

# Ten Reasons for Men Not to Fight Custody Battles

by Herb Goldberg

A number of years ago, when I would pick up my daughter after school in the sixth grade, there was a man I would see there who was faithfully and daily picking up his two children. He was earnest, devoted and reliable and the personification of a caring father. He was a single dad who had custody of children who hadn't seen their mother in several years.

Toward the end of the school year, I noticed that he hadn't been coming to pick up his children for several weeks, so I inquired about him from a parent who was a friend of his. I was told that their mother had recently come back to visit the kids and, after a weekend of being with her, the children happy and excited, expressed a desire to move back with her to her home in Colorado. The father was helpless in the face of his children's pleading and urgency.

In another instance, a man had recently separated from his wife. During his marriage, this successful businessman dad had structured his busy work life so that he could be available to his children, They were his first priority, even though he had an engineering consulting business with 11 employees and clients all over the country. As his children became young teenagers, he began to work out of his home so that he could be there for their little league games, PTA meetings and at home projects such as building an addition to his house. He bought a private plane just so he could always return at will from business meetings in order to attend his children's games and school functions. So concerned was he about their education that he ran for and won a position on the school board. Whenever any of his two children had a problem at school, he was there to meet with their teacher, to defend them against any unfair action and to straighten things out.

His relationship to his wife wasn't good. She was often critical of his opinions about the children and his parenting philosophy. She was withdrawn sexually from him for years because of her many resentments. Consequently, when his youngest was 14 years old he began an affair with a prominent local businesswoman and subsequently left his wife to be with her.

What he discovered was that all the years of being there for his children and making them a priority had resulted in a "worse than nothing" relationship. Specifically, they didn't want to be with him. On the weekends and other times when they were in his custody they were hostile and withdrawn, sitting silently and sullenly watching television at his apartment until it was time for them to go back to their mother. Once they passed the age of 18, both of his children opted not to see him at all.

While he could blame his wife for 'poisoning' the children's minds and promoting the alienation, it became clear that it had little to do with her. His children just didn't like being around him. While he had been the 'perfect' father in terms of his commitment, caring and devotion, he couldn't connect with them. In their minds he was a know-it-all who lectured them and always knew the right way to do things. They disliked him and learned to tune him out.

A woman I knew who wanted a child began dating a married man who thought she was on birth control. When he found out she was pregnant, he was enraged and withdrew from her completely. The mother, an independent professional, decided not to pursue child support

because she didn't want the angry father in her life. When I met and became friendly with her and her seven-year-old daughter, I discovered that the daughter was constantly composing letters of longing to the father who lived nearby but didn't want to see her because he felt he'd been used by the mother. Years later, when the father finally responded to the child's letters and messages, his child was overjoyed. Even though she had never seen her father, when she finally met him she was excited happy and so appreciative.

One thing that struck me most clearly and powerfully during the period when Robert Bly was prominent and father figure to the men's movement, was the recurring theme in the lives of many of the men who attended his workshops, of an absent or negative connection to their fathers. Many hated the father they remembered as having been critical, abusive, alcoholic, self-centred, emotionally unavailable, controlling, angry and pretty much impossible to talk to. Others just felt indifferent, as if they had no father at all.

Their feelings, which determined their memories of their father, were not that different from what feminists had been saying that these men were like, The irony, however, was that in most cases these were not absent fathers. These dads had been at home throughout. These were fathers who, I'm sure, were convinced that they had been good parents, doing the 'right thing' as they believed that to be. In the end these fathers, like my client and the Mr. Mom of my daughter's elementary school, were embittered and dumbfounded that after all they had done for their children, their children could care less about them, and in many cases even hated them.

What seems clear from these examples is that the issue in fathering goes way beyond physical access to the children and loving intentions. I have no doubt that most of the fathers who now are rejected and even hated, loved their children. Ironically, those who were full time dads still married to mother might actually have been appreciated more had they been at home less or gone from home entirely. To the children, dad's presence was toxic. A negative because of *how* he related and how he was experienced. The more he was around the more he was disliked and avoided. It didn't matter what he thought that he was trying to do as a parent. What mattered was how he came across to the children, how it felt to them to be with him.

How a father is experienced is usually something a dad can't see, any more than most men can see when they are being blatantly manipulated and used by women. Call it ego, cluelessness or denial, fathers can't see it, and children disguise their real feeling out of fear or cynical indifference and disdain. What fathers aren't aware of, however, is the real reason father-child bonds dissolve, Were the bond there, no amount of physical separation could dissolve and destroy the relationship.

How does all this relate to custody issues and battles? These power struggles over access to the children are usually ludicrous and pathetic as two parents nit-pick over the exact amount of days and times that they will spend with the children. The custody battles are misguided and redirected control and revenge battles that have nothing to do with the children and their welfare, nor will the outcome of these battles affect the deeper relationship between the children and each parent, except for traumatizing and polarizing them. Particularly once, when the child is more than three or four years old, the die has been cast. If the bond is positive and present, little will disrupt it except temporarily. If the bond is absent or negative, the custody fight will exacerbate it. The more dad battles mom for custody, the more the children will recoil from him, as they

perceive their mother as being abused. If he ‘wins’, he will have won less than nothing as any potential for positive bonding has been seriously damaged.

Looked at from another angle, in a relationship of love and attraction, whether romantic or a friendship, think about those people in your life who you were drawn to and had a warm, positive feeling toward, You may have only been with them little but their memory is large and potent. Getting together is strongly anticipated. In between seeing each other, though they may not be around in person, they exist powerfully in fantasy. If it’s a woman a man is attracted to, weeks and months may go, but when she reappears it’s as if no time has elapsed. Likewise with a beloved friend, years may pass without personal contact, yet the moment they are present it feels exciting and enjoyable. Contrariwise, if a bond is not there or is negative, contact with the person only strengthens the resistance and dislike.

I have seen men impale themselves emotionally and financially in misguided, destructive custody battles. They are victims of a classic masculine blindspot, the belief that the relationship to their children has to do with schedules, access and not letting mother ‘win’ or control the children. They spend fortunes of time, money and emotion only to discover that the ‘victory,’ if accomplished, was hollow.

When children are bonded to and love a parent, even if they see them rarely, they will be excited and happy when they are with them. In between they will be anticipating, longing and thinking about it. Contrariwise, I’ve seen men who gain joint or full custody in the courts, only to discover that the weekends or times when they have it, their child doesn’t want to be with them and is hostile, withdrawn and passive-aggressive. It becomes so painful and ‘impossible’ to be together that eventually dad gives up and loses interest and desire. It’s not very enjoyable to be with a child who makes it clear that he or she doesn’t like you and doesn’t want to be with you. Or worse, to be with a child who sees it as punishment to be with dad.

Growth for fathers means to gain awareness of how it is for the child to be with them, rather than fighting for their ‘right’ to parent. It is traditionally masculine to turn a relationship problem into an issue of right and wrong, or a battle over rights. However, it is my belief that a protracted custody battle, and the perception that the courts discriminate against men and prevent them from being fathers, is largely delusional and a final nail in the relationship coffin of men.

If a child wants to be with his father, and the mother does block or prevent it, the outcome will be that the child will resent the mother and make mother’s life hell until she gladly gives the child over to dad. Contrariwise, if the child doesn’t want to be with dad, and no positive bond or connection exists. Even if mom is supportive of the child’s relationship with him, the experience will be negative.

There are many psychological reasons why an ugly custody battle, particularly one in which a man believes that he is fighting the system and the poisonous influence of the mother over his children, is counterproductive and damaging to a man’s expressed desire to parent his progeny. The following are some of them:

1. By the end of a marriage, a woman’s rage over feeling she has been controlled and abused is at a peak. She sees custody issues as the final battle ground and will relentlessly fight to any extreme in order to win. Attorneys feed on this adversarial tone and see it as a way to make money as they stoke the rage. She will pull out all the stops,

and drain the father and the finances in this final stand to not let him get his way “this time”.

2. In most families, children have a stronger emotional connection to their mother. In painful custody battles, because the children are vulnerable and threatened, they will bond even more strongly with her and will perceive what father is doing through other's eyes. Whereas a man may believe his children will appreciate how hard he is fighting for the right to be with them, he is wrong, just as fathers have traditionally been wrong in the belief that they will be loved for being good providers. What the child sees is that dad is abusing mother and is a jerk.
3. If a man has a loving bond already in place with his child, he will be missed by the child and a mother who blocks the child's ability to be with him will find her life made hellish by an angry and rebellious child.
4. A woman is energized by a custody battle with dad. It is her chance to ‘pay him back’ for years of feeling and believing that she has been diminished and abused. Without such a battle to engage in, it is very likely that mom won't even want that much responsibility or time with the children. She'll focus instead on her need for freedom, the opportunity to enjoy herself and to act on what she believes are her long suppressed impulses and need to find herself. By a man not fighting her, she may in fact try and push the children onto their father so that she can be free to date, be with another man or pursue her new found passions.
5. Even in the worst-case scenario, where a man is denied contact with his children altogether, if a positive bond is in place, it will remain and grow in memory. His influence will remain, as the child will do things to make dad proud in the future. Once the child enters teenage or young adulthood, he or she will seek out the father and the intervening years of no contact will dissolve.
6. Fighting custody battles only promotes a masculine nightmare of personal and relationship disconnection. Relationships are not about control, power, winning or losing. They are about emotional connection, empathy and bonding. A man's energy should go toward personal transformation to develop ways to maximize his connection to his child and overcome his relationship shortcomings. To do that, he must first acknowledge them and overcome his belief that he is a maligned but good and loving father who doesn't have dysfunction but is being abused and misunderstood.
7. As a working therapist for many years, I've never seen a man benefit from fighting these battles. Even if he wins in court, he has won the battle and lost the struggle to focus on and nurture his bonding potential.
8. No matter what a court decides. The children will ultimately decide custody and the emotional nature of the parent-child relationship. If the child wants to be with father more, or even full time, it's only a matter of time before that will happen. No parent can withstand the atmosphere of a hostile child who wants to be with an absent parent.
9. Relationships with one's children are continually in flux and no court can nail that down. Whatever it is today, it will be something different tomorrow. Court made agreements

are washed away each time the tide turns.

10. Finally, lawyers feed on and directly or indirectly promote the alienation and antipathy between parents. Get out of their clutches. They are the only 'winners' in these custody disputes and the financial price and emotional bitterness can be devastating.

*This article is copywritten as part of Dr. Herb Goldberg's upcoming book, A Tough Love Time for Men: Surviving and Thriving in the Battle of the Sexes.*

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