

Men of honour must not only preach shared parenting, but practice it as well

By Vernon Beck - November 2001

A few days ago, I met a father who was beaming happily and bragging to others about what he described as his recent “sweet victory” in a local family court in Ontario.

He said that he had been awarded sole custody of his three children ages 8, 11, and 13 years of age just a couple of months ago. This court Order was a result of the children refusing to return to their mother and their defiance of authorities who repeatedly tried to take them back to her again.

Smiling, he said that in the next couple of weeks, he was going to use the Family Responsibility Office to pursue the mother for child support in the same way that the mother had used this agency as a weapon of revenge against him when she was awarded custody of the children years ago.

When I asked the father about some of the background to his victory, he described how the children had lived under the sole custody of their mother for the past few years and had over that period of time endured a lot of emotional abuse at the hands of the mother. He gave me an extensive list of the things that the mother had done to emotionally abuse the children and himself. He described how the children had been refused permission to call him on the phone and on many occasions were denied their court ordered access to see him. The father said that the more the mother fought to keep the children from seeing him, the more angry and resentful of her they became.

In professional circles, the mother’s style of parenting is referred to as hostile-aggressive parenting and is one of the most damaging forms of emotional child abuse. Its negative effects on children last a lifetime.

The father stated that evidence provided to the courts a few years ago supported his claims that the children were being emotionally abused by the mother and that he had tried to be fair by asking the court for joint custody at that time. But it seemed that the court wrongfully chose to award sole custody to the mother. The father said that the court’s decision to give the mother custody at that time was clearly a wrong decision. With the evidence before the court it could only be seen as a result of the bias against fathers in

the family court system. He said he felt powerless at that time after spending thousands of dollars in legal and court fees to get justice for his children, only to have them turned over to the very mother who was abusing them.

Finally, after a few years of abuse and numerous incidences of contempt of the court Order by the mother, the children got fed up with their mother and finally got the courage to stand up and run away to the father’s home, in defiance to her and the biased family court system that put them there in the first place. Although police and Children’s Aid officials tried, no amount of coercion by authorities was able to force the children back to their mother. In the end, the court was left with little choice except to give custody to the father.

The father said that now he has custody of the three children warded to him, that it was his turn to “enjoy the spoils of the war and to turn the tide on mom”, as he so called it. He said that although the children went to visit with their mother every other weekend similar to what they had done while in mother’s custody, they did not want to live under her control. Now it was mom who was forced to do what he wanted if she wanted any favours with the kids. The father reported that since the children had come to live with him and the mother had lost her sole control over them, the mother’s behaviour had changed significantly and that she was doing her best to be nice to them. It seemed that the best thing that could have happened to the children in their relationship with their mother, was for power and control to be taken away from her.

This man’s story reminded me of another father I knew, who through a similar process had ended up with custody of his son and the mother with custody of the daughter. I remember how the other father bragged that it was his time to get even, as well.

After hearing this father’s story, I asked him if he had ever considered sharing custody of the children with the mother under a joint custody or shared parenting arrangement, rather than sole custody.

He looked started at first but then he quickly snapped back “But the mother lives a 30 minute drive from where I live and on top of that I’m clearly a

more responsible parent than her. The children want to live with me. Besides, I wanted to settle for joint custody when my wife first took me to court but she refused so now it's my turn to have the kids with me."

I told him that distance was not a factor and that under a joint custody arrangement it did not matter as to which parent the children wanted to be with most of the time. I told him that under a joint custody/shared parenting arrangement, he could still have primary care of the children if they chose to live with him rather than with mother. I explained to him that joint custody and shared parenting was a parenting arrangement which helped reduce feelings of anger against the other parent because it more fairly recognized that both parents had some say in the children's upbringing. It allowed both parents, even the non-residential parent, to maintain some dignity as a parent.

In a determined voice he said "but it just wouldn't work". When I asked why, he became stuck for words. "Joint custody won't work when parents don't get along. That is what the mother's own lawyer told the court just before she got sole custody!"

At this point I could see that further discussion with this dad was hopeless. Although the father was clearly a more responsible parent to the children than the mother, the same sense of power and control that his former spouse once had used on him, was now gripping him. The court Order giving him sole custody was now his ticket to get his "sweet revenge"

Although he was not subjecting the children to the same emotional abuse as the mother had done, it was clear that he was going to give the mother a taste of her own medicine. Clearly, this was not in the best interest of the children.

Undoubtedly, this latest court decision which awarded sole custody to the father, the court had sewn the seeds for more conflict and animosity in the years to come between this couple this time with the mother being the one to bear the brunt of the father's power over her, just as the father once had been.

Unfortunately, as we all know, two wrongs never make a right.

No parent, neither mother or father, wants to be considered a second class citizen to their own children, nor do children want to see any one of their parents considered to be less than the other. Sole custody sets up a power imbalance which in many cases builds anger and resentment which are some of the elements causing conflict. Removing this source

of adversity between divorcing parents can only end when the practice of having one parent with sole custody ends. Joint custody allows both parents maintain their pride and dignity in society and to have their children see them being treated by society as they should be – parents to that child.

If you are a father with custody and the kids live with you and consider yourself to be a man of honour who wants the best for your kids and wants to help set a good example to your kids and to others in the community, then do something to surprise everyone - give the children's mother the very precious gift of joint custody/shared parenting. Your kids will learn a valuable lesson in what it means to be committed to one's beliefs. This will also help the children to become more caring persons themselves.

As parents, one of our most important jobs is to teach our children values that will allow them to be successful, contributing members of our society. Some of those qualities that we should instil in our children include forgiveness, fairness and compassion. By giving our former partner the gift of joint custody and shared parenting, we are in fact teaching our children by our own example what it really means to forgive, to be fair and to show compassion to the other most significant person in our children's lives.

If there is one thing that my work with children of divorce has taught me is that the vast majority of normal kids want and need both of their parents and want to see their parents treated fairly and equally. If you are a father with sole custody now or are in a position to obtaining it in the near future, then consider offering joint custody with your former spouse even if you are at odd with each other.

All fathers must help send a message to the courts that sole custody is wrong by refusing to take it even if the opportunity to have it exists. Sole custody will only add to the causes of conflict, not lessen them.

If men of honour practice what they preach about joint custody and shared parenting, the sooner this will become a reality. Once joint custody and shared parenting become the accepted norm in the courts, then all children and all of society will benefit greatly. And to all those sole custodial mothers who may read this article, my advice works equally well for mother's as well.

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