

## Why we need to embrace divorce

**Forget the acrimony and the alimony. In this new age of “conscious uncoupling,” a family doesn’t need to break up just because a marriage does.**

by Joanna Pachner Updated Mar 3, 2015 6

I’ll never forget the look on my nine-year-old son’s face when his dad and I uttered the word divorce. His eyes opened wide and tears trailed down his cheeks in a mute expression of heartbreak. We rushed to comfort and reassure him — we love you as much as ever, we’ll both still be there, it’s not your fault — but I shared my son’s dread.

The notion that “my kids can’t be happy if I’m not happy” had always struck me as self-centred and misinformed: The research I’d read insisted that, unless there’s open warfare, a two-parent household was best for children. But in 2011, after years of growing frustration in my relationship, I resigned myself to ours becoming one of the roughly four in 10 Canadian marriages that end in divorce.

The serious likelihood of an eventual split may be the last link that families share, now that a “typical” home no longer exists. In the late 1950s, two-thirds of children were living with married parents, with Dad working and Mom staying home. Today, the most common arrangement — dual-earner married parents — applies for just under half of all family households. We live in a post-nuclear age, when two kids chosen at random have about a 50-50 chance of sharing the same family structure.

Statistics like these have fed a debate about the state of the marital union. Some argue that marriage is an essential thread in the fabric of society, especially important for raising happy and healthy kids, while others view it as an obsolete institution based on outdated gender roles and social customs. Growing rates of cohabitation, same-sex unions and even proposals to introduce fixed-term marriages (with renewable terms, like mortgages) are stretching definitions and challenging laws. Marina Adshade, a lecturer at the University of British Columbia’s Vancouver School of Economics and author of *Dollars and Sex*, notes that her boomer parents went through a sexual revolution. “Now, my students are living through a marital revolution.”

Meanwhile, those of us in between — who’ve had the sex and love, the marriage and kids, and then come out on the other side — are going through a divorce revolution. We’re reinventing marital breakdown and forging new post-divorce families. What’s happened between me and my husband in the four years since we separated has been both a revelation and an immense relief. After a few months of negotiating separation and parenting agreements, and navigating anger and guilt, we began to reformulate our family. Today, we live four blocks apart (the kids’ school is between us) and fully share the custody, care and cost of our two boys. We maintain shared rituals: Sunday dinners, holiday celebrations (our extended families still welcome us as a unit), cheering together at our kids’ endless sporting events. Logistics are tough, our personal lives have taken hits, but we put the kids first and make it work. And we’re far from alone.

Therapist Constance Ahrons, author of *The Good Divorce*, calls this type of arrangement a binuclear family: one family, two households. A growing number of academics have seen a shift toward this model, though data is scarce (especially in Canada; Statistics Canada stopped tracking marriage and divorce rates after 2008). Virginia Rutter, a sociologist at Framingham State University near Boston, notes that much of the popular research on divorce is conflicting and out of date, spreading fear among parents seeking a way out of bad marriages. “Although we’ve had 25 years of a divorce rate close to 50 percent, what’s striking is how little we’ve achieved in terms of finding ways to normalize divorce,” she says. “We treat it like it’s a private problem when it affects a huge portion of the population.”

In the nearly 50 years since Canada introduced no-fault divorce, our commitment to spouses may have become provisional, but our commitment to children remains till death do us part. So while a split means the failure of the couple, it need not mean the failure of the family. Perhaps it's time to focus less on the future of marriage and more on the future of divorce.

Deborah was 38 when she got married in 2000. "The biological clock was ticking for both of us, and the whole marriage, in retrospect, was about having a kid," she says. By the time their daughter was five, however, the relationship was disintegrating. Deborah felt panicked at the prospect of divorce, mindful of the nasty splits among her family and friends, which resulted in some parents being barred from their children's lives. "I remember deciding: I don't care if he takes me to the cleaners. It takes two to fight, and I will not fight with him."

Her husband quickly came to the same decision, and she went about drafting a separation agreement. "The lawyer couldn't get his head around how amicable we were," she says. It took Deborah three meetings to convince the lawyer that she wanted to share custody equally, let her husband keep the pension while she kept the house and even leave him as the beneficiary on various accounts. To cover mortgage payments, she realized she'd need to get a tenant. So she proposed turning the house into a duplex, with her ex renting the top two floors.

Eight years later — to everyone's surprise, including Deborah's — the arrangement remains intact, with their daughter, now a teenager, freely moving between their apartments. "She sees her friends with divorced parents packing their bags; they never know which parent's house they'll be in," Deborah says. She and her ex continued to share the parenting load even after they both started new relationships. "I've tried never to say anything nasty about [my ex]," she says. "I tell my daughter, 'You've got the best dad in the world.'"

How we approach divorce is affected by our experience, and attitudes have moved through distinct generational waves. In the 1950s and 1960s, divorce carried a heavy stigma, and kids typically lost most contact with their father. "When Dad parented almost by accident because he was married to Mom, divorce would have a catastrophic effect on the kids," says Richard Reeves, policy director for the Center on Children and Families at the Brookings Institution in Washington. By the 1970s, as divorce rates skyrocketed, a more accepting view prevailed, based on the conviction that children are resilient. Then, in the late 1980s, research emerged that found kids of divorce in fact paid a high psychological price: depression, behavioural problems, difficulty forming relationships. American psychologist Judith S. Wallerstein, whose 25-year study on divorced families was highly influential, compared their suffering to problems that haunt victims of natural disasters.

Equipped with this knowledge, and often with their own experience growing up, kids of boomers agonize about how divorce will affect their children — attitudes akin more to those of their grandparents than to those of their parents. But their unions look very different than the ones their grandparents favoured. Deborah's marriage exemplifies the type on the rise among the educated middle class: delayed, and with a shared focus on parenting. These spouses take their time selecting a partner and co-parent, often waiting well into their 30s and until they're financially stable before having children. Or, as Reeves puts it, "Money, marriage, maternity — in that order."

### The new model:

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Nearly 2/3 of Canadian  
university graduates are women  
and 3/4 of female graduates  
have jobs.

In 1981, 20% of Canadian  
women aged 25 to 29 had never  
been married; by 2011, the rate  
had climbed to 67.4%.

One in three college-educated  
women in the U.S. will have her  
first child at 30 or older; for  
women with less education, the  
rate is roughly one in 10.

In the States, college-educated  
women who marry after 30  
make 56% more per year than  
women with the same education  
who marry before 20.

Unlike people who marry for love or economic stability, says Reeves, these couples treat marriage as “a child-rearing machine.” The approach seems to work: Research shows that such marriages offer more satisfaction for the adults, produce better educated and adjusted children, and last longer than unions among other demographic groups, creating a growing gap in marriage that reflects a gap in income. (These trends are based on U.S. and U.K. studies, but some experts see similar patterns in Canada.)

When these child-centric couples do divorce, they're also more likely to remain committed parents, as they tend to be egalitarian about child care. Isabel V. Sawhill, whose 2014 book, *Generation Unbound*, examines the impact of different family forms on children, writes, “It is the quality of parenting that really matters, not just the structure of the family.” That’s why we appear to be on the cusp of a new attitudinal wave toward divorce. “I’d guess that the studies showing the detrimental impact of divorce are about to be superseded by new studies where parents — acutely aware of costs of divorce — will make sure to avoid those costs,” Reeves says. “It’s a paradox: The people most anxious not to divorce are the ones who should be least anxious, because their anxiety is a sign of their commitment to their kids.”

None of this negates the fundamental facts: Divorce is an ordeal, and finding a new family equilibrium takes time. When Chris and his wife ended their 12-year marriage in 2011, it took them a year to “forgive each other,” he says. Initially, Chris had primary custody of the children, partly because his job offered more flexible hours, but his ex soon wanted an equal arrangement. He resisted. “It would have

meant a huge reduction in the time I'd spend with the kids," he says. "But every single woman in my life said kids need to have a full relationship with their mother."

It wasn't until both Chris and his ex-wife found new partners that his perspective changed. "We needed to separate and then gradually reintegrate," he says. Today, the two couples live three blocks apart, and Chris' kids spend equal time with all their parents. Chris and his new wife have a toddler, whom his ex and her partner sometimes babysit, and they regularly have family dinners together. As for the kids? "From their point of view, they experienced an expansion of family," Chris says. He now believes that a good divorce can be better for children than a bad marriage with a weekly blow-out. "They see two couples who are crazily in love with their significant others, and they have four dedicated caregivers."

Divorce is often the beginning of a new family life, which may involve new partners, remarriage, stepchildren, new children. For kids, such blendings can be a boon, as long as new adults don't float into and out of their lives. Reeves, who divorced and remarried, says his son jokes that he's doubled his number of grandparents. Deborah and her ex both had new partners for a number of years, and all four adults got along. She'd tell her daughter, "There's more people to love you, kid," and her daughter took it in stride. "The kids are easy because they see all kinds of arrangements — two moms, two dads," says Deborah. "It's the adults who are hard."

Deborah's arrangement has raised eyebrows in her community, with some neighbours shocked at "this big crazy commune" in her house. She and her ex meet with teachers each year to explain their daughter's unusual family situation. More frustratingly, she's had repeated issues with the Canada Revenue Agency, because the fact that she and her ex-husband share the same address raises red flags year after year.

The legal system also hasn't caught up to the new post-divorce paradigm. "The consciousness has changed around the importance of avoiding conflict for the sake of children, but there's an implementation gap," says M. Jerry McHale, a law and public policy professor at the University of Victoria who chaired the Family Justice Working Group (FJWG), which looked at ways to reform family law. "The adversarial model is so deeply entrenched." The group's 2013 report proposes the mandatory implementation of collaborative tactics like mediation in resolving divorce issues — measures already enacted in Australia and California and coming shortly to the U.K. It also suggests that separating parents receive early access to help not just from lawyers but from social workers, parenting coordinators and financial advisors.

But people are not waiting on the government. Divorcing couples are drawing up increasingly detailed parenting plans to avoid future conflict around everything from notice about illnesses to who gets to host the birthday parties. Couples are also turning to (sometimes dubiously qualified) divorce and parenting coaches to help them navigate the logistics and emotions.

Trying to preserve a two-parent family for the sake of the children does take a toll. For one, you can never fully move on. I started a new relationship about eight months after my split, but even when it seemed to be on solid footing, I hesitated to move forward. My boyfriend had children of his own, and we were very conscious of the risks and boundaries involved in blending families. We retreated from the idea of living together, worried about another big disruption for the kids if things didn't work out between us. We accepted that, with packed schedules, we'd see each other only a couple of times a week. His kids and mine would still spend time together on vacations or outings to parks, but they became more like cousins than siblings. It proved to be the right decision. The logistics were simpler, there were fewer reasons for conflict between the various adults, and the time my partner and I spent together was precious, keeping the relationship fresh.

Recently, I asked my boys, now 13 and nine, how they feel about the past four years. “Do you think you have a good family? Do you wish things were different?” I wasn’t surprised to hear them both say that they’d prefer it if we were all still in one house, but they’re glad we have so much family time. My ex and I both think they’ve adjusted well, but I’m sure some scars linger. I’ve learned never to start a conversation with my older boy using words like “We need to talk about something,” because it sends him into a panic that he’s about to hear awful news.

In fact, if I could go back, I’d change the way we announced the split. Instead of telling the kids we were getting divorced, I wish we’d told them that we would now live in two homes and let the rest unfold as naturally as possible. My older son has said that when he heard the word divorce, he was convinced he would lose contact with one of us, no matter how much we promised this wouldn’t be the case. The D-word has been tainted by too many traumatic connotations (and, please, let’s not allow “conscious uncoupling” to stick in the vernacular). Instead, we need a whole new language for talking about today’s multi-household families. I live alone with my kids, but that doesn’t make me a “single mother” in the traditional sense of the phrase. Even the FJWG report recommends phasing out words like custody and access in favour of parental responsibility, contact and schedules.

Whether or not we continue to enshrine our relationships in marriage vows, many are bound to end. How we manage that dissolution makes a huge difference to kids’ well-being. “That has become particularly important in this era when both parents are more present in their kids’ lives,” says Robert Emery, who leads the Center for Children, Families, and the Law at the University of Virginia. “Kids can still have a two-parent family, but in different households. It’s completely feasible, and kids thrive in those arrangements.” The very arguments used in defence of marriage — that two parents can invest more time in their children, as well as supporting, encouraging and monitoring each other in ways that foster higher-quality parenting — apply equally in defence of good divorce. As for the stigma? “It’s not the person who divorces their spouse but the person who divorces their child who should be — and increasingly is — stigmatized,” says Reeves.

To protect our kids, we need to approach finding a life partner with less romance and more pragmatism. UBC’s Marina Adshade, for one, would welcome seeing prenuptial agreements become universal, forcing young lovers to talk soberly about what will happen if their relationship ends. There will be less fear of divorce — and of commitment — if we’re prepared. “I have no idea why we live in a society in which people think the only successful relationship is one that ends when someone dies,” she says. “If I sell my house, people don’t see it as a disappointment. I don’t think we should treat marriage partners as disposable, but failure should be an option.” So on your checklist of what you seek in a future spouse, alongside a sense of humour and desire for kids, include this: someone from whom you can envision being amicably divorced.