current system is that both parents are traumatized and scared of each other.

### **the unseen mother**

Throughout the marriage, Jane wanted John to be as involved as he could possibly be in Joey's life. So what suddenly happened that she seems to be pushing him away? Of course, there's her anger at John, her desire to punish him. But, in punishing him this way, she's also punishing herself – while there are a lot of joys in parenting, there are also many burdens. It is much more difficult to raise a child as a single mother than to share the tasks with a partner.

Jane feels unseen – what she has been doing as a mother is not acknowledged; she is not valued. If John can have an equal role as a parent, it means that all her pain and suffering and thankless work really isn't appreciated.

She feels she has been doing all the hard work of parenting all through Joey's life. But, when Dad showed up, Joey rushed to the door. Dad tossed him up in the air. Giggles of delight. And Mom, at this moment, felt that the child was more John's than it would ever be hers – bonded by joy, not utilitarian

stuff, not guilt – the sheer pleasure of being together and having fun together, of being happy to be alive, of enjoying life together, of having fun with each other. There she was, on the sidelines, doing the thankless tasks that make it all possible, and what would she get for it? To be alone and forgotten as soon as he walks home.

All she's done must not have been worth much, if the father gets the same recognition as a parent by just waltzing into the home and tossing the child in the air. OK, he may also have been feeding him the bottle and changing diapers and all that.... But who had to endure the nine months of childbearing and the labor? That gives you rights, doesn't it?

What's behind Jane's demands is her pain.

## **a step**

Acknowledging Jane's point of view doesn't mean that John is guilty for inflicting the pain she feels. And it certainly doesn't mean that he has to accept Jane's definition of his role as a divorced father.

As John stops seeing Jane as a monster whose only motivation is to destroy him, he takes a step toward peace – between Jane and him, and within himself.

**a sense of peace**

When we first met John, he was prey to all sorts of anguish, a tormented man.

By now, however, a noticeable change has taken place. There's a clear sense that John has more peace of mind – a physical sense that the pressures have eased off, that he almost literally has more room to maneuver.

There are still many things he cannot control. For one thing, he still doesn't have as much of a parent role as he'd like to have. But he has less of a tendency to take that as a personal insult. He tends to get less mired by what frustrates him. He's directing more of his energy in directions where he has some ability to get what he wants.

He can see there is pain in the world other than his. Much of it is much greater than his. He can see Jane as another human being, struggling, dealing with her own pain.

John struggled with the pain and anger of losing his role as a parent. He found out he could turn this into the opportunity to become a more conscious parent. His relationship with his child is deeper, more authentic.

John is still a dad.

## **acknowledgments**

If I just said a few words about each of the people who helped make this book possible, it would be a book in itself, and a much larger book than this one.

Thank you.



## Proactive Mindfulness Resources

Website:

<http://proactivemindfulness.com/resources>

Newsletter:

<http://proactivemindfulness.com/newsletter>

Facebook: <http://facebook.MindfulPause.com>

LinkedIn: <http://linkedin.MindfulPause.com>

Twitter: <http://twitter.MindfulPause.com>

YouTube: <http://youtube.MindfulPause.com>

Blog / Podcast: <http://Pausefully.com>