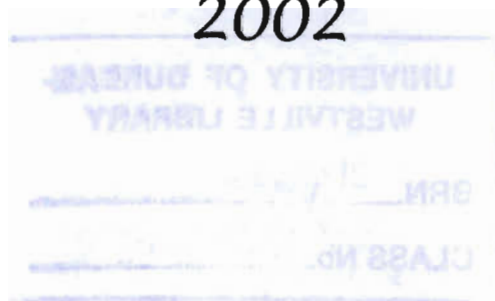


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SHARING OF PARENTING AFTER DIVORCE

2002



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SHARING OF PARENTING AFTER DIVORCE

BY

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submitted in part fulfilment
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degree of

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DECLARATION

The Registrar (Academic)
University of Durban-Westville

Dear Sir

I, REHANA BIBI RAHIM (Student Number: 7306108) hereby declare that the dissertation/thesis entitled:

Sharing of Parenting after Divorce

Is the result of my own investigation and research and that it has not been submitted in part or in full for any other degree or to any other University.



Signature

ABSTRACT

Separation and divorce have become normative life events for many families throughout the world. According to the most recent statistics, during 1998, a total of 35 792 divorces were granted in South Africa alone, resulting in 45 123 children being affected by the divorce of their parents (Statistics South Africa – Statistical Release PO 307). Children who best survive their parents divorce are those maintaining significant and positive relationships with both parents. Children whose parents share parenting also cope better with the consequences of divorce. This study therefore attempted to provide insight into the personal experiences of divorced parents in relation to sharing of parenting after divorce.

In this qualitative study, the researcher used the snowballing technique of sampling. A total of 16 divorced parents, including eight mothers and eight fathers, were included in the sample. The sample comprised of custodial, non-custodial and joint custodial parents who had been divorced for a period of at least two years. The interview schedules were personally administered and manually analyzed by the researcher.

From the main findings, it was ascertained that respondents experienced tremendous difficulties in coping with the aftermath of divorce more especially in the realm of co-parenting. The main challenges they have had to face were problems relating to access to children, conflict in post-divorce relationships, stress related to the remarriage of ex-spouses, lack of sharing of parental responsibilities, communication problems and lack of therapeutic support.

In order to promote effective post-divorce parenting, the researcher made recommendations with regard to the provision of educational programmes and therapeutic services for parents, children and other interested parties affected by the divorce. Recommendations, pertaining to divorce, are also made in respect of the justice system in South Africa

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CHAPTER 1

1.1. INTRODUCTION

This study is concerned with sharing of parenting after divorce in the Indian community. The respondents were mothers and fathers who had been divorced for a period of at least two years.

This chapter comprises an introduction, a motivation for the chosen field of study as well the primary aim and specific objectives of the study. Details relating to the research methodology used and the key questions to be answered by the study will also be outlined. The limitations to the study will also be highlighted.

1.2. MOTIVATION FOR THE STUDY

Divorce is a traumatic experience for all. Though statistics indicate that roughly half of all married adults eventually go through it, the end of a relationship that was intended to be permanent is devastating (Thomas 1997:7).

One of the most difficult and painful parts of dissolution of a marriage concerns children. Children are our most precious resource and need to be protected from undue hurt and turmoil. Parents need to remember that divorce does not dissolve their relationship with their children and that they will always remain father and mother to them. Blau (1993:17) stresses that parents need to co-parent from the day they decide to separate and adds that children cannot wait for parents to heal or feel better – they need both parents “right away”.

Yet, often parents do not fulfill their roles immediately or adequately particularly because the “the lens of egocentric grief and pity limits their vision. They can’t rise above their own adult agony to see their children’s pain” (Blau 1993:13). As a result children become caught up in the struggle between the parents and end up feeling extremely torn between the two people they love and need most.

A study of this nature will provide insight into the quality of this parental alliance, what the divorced parents understand about their post-divorce parenting roles, as well as elicit information about the trials and tribulations of sharing parenting. The unique challenges that divorced parents have to face can be clearly understood and highlighted.

Professionals such as social workers, psychologists and family lawyers need to be well equipped with knowledge and insight on the subject of sharing parenting after divorce so that services and efforts can be appropriately directed towards helping to minimize the pain for those involved.

Despite the unique challenges that divorced parents face, there are limited counselling services that are available to such parents in South Africa. The State does not ensure, via the process of divorce, that parties undergo a formal divorce education programme as is prevalent in other countries. The counselling services the parents may be exposed to will be determined by what they may seek on their own initiative i.e. from FAMSA, or from social workers and psychologists rendering private services. It is envisaged that this study will provide indications for formal divorce education programmes to be introduced on a mandatory basis, in the interests of all the parties involved in a divorce.

Although there are numerous studies, which look at the effects of divorce on children and individual outcomes for adults, there is a lack of research into how parenting is “actually lived and experienced” after divorce (<http://www.sps.cam.ac.uk/cfr/CFR%20>). A study of this nature will yield precisely such information.

1.3. AIM AND OBJECTIVES

The overall **aim** of the study was to provide insight into the personal experiences of divorced mothers and fathers.

Specific Objectives

- To gain insight into the particular areas in which conflict was experienced during post-divorce parenting.
- To gain insight into the dynamics that impact on post-divorce parenting.
- To ascertain the needs of parents and children who are involved in or affected by post-divorce parenting.
- The insight gained could prove useful to:
 - a) Professionals involved in divorce related work as it would promote increased sensitivity to the parents and children involved in divorces.
 - b) Counsellors as they would be guided in rendering appropriate services to divorced parents and children who are the survivors of divorce.
 - c) Divorced parents as they will have the opportunity to reflect on the nature of their own parenting and acquire a more in-depth awareness of their strengths and shortcomings.
 - d) Custodial and non-custodial parents, children and other interested parties may improve their understanding on the intense dynamics of shared parenting after divorce.

1.4. KEY QUESTIONS

Emanating from the aim and objectives mentioned above, the following key questions and issues are addressed in the research study:

- How do custodial and non-custodial parents share parenting?
- What issues, events or situations are problematic for divorced parents?
- What are the patterns of co-parenting and what factors have influenced these patterns over the years following the divorce?
- Was there any counselling in preparation for the task of post-divorce parenting before the divorce, at the time of the divorce or after the divorce?
- What are the services that will be appropriate for parents, children and other interested parties affected by divorce?

1.5. RESEARCH METHODOLOGY

1.5.1. Research Design

This study was **descriptive** as it entailed an examination of a particular phenomenon. Qualitative descriptions convey a sense of what it is like to “walk in the shoes” of the people being described by providing details about “their environments, interactions, meanings and everyday lives”(Rubin & Babbie 1997:110). According to Katzenellenbogen, Joubert & Karim (1997:66) “the main use of descriptive studies is to give service providers and planners information that will help them design services and allocate resources adequately”.

The **qualitative** method was utilized in the study as it allows the researcher to understand how the subjects of the research perceive their situation and their role within this context. This method also helps to find out why particular behaviours occur or why people hold certain views (Katzenellenbogen et al 1997:176).

This approach was more suitable because it enables the researcher to gain insight into the subjective meanings of complex phenomenon (Rubin & Babbie 1997:27). It also minimizes the distance between the researcher and those being researched by interacting with them (De Vos 1998:45).

The study involved the selection of 16 divorced parents through the snowballing technique. Initially the researcher contacted each respondent, either personally or telephonically, and carefully explained the nature of the study. An appointment was set up with each respondent who indicated a willingness to participate in the study. At the appointed times, once the respondent had given his or her informed consent to participate in the study, the researcher proceeded to administer the interview schedule. The next stage entailed the analysis of the data.

1.5.2. The Research Interview

The interview was the research instrument used in the study. An interview involves direct personal contact with the researcher asking respondents questions designed to obtain answers pertinent to the study. A **non-scheduled structured interview** was utilized for data gathering for the following reasons (Rubin & Babbie 1997:391):

- It allows the interviewer to be free to formulate other appropriate questions.
- The respondent is given much more freedom to express thoughts and opinions.
- Control would be maximized when respondents misinterpret questions or require clarification on certain questions, thereby allowing the respondent the opportunity for immediate clarification.
- The researcher can also ensure that all items in the interview have been considered and respondents have not omitted difficult questions.

1.5.3. The Interview Schedule

The interview schedule included both closed and open-ended questions. Such a schedule allows an interviewer to adapt the sequencing and wording of the questions to each particular interview (Rubin & Babbie 1997:390). Written notes were taken by the researcher during the interview and transcribed onto the interview schedule.

The researcher utilized an interview schedule, which had been adapted from the *Families Apart Questionnaire: Sharing Parenting after Divorce* developed by Blau (1993:305).

The respondents were interviewed, by appointment, at a venue of their choice as long as it allowed for comfort, privacy, confidentiality and minimal disturbances. The length of the interviews ranged from an hour to two hours.

The interview schedule was divided into the following sections:

Section A – This section aimed at eliciting factual details pertaining to the gender, age, religion, employment, marriage and children of the respondents.

Section B – This section yielded data regarding the initiation of the divorce and reasons thereof, the nature of the post-divorce relationship of respondents and ex-spouses and factors that contributed to changes in this relationship.

Section C – This section elicited details regarding custody and access arrangements in respect of the children, parenting responsibilities carried out by the respondent and the ex-spouse as well as the issues, events or situations which have caused or cause problems when sharing parenting responsibilities.

Section D - This section yielded data on the extent to which respondents worked as co-parents with their ex-spouses. Respondents were required to rate themselves according to various statements, comment on their response and describe how their situations had changed since the time of their divorce.

Section E – This section yielded data on the exposure of the respondents to counselling on divorce-related issues as well as the benefits gained therefrom.

1.5.4. Sampling

The **snowballing** (or networking) technique was used. This is a non-probability sampling technique whereby each person is asked to name all the other people he or she knows is involved with a particular phenomenon. By following these people up and obtaining further names from them, a sample is collected (Katzenellenbogen et al 1997:79). Snowballing can be continued until no new population members can be found and then the remaining list is treated as a frame from which a random sample can be drawn or you can simply stop “snowballing” when a large enough sample has been secured (<http://www.identified.doh.gov.uk/acutesurvey/ch5.htm>). In this study, the latter approach was

used. The researcher, having obtained the first respondent from her caseload, stopped “snowballing” when it was felt that sufficient information had been obtained from the 16 respondents interviewed. The researcher was also limited in terms of either accessibility of divorced parents who met the criteria for participation in the study or the unwillingness of divorced parents to participate in the study.

Sixteen parents, including 8 mothers and 8 fathers, were included in the sample. The respondents were parents who have been divorced, irrespective of whether they were custodial or non-custodial parents. Only parents who had been divorced for a period of at least two years were included in the study. The reason for stipulating this period was that each respondent could reflect over a period of his/her divorced life when responding to questions.

The study was limited to Indian divorced parents. The inclusion of parents from other racial groups was not considered, as it will introduce too many variables relating to culture.

1.6. LIMITATIONS OF THE STUDY

- (i) The sample was confined to Indian divorced parents for the reason mentioned above. The study examined the sharing of parenting after divorce specifically in this community. Hence, the findings may not necessarily be applicable to divorced parents from other racial groups.
- (ii) As the sample was limited to parents who have been divorced for at least two years, the study will not reflect the sharing of parenting amongst recently divorced parents.
- (iii) The major limitation of the study is the small size of the sample. It will be unrepresentative of the population from which it will be drawn. Hence, “inferences based on this sample evidence can be misleading or erroneous”(Wegner 1995:171). However, a small sample size had been selected with the intention of obtaining in-depth detailed information.

- (iv) A study of this particular topic was intensive and at times emotionally laden. The interview required at least two hours of the participant's time. While some participants seemed to welcome the opportunity to talk about their situations, others may have found the interview lengthy. However, the researcher is of the opinion that in order to cover the topic adequately a comprehensive interview was essential.

At the researcher's discretion, each respondent was consulted at least once during the interview to ascertain if he or she was comfortable to continue. Respondents were also given the option to take a break during the interview. However, none of the respondents found this necessary.

- (v) Because the study did not interview the ex-partners of the respondents, a picture of the "full story" was not achieved. According to Lehr & MacMillan (2001:373) research seldom allows us to achieve such a broad picture. The researcher allowed respondents sufficient time to fully answer questions posed to them. As a result, the respondents felt encouraged to talk freely and provided detailed explanations of their experiences. The researcher maintained a neutral and objective stance at all times.

1.7. DEFINITION OF KEY CONCEPTS

- (i) **Divorce:**

According to Section 3 of the Divorce Act No. 70 of 1979:

A marriage may be dissolved by a court by a decree of divorce and the only grounds on which such a decree may be granted are:

- a) The irretrievable breakdown of the marriage as contemplated in section 4.
- b) The mental illness or the continuous unconsciousness, as contemplated in section 5, of a party to the marriage.

(ii) **Co-parenting**

Thomas (1997:31) states that co-parenting “simply means parenting together”. Children need both their mothers and fathers involved in their lives after divorce.

(iii) **Shared Parenting**

This is the concept that, following divorce or separation, mothers and fathers retain a strong positive parenting role in their children's lives, with the children actually spending substantial amounts of time with each parent. There are a variety of parenting arrangements to suit a range of situations and these provide for time-splits from 30/70 to 50/50([http: www.spig.clara.net](http://www.spig.clara.net)).

1.8. DIVISION OF THE REPORT

The remainder of this report is divided into 3 sections. Chapter 2 consists of a review of literature on the sharing of parenting after divorce, whilst Chapter 3 comprises a discussion of the results of this study. Chapter 4 outlines the researcher's conclusions and recommendations.

CHAPTER TWO

LITERATURE REVIEW

2.1. INTRODUCTION

The legal dissolution of a marriage is not a single, isolated event but a long-term series of gains and losses, breakthroughs, setbacks, calm and crisis. For adults, a divorce can represent an escape from an unhappy or abusive situation, a tragic disappointment or a fresh start. However, parents often become so absorbed in the emotional, legal and personal issues of divorce, that they may not realize how differently the children view the changes in their lives. Exactly what the divorce will mean for a child is determined not so much by the simple fact that the parents have divorced but by how they, the parents, choose to handle the issues and challenges that lie ahead (Neuman 1998:5).

According to Wallerstein in Grief (1997: 94), divorce is:

“unlike other seemingly similar life experiences for a child, such as loss of a parent through death, in that, divorce is specifically rooted in the failure of the relationship between the mother and the father, who model the reliability of love and commitment”.

Divorce is a long process of reorganizing family life. When a divorced couple has children, the parents continue to have a relationship –not as husband and wife but as co-parents (<http://ceinfo.unh.edu/Family/Documents/s-share.pdf>).

Wallerstein in Grief (1997:94) points out that children of divorce experience adjustment problems which present themselves in the cognitive, affective, physiological and behavioral areas of the child's life. Frieman, Garon and Mandell (1994) in Grief (1997:94) add that these adjustment problems “spill over into school performance and personal relationships”. Children's lives are

changed when parents divorce. Often children experience confusion, sadness and anger. There is a great deal of variation in children's responses – even children in the same family.

Blau (1993:16) emphasizes that divorce ends the marriage but does not end a family. Further, the parents become divorced and not the children. She states that millions of parents find themselves coping with this “paradox”.

This chapter will focus on the following areas:

- ◆ The divorce rate with specific reference to South Africa, including the number of children affected by the divorce of their parents.
- ◆ Divorce in relation to the family with reference to the stages and process of divorce.
- ◆ The rights of children of divorce will be highlighted. In addition, the positive adjustment of children to divorce will be discussed.
- ◆ The sharing of parenting after divorce will be defined followed by a focus on the indications, contraindications and advantages thereof. Important reasons why children need both parents in their lives will also be examined.
- ◆ The range of post-divorce relationships and their particular characteristics.
- ◆ The availability of appropriate help for parents and children who are affected by divorce.

2.2. DIVORCE RATE

Family break-up and its correlates loom as one of the major social problems of the 1990s. According to the U.S. Bureau of the Census - 1995, the number of one-parent families with children under 18 increased by 280% between 1970 and 1994 (Grief 1997:84). Between 1960 and 1985 the divorce rate in the United States doubled. Currently it is the highest in the world (Berk 2001: 577).

In South Africa, the divorce rate is increasing rapidly. In 1998, there were

146 741 registered marriages and in the same year, 35 792 divorces were granted. The number of divorces constitutes 24.4% of the total number of marriages. A total of 45 123 children were part of this process (Statistics South Africa – Statistical Release PO 307). These figures clearly indicate that there are a significant number of children affected by divorce in each year.

The following are the most recent statistics of the number of children involved in divorces by population groups in South Africa during 1998 (Statistics South Africa – Statistical Release PO307):

Table 1: Children involved in Divorce in South Africa

Population Group	Total Divorces	Total Number of Minor Children
African	6673	8969
Coloured	3790	6027
Indian/Asian	1753	2620
White	14443	15848
Mixed	250	276
Unspecified	8883	11383
TOTAL	35 792	45 123

2.3. THE FAMILY AND DIVORCE

The family plays a significant role in the lives of children. According to Parke & Buriel in Berk (2001:62):

In power and breadth of influence, no context equals the **family**. The family creates bonds between people that are unique. Attachments to parents and siblings usually last a lifetime and serve as models for relationships in the wider world of the neighbourhood, school and community. Within the family, children learn the language, skills, and social and moral values of their culture. And at all ages, people turn to

family members for information, assistance and pleasurable interaction. Warm gratifying family ties predicts physical and psychological health throughout development. In contrast, isolation or alienation from the family is often associated with developmental problems.

Carter & McGoldrick in Braude & Francisco-La Grange (1993:9) propose a six-stage model of the family life cycle, whereby families are perceived as going through a series of stages each necessitating emotional processes of transition:

- (i) The unattached young adult who is leaving home has to accept emotional and financial responsibility for him/herself.
- (ii) The joining of families through marriage which requires commitment to a new system and the redefinition of the relationship with extended families and friends.
- (iii) The family with very young children, the principle being that of accepting new members into the system. The spouse system needs to adjust to make space for the children.
- (iv) The families with adolescents, in which greater flexibility of boundaries is necessary, so as to allow for the children's independence and for the deteriorating health of grandparents.
- (v) Launching the children and moving on. The couple is required to renegotiate their marital system as a dyad. The family member's readjust to include in-laws and grandchildren.
- (vi) The family in later life, which requires acceptance of the shifting of generational ideas. In this stage, losses of spouse, siblings and other peers have to be coped with and preparation made for one's own death.

Berk (2001:466) cautions us to be careful not to think of the family cycle outlined above as a "fixed progression". She states that there are wide variations in sequence and timing of these phases and that this is attributed to various life-events. Divorce is one of these life events. Berk (2001:10) describes divorce as a phenomenon that is not a single event in the lives of parents and children but a

transition that leads to a variety of new living arrangements, accompanied by changes in housing, income, family roles and responsibilities.

Carter and McGoldrick (1980) in Braude et al (1993:10) refer to divorce as a transitional crisis that results in the interruption of the developmental tasks that the family is negotiating at a particular life cycle stage. In addition, it is a dislocation in the family cycle requiring additional steps for destabilization and continued development.

The following additional stages are associated with divorce:

- (i) The decision to divorce, which necessitates an attitude of acceptance that the marital problems cannot be resolved and acceptance of one's own part in the failure of the marriage.
- (ii) Making arrangements for aspects such as custody, visitation and finances.
- (iii) Separation, which requires a disengagement from attachment to the spouse, with a willingness to continue co-parenting as parents.
- (iv) The divorce, which entails working through feelings of guilt, anger etc. and a continuation of working together as parents.

The Process of Divorce

A divorce which is a process and has no clear beginning and end, consists of several overlapping stages or experiences (<http://muextension.missouri.edu/exp/lor/hesguide/humanrel/gh6601.htm>):

- (i) The Legal divorce- the dissolution of the marriage by the courts.
- (ii) The Emotional Divorce- the chain of events and feelings that lead up to and continue through the divorcing process, the emotional separation or disengagement from your partner.
- (iii) The Economic Divorce – the division of assets requiring individuals who once functioned as a couple to learn to function independently.
- (iv) The Co-parental Divorce – the negotiation of parenting following separation.

- (v) The Community Divorce – the changes in relationships with friends and community during divorce.
- (vi) The Psychic Divorce – the process of separating oneself from the spouse and developing autonomy.

Calvin (1981) in Braude et al (1993:10) states that divorce is not the death of a family, but rather creates an alternative family form. One parent, the non-custodial parent, no longer lives with the custodial parent and the children. The rights and responsibilities of parents continue whether or not the divorce has occurred.

Thomas (1997:7) states that divorce is a loss, like death, because when couples separate, the family they planned to have for forever is gone. Therefore divorce requires grieving to recover. Kubler-Ross as cited in Thomas (1997:7) identified five normal phases of mourning that occur during the divorce recovery process:

Table 2: The Grief Process in Divorce

Denial Initial lack of recognition of trauma, a refusal to “believe it is true”.
Anger Resentment and blame directed at your former spouse.
Bargaining Attempts to postpone the impending divorce or to undo the separation.
Depression Sadness that surfaces when denial subsides and reality sets in.
Acceptance Realization that the marriage is over and emotions becoming more rational.

Thomas (1997:8) adds that while the grief process helps the single adult to overcome their feelings of guilt, rejection and isolation as well as regain their self-concept, it does not provide an emphasis on the associated parental loss.

Ahrons & Rodgers (1987) and Maccoby & Mnookin (1992) in Whiteside (1998:3) state that when parents divorce, they undergo a "volatile and profound personal and emotional journey" and at the same time face a fundamental structural change in their family system. Central to the new family structure is the ongoing parental alliance, which includes parents' new, independent relationships with the child and new rules and behaviour towards each other. Recent research has indicated that the quality of the parental alliance affects the child's adjustment, the parent's self-esteem, and the quality of the parents nurturing and discipline (Whiteside 1998:3).

Whiteside (1998:7) referred to the following as key ingredients to a positive alliance between divorced parents:

- (i) Conveying respect for the other parent;
- (ii) Maintaining constructive communication about the children, which includes both information exchange and problem solving.
- (iii) Developing a way of sharing responsibility for childrearing tasks, which include everyday caretaking of the children as well as logistics of children's movement between households.

Walker (1993:273) suggests that it is not the fact that parents separate which is necessarily damaging, but the process by which families part, and specifically the extent and level of conflict between the parents. She makes reference to researchers who found that children, who seem to cope best with and adjust to parental divorce, are those who successfully retain constructive and meaningful relationships with both parents, in families where conflict is minimized.

According to Thomas (1997:16), contemporary research indicates that parent conflict in any form always hurts the child. Further, children who have both divorce and ongoing family conflict to deal with are worse off because:

- (i) Conflict Frightens Children - The witnessing of traumatic events such as fighting, arguing, hostile actions, or violence elicits fear, panic and apprehension.
- (ii) Conflict Teaches Children to Fight - Boys and girls develop life-long patterns of poor problem solving when they copy their parent's attitude and behaviour.

The above clearly indicates that divorce is a long process of reorganizing family life. Several factors influence how a child adjusts to this process of divorce. The researcher will proceed to focus on the protection of the rights of children of divorce as well as examine the factors related to children's positive adjustment to divorce.

2.4. CHILDREN AND DIVORCE

2.4.1. Children's Rights

(i) CHILDREN OF DIVORCE – BILL OF RIGHTS

This Bill specifically promotes the following rights of all children of divorce in America (<http://www.childreninthemiddle.com>):

- Article 1* All children of divorce have the right to, openly and without fear of any kind, be able to express love and affection for Mom and Dad equally.
- Article 2* All children of divorce have the right never to be blamed in any way for their parent's divorce and separation.
- Article 3* All children of divorce have the right to feel secure and loved by both parents and to be cared for properly both emotionally and financially.

- Article 4* All children of divorce have the right to be listened to and accepted as a person with feelings and needs.
- Article 5* All children of divorce have the right to be informed of important decisions affecting them and the reasons as to how and why those decisions were made.
- Article 6* All the children of divorce have the right to never be placed in a position by anyone to have to choose between either of their parents or to be made to take sides for against either of them.
- Article 7* All children of divorce have the right to be able to heal properly, without undue additional stress and suffering from the hurt, pain, and anger that accompanies a divorce or a separation.
- Article 8* All children of divorce have the right to be properly educated about divorce and helped to understand that their parents are human too and are also experiencing great personal anger, hurt and pain.
- Article 9* All children of divorce have the right to remain active in both of their parent's lives and to have as much physical and emotional contact with each of them as reasonably possible.
- Article 10* All children of divorce have the right to be loved by both of their parents unconditionally.

In examining the status of children in South African Family Law, Davel (2000:1) states that the stage of development has been reached where it is commonly acknowledged that children are an important interest group in society. Hence, the constitutional dispensation in South Africa and the ratification of the United Nations Convention on the Rights of the Child have paved the way for acknowledging that children are bearers of rights.

Children whose parents have divorced are also protected in terms of the following:

- (i) **CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA 108 OF 1996**
Section 28 of the Constitution deals specifically with the rights of children, in addition to the rights elsewhere in the Bill of Rights. In terms of Section 28(2) a child's best interests are of paramount importance in every matter concerning the child (Davel 2000:65).
- (ii) **UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD**
Article 7(1) provides inter alia for the right of the child to know and be cared for by his or her parents.
Article 9(3) of the Convention, respects the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.
Article 18(1) recognizes that both parents have common responsibilities for the upbringing and development of the child and that the best interests of the child shall be their basic concern.
- (iii) **The DIVORCE ACT 70 OF 1979** calls upon the court as the upper guardian of children to ensure that the provisions made with regard to the welfare of minor children from the marriage are the best under the circumstances.
- (iv) **The MEDIATION IN CERTAIN DIVORCE MATTERS ACT NO. 24 OF 1987** gives specific attention to protecting the interests of children whose parents are in the process of divorce.
- (v) **The HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION ACT 72 OF 1996**, an international instrument which South Africa has ratified, protects the custody rights of parents to children.

The researcher is of the view that while protection of the rights of children of divorce are embodied in the above, the greatest challenge lies in the actual implementation and promotion of these rights by the various role players.

2.4.2. Factors Related to Children's Positive Adjustment to Divorce

The following are key factors essential to children's positive adjustment after divorce ([http: ceinfo.unh.edu/Family/Documents/s-share.pdf](http://ceinfo.unh.edu/Family/Documents/s-share.pdf)):

(i) *The parents function effectively*

Parents who cope with the disruption of divorce are effective parents. They keep their day to day work and home lives going. They provide love, nurturance, consistent discipline and predictable routines.

(ii) *The parents do not engage in excessive conflict*

When parents cooperate in childrearing after divorce, children do better.

(iii) *The child maintains a positive relationship with both mother and father.*

Children do best when they have two involved parents. Although they will no longer be husband and wife, the parents will always remain father and mother to their children.

For most adults, divorce is stressful and painful. Hence, coping with divorce is usually extremely difficult and is a gradual process. It is important to note that the presence of the above key factors is largely dependent on the level of co-operation between the parents and this is often limited or absent in the period immediately following the divorce. This may adversely affect the adjustment of the children to the divorce.

According to (Berk 2000:578) there are particular characteristics of children that relate to their adjustment to divorce:

- *Temperament*

Children with difficult temperaments are less able to withstand stress and show long lasting difficulties.

- **Age**

Preschool and early school-age children often blame themselves and show intense separation anxiety. Older children and adolescents may react by engaging in disruptive, anti-social acts, although some display unusually mature and responsible behaviour.

- **Sex**

Boys in the custody of their mothers experience more severe and longer lasting problems than do girls.

2.4.3. Helping Children Adjust to Divorce

Berk (2001:337) suggests the following to help children adjust to their parents divorce:

- *Explain the divorce and tell children what to expect.*

Children should be told that their parents would not be living together, which parent will be moving out and when they will be able to see that parent.

Parents should provide a reason for the divorce that the child could understand and assure the child that he or she is not to blame.

- *Shield children from conflict*

Witnessing intense parental conflict is extremely damaging for the children. If one parent insists on expressing hostility, children fare better if the other parent does not respond in the same manner.

- *Emphasize the permanence of the divorce.*

Fantasies of parents getting back often prevent children from accepting reality of their current life. Children should be told that divorce is final and that there is nothing that they can do to change that fact.

- *Promote a continuing relationship with both parents.*

When parents disentangle their lingering hostility towards the former spouse from the child's need for a continuing relationship with the other parent, children adjust well. Grandparents and other extended family members can help by not taking sides.

- *Respond sympathetically to children's feelings.*

Children need a supportive response to their sadness, fear and anger. Their painful emotions must be acknowledged, not denied or avoided.

- *Provide as much continuity, familiarity and predictability as possible.*

Children adjust better during the period of the divorce when their lives have some stability e.g. the same school, bedroom, a dependable daily schedule.

2.5. SHARING OF PARENTING AFTER DIVORCE

In this section, the researcher will commence by examining the definition of shared parenting. Thereafter, the indications, advantages as well as the contraindications of shared parenting will be outlined. Reasons why children need both parents in their lives are also discussed.

After a divorce, it is imperative that parents ask themselves:

- (i) How involved do I want to be in my child's life?
 - (ii) Do I get along with my former spouse enough to be able to work through parenting issues?
 - (iii) How do I manage parenting if my former spouse and I cannot get along?
- (<http://www.montana.edu/wwwhd/family/sharing.html>).

2.5.1. Definition of Co-operative Shared Parenting

Whiteside (1998:4) defines co-parenting as the complex interpersonal task of adults sharing responsibilities. He stresses that the terms joint parenting and co-parenting do not imply a particular legal custodial division. He adds that as long as the parents share parenting in one form or another, we can speak of joint parenting.

Kruk (1993:25) refers to **co-operative shared parenting** as:

A post-separation parenting arrangement that attempts to approximate as closely as possible the parent-child relationships in the original two-parent

home, in which both parents not only have equal rights with respect to their children's welfare and upbringing, but also active responsibilities within the daily routines of their children. It also constitutes a situation where parents have not only accepted the termination of their marital relationship, but take on the responsibility for separating their previous marital conflicts from their continuing parental responsibilities.

2.5.2. Indications for Shared Parenting

Kruk (1993:247) states that when considering the viability of shared parenting, it is critical to assess the nature of pre-divorce parent-child relationships. This includes:

- (i) Degree of involvement and sharing of parenting tasks and responsibilities within the marriage.
- (ii) Competence in parenting
- (iii) Discipline methods used by each parent
- (iv) Degree of attachment between each parent and the children.
- (v) Degree of influence each parent has in various areas related to children's growth and development.

According to Gardner (1984) in Kruk (1993:246), shared parenting is a viable option when three provisions are provided:

- (i) Both parents are capable and loving custodians – their levels of involvement with and attachment to their children are high, and they wish to continue their child care responsibilities.
- (ii) The parents have the potential to co-operate and communicate effectively with regard to parenting concerns.
- (iii) Geographic distance and other logistical constraints are not excessive.

The researcher is of the view that parents will seldom be in a position to adequately meet all of the above criteria. Appropriate services in the form of

counselling or education programs could help parents to meet the provisions for shared parenting.

2.5.3. Advantages of Shared Parenting

According to the Shared Parenting Information Group there are specific advantages of shared parenting (<http://www.spig.clara.net>):

- (i) It ensures continuation of family life for the child, with the advantage of meaningful and lasting relationships with both parents rather than just one.
- (ii) It reassures children that they have two parents, and although they live in separate places, the children definitely have a home with each of them.
- (iii) It ensures that one parent is not unfairly burdened with the responsibility of discipline whilst the other becomes merely the fun or contact person.

Other benefits of sharing the parenting role are (<http://www.montana.edu/wwwhd/family/sharing.html>):

- (i) Both parents and children can learn effective ways to communicate.
- (ii) Both parents recognize and respond to their children's needs.
- (iii) Children develop feelings of stability.
- (iv) Children continue relationships with both parents.

Children whose parents share parenting actually do better than children living with just one parent. Research indicates that children who best survive their parents divorce are those maintaining significant and positive relationships with both parents (<http://www.spig.clara.net>).

2.5.4. Contraindications to Shared Parenting

While there are definite indications for shared parenting, there are also contraindications to this form of parenting (Kruk 1993:246). These include:

- (i) Inability to care for children mentally, emotionally or physically.
- (ii) The physical, emotional or sexual abuse of the children or spouse.
- (iii) Significant substance abuse.

- (iv) Intractable hostility between spouses.
- (v) Expressed desire for a sole parenting arrangement.

One has to consider how realistic is it to promote co-operative shared parenting. According to Everett (1991) and Maclean (1991) in Walker (1993:277) “most families become financially worse off after divorce”. Many experience long-term housing and financial difficulties. Children may experience many housing moves, and the trend is towards less satisfactory housing circumstances. Single fathers may end up in accommodation, which is unsuitable for children, and thereby restricts opportunities to have their children visit, thus beginning a process, which may end in severance of contact.

Stretching the household income to provide for two homes after divorce also creates tensions and worries, which are hardly likely to improve relationships between separated partners. “As financial pressures bite, resentment increases; communication becomes strained, and conflict flourishes”(Report to the Fund for Research on Dispute Resolution, 1992 in Walker 1993:278). A high level of post-divorce conflict aggravates and prolongs the negative effects of divorce on children. This is partly due to the fact that parents engaged in conflict are less consistent in the discipline they provide, serve as models of negative behaviour for their children, and or place their children under emotional and cognitive stress (<http://www.clasp.org/pubs/familyformation/divfinal.htm>).

2.5.5. Important Reasons Why Children Need Both Parents in their Lives:

The following are reasons why both parents need to maintain a close relationship with their children (<http://www.extension.umn.edu/parentsforever/unit311/unit3-4b.asp>):

- (i) Children feel more “whole” because their identity development is tied to their relationship with both parents.
- (ii) When parents can put aside their differences it shows they care for their children.

- (iii) Children will feel secure in knowing that they are loved and valued when both parents are a part of their life.
- (iv) Children will avoid developing distorted or unrealistic fantasies about a parent.
- (v) Children will be more prepared if a change in custody should occur.
- (vi) Children will have fewer divided loyalties.
- (vii) Children will have the chance to develop relationships with extended family.
- (viii) Parents will have fewer power struggles and fewer backlashes between parents and children.
- (ix) Non-custodial parents are less likely to initiate court action.
- (x) Parents are more willing to provide financial support for the children.
- (xi) Parents can share in the work of parenting.
- (xii) Parents will have an easier time maintaining parental authority.
- (xiii) Parents are validating the importance of birth parents and long term relationships.
- (xiv) Both parents and children will experience greater well being and sense of recovery after divorce.

From the reasons outlined above, it is clear when children of divorce maintain a close relationship with both parents, the benefits extend beyond the children to the parents and even the extended family of the children.

Thomas (1997:31) states that children recovering from divorce need both their parents in their lives for three important reasons. These are outlined below:

(i) The Burden of Child Care Needs to be Shared

Emery (1994) (<http://www.hec.ohio-state.edu/famlife/divorce/parent.htm>) cautions that divorcing parents set up the scenario for permanent harm when they try to do too much themselves and exclude the other parent. The day- to- day responsibilities of each parent are at least doubled because both have to

maintain complete separate households as well as personal lives. The trials of child caretaking also become greater because of the sheer number of physical, financial and emotional adjustments to be made.

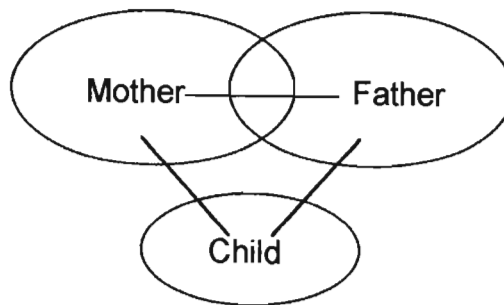
When former spouses do not work together to share the chores of rearing their children, parental responsibilities are too often shifted to the children. Role reversals appear, and the child's own development is quickly jeopardized. Boys assume the inappropriate role of "man of the house" when they see their mother struggling, and girls also take on caretaking roles for their parents.

Children required to do too many chores or become self-sufficient too early will miss the joys of childhood. Also when one parent demands to take on the complete task of child rearing alone, or almost alone, the child will suffer needlessly.

(ii) Parents Divorce, but Children do Not

From the child's point of view, the basic constellation of the family does not change when parents decide to live apart. Both parents are responsible for the child, even if one spends more time with the child than the other.

Fig.1: The Triad of the Family before Divorce



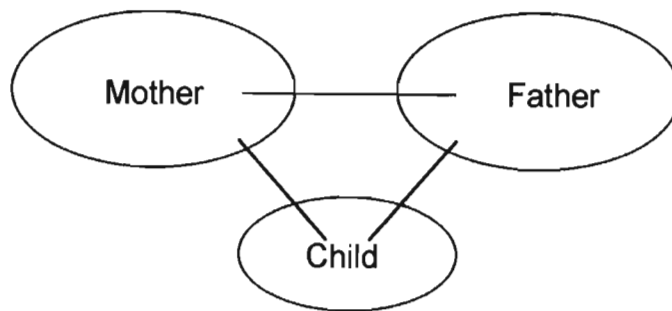
The mother and father symbols are drawn above the child to show that the parents together are in charge when the family is formed. Spousal matters are represented in the diagram by the area of the mother-father overlap. These

areas of family life which are not the child's business, belong solely to the parents and could include issues such as sexual intimacy, extended family problems. Children should never be involved in marital issues, either before or after the divorce. When they are, protective boundaries between parent and child become blurred, making the child worried and anxious.

The connecting lines in the diagram above indicate parent- parent and parent-child bonds of attachment, which develop from the time of conception and continue through the child's life. Though the strength of one-parent child attachment may be stronger than that of another for any individual child, each is critical for the child's basic sense of identity.

After divorce, the family diagram may be altered to depict the estranged spousal relationship, but the lines representing the attachments - to each other and to the child are the same.

Fig.2: The Estranged Spousal Relationship



Spousal issues and marital overlap should disappear after a successful divorce adjustment. There should be no more intimacy or interest in each other's personal lives. An ongoing parental relationship with a former spouse will always be necessary, however, whenever a child is involved.

Sometimes, in cases of abuse or abandonment, maintenance of the parent-parent bond is neither feasible nor possible. By far the majority of parents who separate, however, should face the concept of "foreverness" in their own

relationship. The child needs both parents even if one of the parents is imperfect or prone to making mistakes. "It is an unchanging fact that every child's reality includes both parents of his or her family of origin"(Thomas 1997:33).

(iii) Mothers and Fathers Parent Differently

Historically mothers have been regarded as "softer" and more nurturing, concerned with primary caretaking duties like feeding, clothing and bathing the children. Fathers, as major financial providers, have focused more on discipline, guidance and recreation, adding extras to the child's life. A divorcing wife often just assumes the primary role of parenting after separation because she questions her husband's competence to care for the children. This trend is now changing. Now that parenting roles have become more balanced, with women working and men staying at home more often, more fathers are able to provide excellent primary care even for infants. Further, the importance of the father's guidance and his interest in playing with the children must not be overlooked.

Thomas (1997) goes on to stress that research has documented other problems that arise when only one parent is involved. For example:

- (i) Children acquire basic skills for social interaction by relating to their parents and by watching their mothers and fathers interact with others.
- (ii) When either parent is left out, youngsters of both sexes seem to be less confident and struggle with relationships
- (iii) Boys generally have more obvious problems coping with divorce than girls do. The reason may be that fathers disengage or are discouraged from participation in many cases.
- (iv) Divorced mothers are frequently unsure about how firm to be with their son's behaviour difficulties. Their lack of confidence increases as boys react with resistance and the problems worsen over time. They lose the benefit of the firm parenting that some stressed mothers cannot provide.

- (v) While girls who mostly reside with their mothers display more maturity in their behaviour and are more readily managed, studies also suggest that girls who see their fathers infrequently become more depressed later on.

Divorcing parents need to be made aware of the above reasons, so that they could encourage the involvement of both parents in their children’s lives.

2.6. THE RANGE OF POST DIVORCE PARENTAL RELATIONSHIPS

Research on families of divorce suggests that there are primarily three types of parenting for families after a divorce: co-operative, conflicted, or disengaged (<http://www.parentingafterdivorce.com/books/parallell.html>).

In a 1992 study of over 1000 California families, which provided insights into parenting after divorce, Maccoby and Mnookin (<http://www.hec.ohio-state.edu/famlife/divorce/parent.htm>) identified four broad general patterns of post-divorce co-parenting: cooperative, conflicted, disengaged or mixed as indicated below.

Table 3: Patterns of Post-Divorce Co-Parenting

Co-parenting pattern	1.5 years after separation	3.5 years after separation
Co-operative	26%	29%
Conflicted	34%	26%
Disengaged	29%	41%
Mixed	11%	4%

2.6.1. Co-operative Parenting Relationship:

The study showed that this pattern of co-operation, which characterized about one fourth of the sample and increased slightly over the two year period, is characterized by high co-operative communication and low discord, mutual respect for one another and perception of the other parent as responsible and

caring. Further, both parents accept responsibility to parent the children, work together to minimize conflict and to keep the children out of the middle and focus on the needs of the children.

Researchers Maccoby and Mnookin (<http://www.parentingafterdivorce.com/books/parallel.html>) define co-operative parenting as talking frequently, co-ordinating rules in the household and not trying to avoid contact with the other parent. In addition, co-operative parents will probably agree on most parenting values, be relatively consistent in their parenting styles, and have few arguments about the child's life. They will rarely put the child in the middle and will solve differences peacefully. The researchers also state that children of divorce fare best when their parents engage in co-operative parenting.

2.6.2. Parents who have a Conflicted Relationship

Such parents reluctantly accept the fact that the children have another parent. They neither support nor discourage the children's relationship with the other parent. They usually ignore each other's presence in public settings and may choose not to have contact with the children. Even if they sometimes parent co-operatively, they find it difficult and are in conflict much of the time. Maccoby and Mnookin add that this parenting style includes little co-operation and high discord such as frequent arguments, refusal to allow visitation, and efforts to undermine the other person's parenting. The study indicated that this style of parenting decreases over time and often these parents adopt the disengaged style (<http://www.hec.ohio-state.edu/famlife/divorce/parent.htm>).

Many psychological issues lead to conflicted parenting. These may include (<http://www.parentingafterdivorce.com/books/parallel.html>):

- Continuation of hostility that began during the marriage
- Differing perceptions of pre-separation child-rearing roles
- Differing perceptions of post-separation child-rearing roles.
- Differing perceptions of how to parent

- Concern about the adequacy of the other parent's parenting ability
- An unwillingness by a parent/s to accept the end of the relationship
- Jealousy about a new partner in the other parent's life
- Contested child custody issues
- Personality factors in one or both parents that stimulate conflict

Whatever the specific source of conflict, the parent's inability to separate their parental roles from prior conflict in the marriage is often a significant contribution to the conflict after the divorce. This conflict is the most important variable in determining how the child adjusts to the divorce.

2.6.3. Disengaged

Low co-operative communication and low discord characterize this pattern of parenting. Maccoby and Mnookin describe this pattern of co-parenting as co-ordination without communication and or conflict.

2.6.4. The Mixed style

This co-parenting pattern involves high cooperation and high discord, is the least frequent pattern that diminishes over time.

In her research on divorcing parents, Ahrons, a family therapist, found that most parents who have a difficult relationship with their ex-spouse but who want to co-parent start out with "**parallel parenting**". In this arrangement, each parent assumes total responsibility for the children during the time they are together; there is no expectation of flexibility and little contact with the other parent. As time goes on and anger dissipates, parents may develop some version of "co-operative parenting". In this arrangement parents communicate directly and in a business like manner regarding the children and co-parenting schedules (<http://www.aamft.org/families/Consumer-Updates/ChildrenandDivorce.htm>).

Furstenberg and Cherlin (1991:112) state:

“Most divorced couples simply aren't capable of the kind of continuous, courteous communication that is required if both parents are to play major roles in bringing up the children. The best that works for most couples is parallel parenting that includes a modest amount of communication. Though not ideal, we should accept this style of managing parental responsibilities as a realistic arrangement that minimizes conflict”.

2.7. SEEKING AND FINDING APPROPRIATE HELP

Walker (1993:278) states that although more and more marriages end in divorce, most people never suspect that it will happen to them. When it does, they are ill prepared for the plethora of decisions which they are expected to take and the complexity of the process of separation and the establishment of a new lifestyle. Whilst most seek the help of lawyers, few experience the help of other forms of professional help, particularly in the area of pre-divorce and post divorce counselling.

Walker (1993:278) highlights the following findings based on a study undertaken on the divorce process relating to 1400 families in the USA:

- (i) A lack of information available to families about what to do, what to expect, and the services which might be available to them.
- (ii) Others wanted someone to sort it out and tell them what to do – they were looking for some authority.
- (iii) Services for separating families were relatively sparse. Social workers and probation officers tend to focus on protecting children. Psychologists and doctors rarely get involved unless there are identified pathologies.
- (iv) Marriage guidance agencies offered counselling primarily to couples trying to save a marriage. Some agencies have made a shift by offering divorce counselling.

In several countries Parenting Education Programmes are offered. These are classes designed to educate adults about the many issues children face when their family situation changes. A particular programme offered in Ohio, which trains participants about how to help children adjust in a healthy way to divorce, includes topics such as (<http://www.domesticcourt.org/default.php?section=program1>):

- How families experience divorce
- Typical reactions of children and adults
- Skills for helping children to cope.
- What to avoid
- Post-divorce parenting
- Mediation
- Communication skills

In Minnesota, a similar programme called Parenting Apart is being offered to help parents understand how divorce can affect themselves and their children (<http://www.extension.umn.edu/mnimpacts/impact.asp?projectID=1992>).

P.E.A.C.E. (Parent Education and Custody Effectiveness) is an in-house parenting program developed by the Family Division of Montgomery County Circuit Court to help divorcing families (<http://www.co.mo.md.us/judicial/circuit/family/parenting.html>).

Walker (1993:289) states that research to date has tended to focus on understanding the failures and inadequacies of post-divorce family life, rather than seeking to discover the factors, which enable parents and children to create constructive realities. Comparisons with so-called 'intact' families are an unhelpful starting point and they serve to make divorced parents feel inadequate and guilty about their inability to provide a 'normal' family life. Since post-divorce family life is different for everyone, overly high expectations can cause parents to 'fail'. There is so much to be gained from studying what 'is', not 'what might have

been', or 'what should be'. This reality may be an appropriate starting point for therapists and mediators.

2.8.CONCLUSION

Parenting is difficult enough, but during and after their divorce, parents have unique challenges to face. They have to learn to balance coping with the divorce and helping their children to deal with all the new challenges. Failure to positively handle the more difficult and stressful parenting demands caused by a divorce will cause pain for parents and children which will endure long after the divorce is final (<http://www.nocourtdivorce.com/articles/a-parenting.html>).

Co-operative shared parenting clearly comprises two essential elements – that both parents retain an active parenting role and decision making authority with respect to their children and that both have successfully negotiated the task of separating their previous marital conflicts from their continuing parental responsibilities.

It is clearly imperative that recognition must be given to the need to include both parents in the life of the child, particularly as "the emotional wound caused by a parent who is still alive but unavailable may fester throughout your child's developmental years, refusing to be healed"(Thomas 1997:35). Research has shown that unless adequate help is offered to a child to deal with his "wound", there could be immediate, intermediate or long term effects on the child. Studies carried out by Wallerstein and Mandell, as referred to on page 10, confirm and support this statement.

CHAPTER THREE

RESULTS AND DISCUSSION

This chapter contains the presentation and analysis of data from the interview schedule that was administered to divorced mothers and fathers.

The research findings are presented in the form of tables, graphs, interpretations and discussions thereof. The order of the questions in the interview schedule will not be strictly adhered to, as the researcher has combined some of the questions to present a comprehensive picture or focus on particular issues.

Results of both mothers and fathers are presented together where possible. However, sometimes there was a need to discuss their particular responses separately.

The researcher initially attempted to interview both ex-spouses. However, it was found that respondents were reluctant to permit this and preferred that the ex-spouse not be interviewed. The researcher respected the preference of the respondents. The sample ultimately consisted of divorced parents, either mother or father and not both the parents. This ensured that respondents were at ease and comfortable to participate in the study.

A total of 16 interviews were conducted, one with each respondent. The length of the interviews ranged from an hour to two hours. The interviews with respondents who were more recently divorced were found to be longer as compared to shorter interviews with those who were divorced for several years.

3.1. DEMOGRAPHIC DATA

The demographic data presented include age, gender, religion, level of education, number of years since divorced, previous marriage or remarriage, working hours and age groups of the children affected by the divorce of the respondents.

Table 4: Age and Gender

Age	Male	Female	Total	%
24 – 30 years	1	0	1	6.25
31 – 39 years	4	2	6	37.5
40 – 49 years	2	4	6	37.5
50 – 55 years	1	2	3	18.75
Total	8	8	16	100

The sample was equally representative of both genders. The ages of the respondents ranged from 24 to 55 years. Twelve respondents (74.5%) were between 31 and 49 years of age.

Table 5: Religion

Religion	No. of Respondents	%
Christianity	3	18.75
Hinduism	6	37.5
Islam	7	43.75
Total	16	100

The respondents comprised of 3 different religious groups from the Indian community: Islam (43.75%), Hinduism (37.5%) and Christianity (18.75%).

Table 6: Level of Education

Level of Education	No.	%
Grade 10 – 11	3	18.75
Matric	7	43.75
Bachelor of Commerce	2	12.5
B.A. (Social Science)	1	6.25
B.A. Social Work	1	6.25
B.A. Nursing	1	6.25
Bachelor of Pharmacy	1	6.25
Total	16	100

The majority (43.75%) of the respondents had acquired a matric level of education, while 18.75% of the respondents had been to high school but did not complete their matric. The remaining 37.5% had acquired a tertiary qualification. The respondents emerged from a cross-section of different levels of education.

Table 7: Number of Years since Divorced

No. of Years	No. of Respondents	%
2 – 3	8	50
3 – 4	0	0
4 – 5	2	12.5
5 – 6	1	6.25
6 – 8	2	12.5
8 –10	1	6.25
10-12	0	0
12 – 14	2	12.5
Total	16	100

Fifty percent of the respondents were divorced for 2 to 3 years. Six (37.5%) of the respondents were divorced for a longer period ranging from 4 to 10 years. Only two (12.5%) respondents were divorced for 12 to 14 years.

Table 8: Remarriage of Respondents and Ex-Spouses

Three <i>respondents</i> , 1 female and 2 males, <i>remarried</i> after their divorce. Of these, one had 2 children from the remarriage.
The <i>ex-husbands</i> of 3 respondents <i>remarried</i> . In 2 of these cases, the new partners had children from their previous marriages.
An <i>ex-wife</i> of one of the respondents also remarried.
The <i>ex-spouses</i> of 3 female respondents were <i>involved in other relationships</i> . Two of these had a child each from their new partners.

The above figures have implications for the quality of co-parenting relationships as co-operation between parents declines and conflict increases when either parent acquires a new relationship. The co-parenting style of such parents is most likely to be disengaged, as indicated in the literature review.

The researcher investigated the working hours of the respondents as this had implications in terms of availability of time to carry out child-care responsibilities.

Table 9: Working Hours

Employment	Weekdays	Weekends	Overtime
Non – Custodial Parents			
Labour Consultant	Mon.- Fri. 8h00-22h00		
Social Work Manager	Mon.-Fri. 8h00-16h00		
Library Admin. Officer	Mon.- Fri. 8h00 - 16h00	Sat. a.m. only Once a month	
Clerk	Mon. - Fri. 8h00 - 16h00	One Sat. per month	20 hours per month
Assistant Accountant	Mon.-Fri. 8h00-16h00		July – Sept. Weekdays & Weekends
Technical Specialist	Mon.-Fri. 7h00- 15h30		Occasionally - weekends

Custodial Parents			
Pharmacist	Mon.- Fri. 7h30-16h00		One overnight away per month
Professional Nurse	40 hours per week	Alternate weekends	
Senior Admin. Officer	Mon.-Fri. 8h00-16h00		
Preschool Teacher	Mon.- Fri. 7h30-13h30		
Property Consultant	5-9 hours per day	Occasionally	
Joint Custodians			
Assistant Accountant	Mon.-Fri. 7h30-16h00		July – Sept. Weekends & weekdays
Recruitment Officer	Mon.-Fri. 8h00-16h00		

The majority of respondents were employed on a daily basis with their hours of work ranging from 6-10 hours per day. One (6.25%) respondent worked on a shift basis and two (12.5%) others worked on a flexi-time basis. One (6.25%) respondent was in receipt of a disability pension and only one (6.25%) respondent was unemployed.

In addition to the respondents Ninety four percent of the ex-spouses were also reported to be in full time employment.

Berk (2001:482) states that the dual-earner marriage, in which both the husband and wife are employed, is the dominant family form today. She adds that, as most dual-earner couples are also parents, many experience moderate to severe conflict in trying to meet both work and family responsibilities. This implies that the challenge would be even greater for single divorced parents, such as those involved in this study.

Table 10: Age Groups and the Number of Children Affected by Divorce

Age Group	Girls	%	Boys	%	Total	%
3-7 years	4	16	0	0	4	10
7-11 years	4	16	0	0	4	10
11-15 years	4	16	4	26.66	8	20
15-21 years	8	32	10	66.66	18	45
Over 21 years	5	20	1	6.66	6	15
Total	25	100	15	100	40	100

The ages of the children affected by the divorce of their parents ranged from 3 to 26 years. The age group 15 – 21 years, comprising of 18 children, emerged as the group most affected, followed by the 11-15 year age group, which comprised of 8 children. Of the 40 children affected by the divorce of the respondents, 25 were female and 15 male. The finding in this study is in keeping with the alarming statistics referred to in the literature review i.e. in 1998 a total of 2620 children were affected by the divorce of 1753 Indians in South Africa.

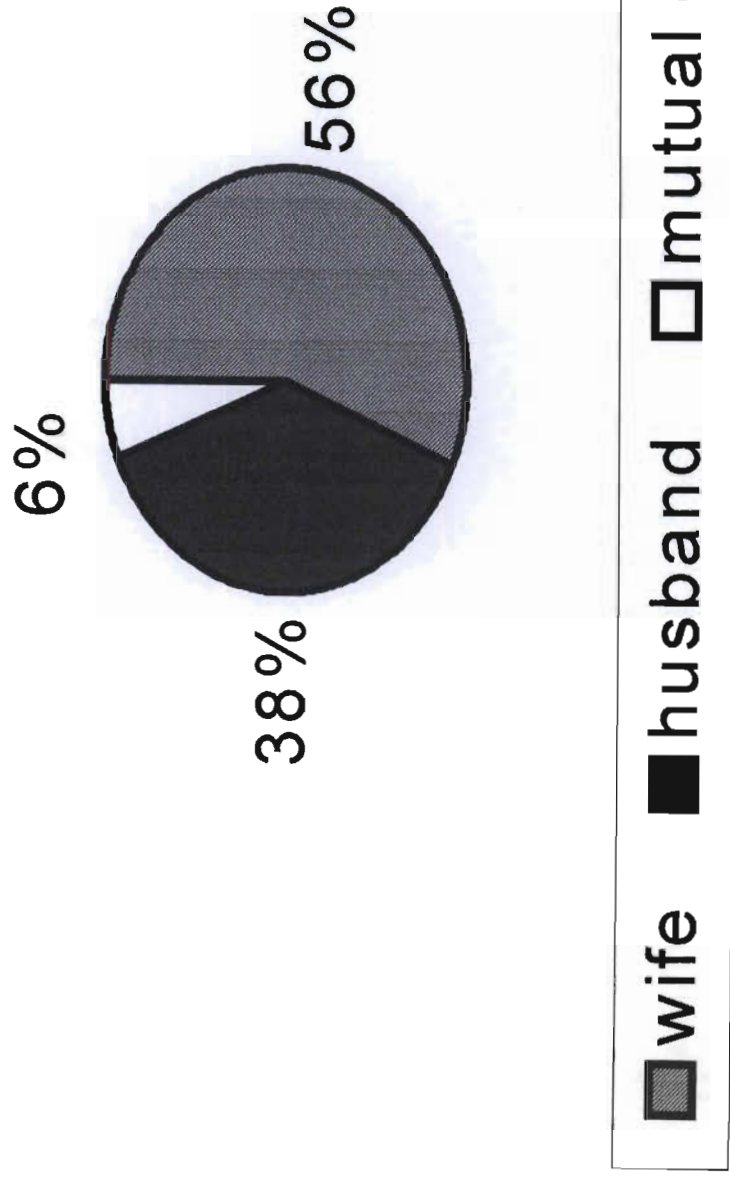
3.2. THE DIVORCE AND BEYOND

3.2.1. Initiation of the Divorce

Figure 3 provides details of who was responsible, according to the respondents, for the initiation of the divorce.

In this study mainly the wives (8) initiated the divorce. The husbands (6) initiated 37.5% of the divorces. Only one (6.25%) respondent sought a divorce as a result of a mutual decision. A study by Pillay (1999:100), which explored the process of divorce and it's effects on Indian children, also revealed that mothers were in the majority as initiators of divorce. Who initiates the divorce is related to post-divorce adjustment. According to Vera (1990) in Smith (<http://www.iusb.edu/~journal/2000/smith.html>) divorce 'initiators' appear to have less difficulty adjusting to their situation than those who did not initiate the divorce action.

Fig 3: Person responsible for initiation of the divorce



3.2.2. Reasons for the Divorce

Table 11: Reasons for the Divorce

Reasons	Mothers	Fathers	Total
	%	%	%
Partner engaged in adultery	25	50	37.5
Physical Abuse	37.5	12.5	25
Breakdown in communication	25	25	25
In-law interference	12.5	25	18.75
Incompatibility	25	12.5	18.75
Substance abuse	25	12.5	18.75
Verbal abuse	25	12.5	18.75
Constant Conflict	0	25	12.5
Manipulative Husband	12.5	0	6.25
Gambling	12.5	0	6.25
Children affected by violence	12.5	0	6.25
Sexual abuse of daughter	12.5	0	6.25
Married at a very young age and grew in separate directions	0	12.5	6.25

Respondents cited multiple reasons for the divorce. Adultery as a reason was most highly rated by 50% of the male respondents and 25% of the female respondents. Physical abuse and breakdown in communication were reasons that followed in terms of frequency of response. Other common reasons included in-law interference, incompatibility, substance abuse and verbal abuse. Two (25%) male respondents cited constant conflict as a reason. One (6.25%) female respondent cited sexual abuse of her daughter (by the father) as a direct reason for initiation of the divorce.

Pillay (1999:88), in her study, also cited adultery and physical abuse as the main reasons for divorce. It thus appears that these two problems are highly prevalent in the population studied i.e. the Indian community.

3.2.3. Post-Divorce Relationship

The respondents’ ratings of the nature of their post-divorce relationships with their ex-spouses are depicted below.

Table 12: Nature of the Post- Divorce Relationships

Nature of Relationship	Year 1 N=16 %	Year 2 N= 16 %	Between 2- 4 years N=16 %	After five years N=6 %
Extremely Hostile	37.5	12.5	18.75	0
Hostile	12.5	25	0	0
Moderately Angry	25	12.5	0	0
Civil but Cold	6.25	18.75	50	16.66
Co-operative	6.25	18.75	18.75	66.66
Friendly	6.25	6.25	0	0
Very Friendly	6.25	0	0	0
No communication at all	6.25	6.25	12.5	16.66

Of the 16 respondents who participated in the study, 6 had been divorced long enough to describe their relationships after a period of five years.

While one (6.25%) respondent described the relationship as “very friendly” and another as “cooperative” during the first year after divorce, others (75%) placed themselves on a continuum ranging from “moderately angry” to “extremely hostile”, with most describing themselves as the latter. One respondent indicated that there was no communication at all with the ex-spouse.

The study by Maccoby and Mnookin, referred to in the literature review, found that of those mothers who were very hostile immediately after separation, only 16% were in cooperative co-parenting styles one year later while 56% were in conflicted co-parenting relationships. They also found that these patterns were likely to continue into two years later, although a portion of these parents evolved

into a disengaged style. They concluded from these results that early hostility during the divorce process is likely to persist well after the divorce is final.

In this study, it was also found that during the second year after the divorce, at least 68.75%, including 6 mothers and 5 fathers continued to have a relationship ranging from "civil and cold" to "extremely hostile".

After two years, 50% of the respondents considered their relationships to be at least "civil but cold" and the remaining responses ranged from being "extremely hostile"(18.75%) to "co-operative"(18.75%). The number of respondents who had no communication with their ex-spouses increased to 12.5%.

Of the 6 respondents who were divorced for over five years, it was significant that the percentage of relationships characterized as "co-operative" increased to 66.66%, although some relationships were still described as "civil but cold"(16.66%). The number of respondents who had no communication with their ex-spouses increased further to 16.66%. This indicated that while there are factors that contribute to the improvement of a post-divorce relationship e.g. children getting older, there are also factors that contribute to the deterioration of the relationship e.g. remarriage of ex-spouses of 2 respondents. Jealousy about a new partner in the other parent's life is identified as one of the many psychological issues that lead to conflictual parenting, as referred to in the literature review.

In terms of differences in responses between male and female respondents, it was noted that during the second year after the divorce, more female respondents (37.5%) remained "extremely hostile" to "moderately angry" as compared 12.5% of male respondents. No other significant differences in responses were noted. The findings clearly indicated that as time elapsed, most of the post-divorce relationships gradually improved, irrespective of whether they were male or female respondents.

Table 13: Factors that Contributed to Change in the Post-Divorce Relationships

FACTORS	Mothers		Fathers		Total	
	No.	%	No.	%	No.	%
1. Passage of time	6	75	4	50	10	62.5
2. Personal growth	7	87.5	3	37.5	10	62.5
3. The children getting older	6	75	2	25	8	50
4. The need to co-parent	3	37.5	3	37.5	6	37.5
5. Involvement in outside activity	4	50	2	25	6	37.5
6. Individual Therapy	3	37.5	2	25	5	31.25
8. A particular incident or crisis	4	50	1	12.5	5	31.25
9. A new relationship	2	25	2	25	4	25
10. Ex-spouse's remarriage	4	50	0	0	4	25
11. Education regarding the effects of divorce on children	3	37.5	1	12.5	4	25
7. Children leaving home	2	25	1	12.5	3	18.75
12. Change in financial status	1	12.5	2	25	3	18.75
13. Different job/career	1	12.5	1	12.5	2	12.5
14. Influence of the media	2	25	0	0	2	12.5
15. Change in ex-spouse's circumstances	1	12.5	1	12.5	2	12.5
16. Influence of other couples who have experience of post divorce issues	1	12.5	1	12.5	2	12.5
17. Influence of religious leaders	2	25	0	0	2	12.5
18. Membership in a support group	1	12.5	0	0	1	6.25
19. Making new friends	1	12.5	0	0	1	6.25
20. Family Therapy	1	12.5	0	0	1	6.25
21. Belief that the child's interests are paramount	0	0	1	12.5	1	6.25
22. Own remarriage	0	0	1	12.5	0	6.25

In the above table, factors that contributed to changes in the post-divorce relationship of respondents are ranked according to the frequency of response.

Respondents (62.5%) felt strongly that “ ***the passage of time***” and their “***personal growth***” had a definite impact on their relationships. They reported that with time they had matured and were able to understand their situations better. Three respondents felt that their ex-spouses had undergone “personal growth”. One respondent said “over time, I have definitely mellowed and view issues of the past in a constructive manner”. Time is not only a great healer, but it also allows you to view your situation from a new vantagepoint (Blau 1994:77). It was noted that while 87.5% of the female respondents identified ‘*personal growth*’ as a factor, only 37.5% of the male respondents agreed that this was a factor.

While 75% of the female respondents found that the “***children getting older***” impacted on their relationships with their ex-spouse, only 25% of the male respondents identified this as a factor. This difference in response may be influenced by the fact that 6 of these respondents were custodial mothers. One respondent stated that “as the children are getting older, their demands grow and my ex-husband and I need to communicate more with each other”. In contrast, 2 respondents stated that as the children became older and were capable of expressing their preferences and making certain decisions, the need for the ex-spouses to communicate was minimized, thus reducing the opportunity for conflict to arise.

At least 37.5% of the respondents i.e. 3 fathers and 3 mother, acknowledged the ***need to co-parent***. One respondent stated that she realized that if she “dropped down dead” the children would turn to the other parent. Another felt that by co-parenting, he would ensure that he did not become alienated from his children. The advantages of co-parenting are numerous, as outlined in the literature

review. Yet, a limited percentage of the respondents in this study acknowledged this need.

Several (37.5%) respondents indicated that ***“involvement in outside activities”*** impacted positively on their relationships. Activities mentioned were sports (e.g. fishing), voluntary counselling at church and post-graduate studies. These activities helped respondents to become constructively occupied and enhanced their self-esteem.

According to 31.25% of the respondents, ***“a particular incident or crisis”*** led to a significant change in their post divorce relationships. Respondents cited positive events such as an ex-spouse becoming gainfully employed or overcoming a problem of substance abuse as having promoted their post divorce relationships. On the other hand, events such as the adoption of a baby by the ex-spouse and his girlfriend or the remarriage of an ex-spouse were cited as having a converse effect on the post-divorce relationships. Only 1 male respondent identified this as a factor, as compared to 4 female respondents.

“Individual therapy” impacted positively on the post-divorce relationships of 31.75% of the respondents. Only one female respondent (6.25%) had the benefit of ***“family therapy”***. Only one female respondent (6.25%) had attended an informal ***support group*** for divorced women, for three sessions only. This aspect of counselling will be discussed in greater detail in section 3.5.

Of the 25% of the respondents, 2 mothers and 2 fathers, who cited ***“a new relationship”*** or ***“ex-spouse’s remarriage”*** as a factor, two stated that the remarriage of their ex-spouses forced them to come to terms with the fact that their marriages were over and that they needed to focus on themselves. Two respondents felt that this factor had a negative impact as it distanced the ex-spouses even further.

Those respondents (25%) who stated that they had been exposed to “**education regarding the effects of divorce on children**” had read books on the subject or accessed information on the Internet. Only one respondent identified the “**influence of the media**” as a factor.

The above illustrates that divorce is not an “unidimensional” event, inflicting a similar negative impact on all family members, especially on the children. Instead, “it is a highly variable event as far as its psychosocial implications are concerned and is dependent on the interweaving of many complex factors, of which the politics of the marriage are particularly important”(HSRC Report – Theme 5 – 1997).

3.3. CUSTODY AND PARENTING TIME

3.3.1. Custody of Children

The following table indicates the “legal status” of the respondents in terms of custody of the children.

Table 14: Status of Respondents in Respect of Custody N=16

Status of Respondents	Mothers		Fathers		Total	
	No.	%	No.	%	No.	%
Custodial Parents	6	37.5	1	6.25	7	43.75
Non-custodial Parents	2	12.5	5	31.25	7	43.75
Joint Custodian	0	0	2	12.5	2	12.5
Total	8	50	8	50	16	100

Figures 4, 5 and 6, which follow, are intended to provide an overview of the actual **physical custody** of the children in respect of female children only, male children only and both male and female children, at the time that the study was undertaken. At least 2 children lived with relatives (maternal aunt/ paternal uncle) indicating that relatives also played a role as caregivers.

FIG. 4: CUSTODY OF MALE CHILDREN
(N=15)

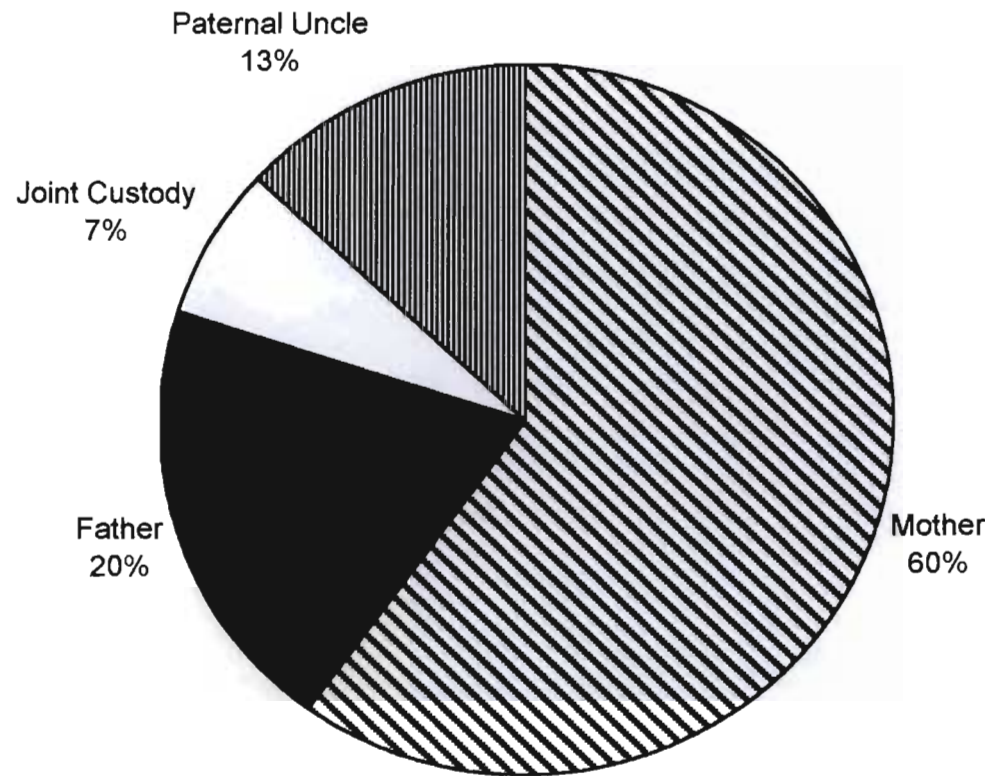


FIG.5: CUSTODY OF FEMALE CHILDREN
(N=25)

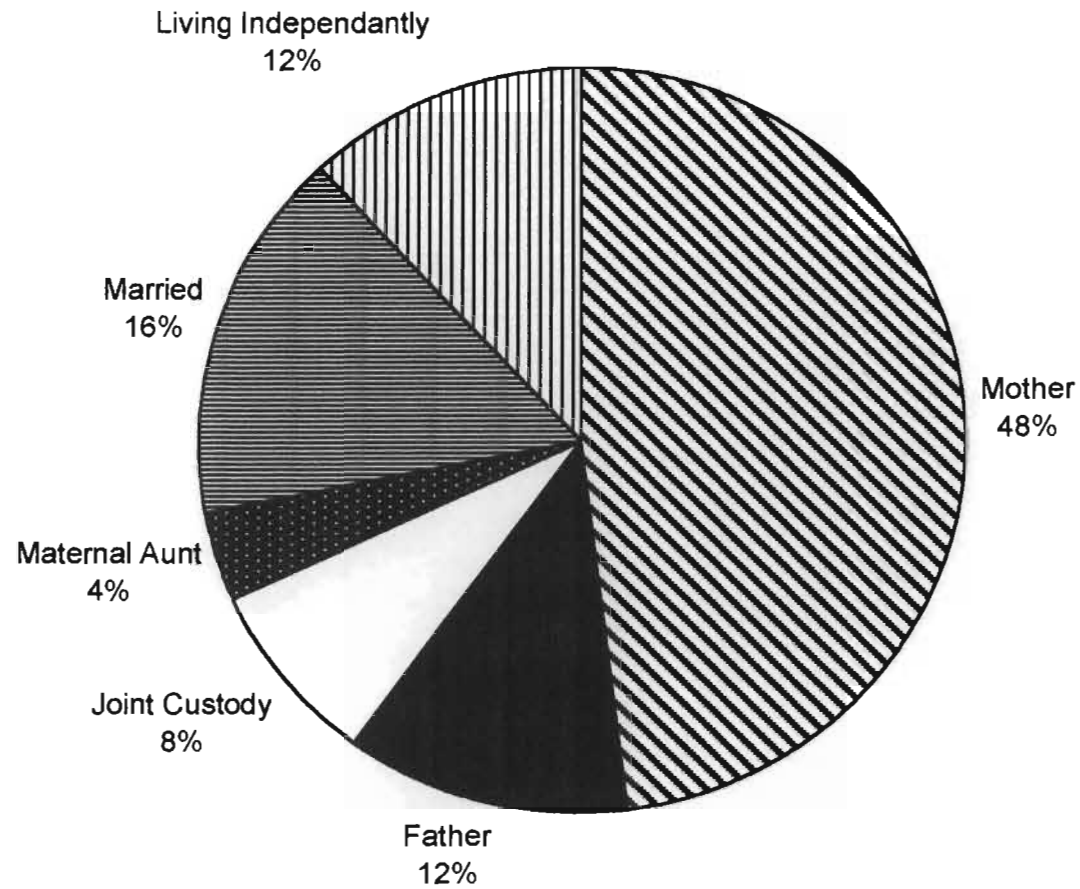
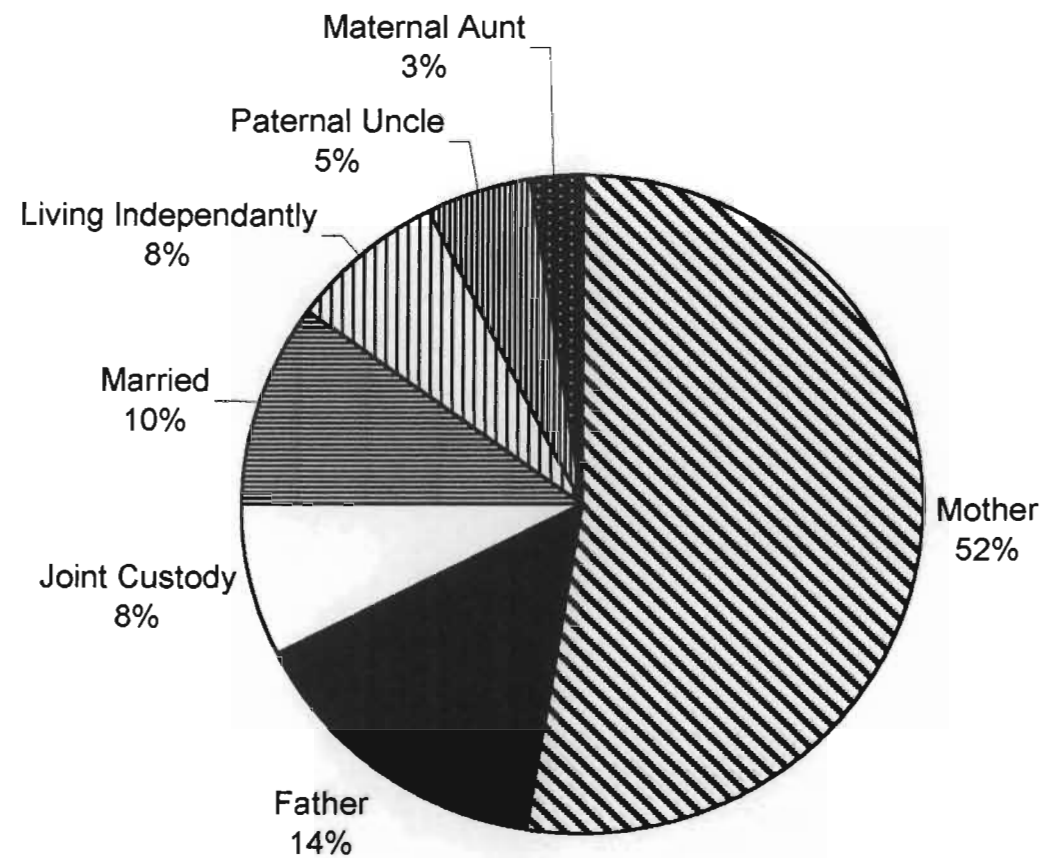


FIG. 6: CUSTODY OF MALE AND FEMALE CHILDREN
(N=40)



When parents divorce, the custodial parent is often the mother. The findings in this study indicated that fathers are also assuming the role of custodial parents. In the study, 14% of the children were in the “custody” of their fathers. There is also a move towards joint custody with two parents, both fathers, having such form of custody. Robinson in Davel (2000:81) cautions that while joint custody ensures the child’s relationship with both parents is continued after the divorce and also minimizes the child’s sense of loss or abandonment by an absent parent, “the awarding of joint custody is fraught with dangers”. One respondent reported that since his remarriage there has been a noticeable change in his ex-spouse’s attitude that has impacted negatively on their relationship as joint custodians. When disharmony creeps in between joint custodians, joint decision making will become extremely difficult.

3.3.2. Access Arrangements

The following table differentiates between the legal arrangements specified in the divorce order and arrangements in actual practice regarding access to children.

Table 15: Access Arrangements

Legal Arrangement	Arrangement in Actual Practice
Custodial Fathers	
(i) Custody of the 2 children was split. Parents were granted reasonable access. Siblings were to be encouraged to spend as much time with each other as possible.	Two months after the divorce, daughter refused to return to her mother and remained with her father. Mother has occasional telephonic and physical contact with children.
Custodial Mothers	
(ii) Reasonable access granted to father.	Father visits them every 2nd day at their home for about 2 hours. Sometimes supervises homework.

(iii) Husband initiated divorce. Respondent was unaware of any legal details, as she had not seen the divorce order.	Father telephones the children every 2 weeks. Takes them to his home every month (usually for half a day).
(iv) Father granted unconditional access.	Father has reasonable access. Since his remarriage, children do not prefer to spend holidays with him.
(v) Access rights granted but not defined in the divorce order.	For the past 2 years, talks to the children on a daily basis (outside their home), for approximately 10 minutes.
(vi) Due to sexual abuse of daughter, fortnightly supervised access granted.	Arrangement worked for a year. Only sons visit father once per month or every 2 months at his workplace (where he also resides).
(vii) Reasonable access granted to father.	No fixed arrangement. Child spends some weekends and part of her holidays with her father. Phones daughter occasionally
Non-custodial Fathers	
(viii) Mother was granted custody of son and daughter. Access rights for father were not defined.	Due to neglect and physical abuse by his mother, the son began living with his father 2 years ago. Daughter resides with maternal aunt and has regular physical and telephonic contact with her father. Mother has no communication with son but occasional contact with daughter.
(ix) Mother has sole custody, as the child was born after the divorce. No legal access rights for father.	Father transports child to and from school daily. Child spends weekends with father, whenever she wishes to.
(x) Reasonable access granted to father.	Children see father every 2nd weekend and at their request. Unlimited telephonic contact.

(xi) Access to 3 year-old daughter was granted but not defined in the divorce order.	Two hours of supervised access every alternate weekend. Continued involvement in legal proceedings to define access rights.
(xii) Supervised access to 15-year-old son on every alternate weekend (reason unclear).	For 2 months after the divorce saw child as per legal arrangement. In the past 5 months, had contact with his son twice. Telephonic contact once per week.
Non-custodial Mothers	
(xiii) Custody of two sons awarded to father. Mother granted reasonable access.	Both sons preferred to reside with their paternal uncle. Older son now employed in Gauteng - visits mother about 4 times per year. Younger son visits her once per month. Sons have regular contact with father.
(xiv) Reasonable access granted to mother.	Mother is employed in Gauteng. Mother and children visit each other whenever possible. Have regular telephonic contact.
Joint Custody	
(xv) 4 year-old daughter resides with her father during the weekdays and spends weekends with her mother (Friday to Monday mornings when she drops her off at school). Also spends holidays with mother when she is on leave.	
(xvi) The 16-year-old daughter visits her father on a daily basis. She and her 20-year-old brother spend weekends with him.	

* Reasonable access was explained by the researcher to respondents to mean contact with the child on every alternate weekend from Friday to Sunday and sharing of school holidays, public holidays and special days e.g. birthdays.

Case (iv) indicates that the children's reservations about the remarriage of their father had impacted negatively on the amount of time they spent with him.

It was encouraging to note that in case (ix), the father had regular contact despite not having “legal” rights. Important reasons why children need both parents in their lives have been outlined in the literature review. By maintaining contact with the child, this respondent was promoting these benefits for his child. Both the parents will also benefit in the process e.g. they could share the task of parenting.

Case (vi) illustrates one of the contraindications for shared parenting as referred to in the literature review. In addition, it depicts the effect of a single father ending up in accommodation unsuitable for children i.e. the opportunities to have his sons visit have become somewhat restricted and limited. The literature review in section 2.5.4. points out that such a situation can begin a process of severance of contact between the father and children.

In case (xii), the father believes that his ex-wife does not want him to interact with the child. The relationship between father and son appears to be diminishing. According to Grief in Grief & Ephross (1997:84), after divorce one parent often becomes a visitor in the child’s life. The non-custodial parent loses, to varying degrees, some level of input into how that child will be raised and, in many instances, is relegated to having a minimal relationship with the child. Such a parent often struggles to establish an identity. Sometimes isolated from friends, family and other support systems, the non-custodial parent suffers.

In respect of case (v), (viii) and (xi), the divorce orders did not define access. In the first case, even though the divorce order did not define access, the mother was willing to allow the father access to his children, though it was not under ideal circumstances. In the second case, this lack of definition had created difficulty for the father, so much so that he incurred great costs to have his rights legally defined. He reported as follows: “ I feel that I should have more time with my child, considering that my ex-wife has two full weeks with the child before I get to spend two hours with her”. This particular father’s situation is exacerbated

having to travel for at least an hour to see the child as his ex-wife resides in another town. This has implications for the father in terms of time and cost.

With regard to the implications of long distance parenting Lewis and Sammons (1999:259) state that, although the divorced parents' relationships with their children change when they don't live together full-time, they can simulate normal parental relationships when they are geographically close. Once a parent moves far away, the relationship changes its character again. The farther away the parent is, the more infrequent the visits and the more difficult it will be for the parent to feel like he or she is playing a meaningful role. The mother in case (xiv) had also experienced the consequences of long distance parenting. However, she did not experience the problem of her ex-spouse placing undue limitations on access.

In this regard, Robinson in Davel (2000:85) states that where the particulars of the rights of access have not been specified in the original court order, the custodian parent "who controls the day to day life of the child has the right to determine how the non-custodian parent may enjoy access". The non-custodian parent has the right to see the children as often as he or she wishes as long as the access takes place at a reasonable place and time. In addition, the custodian parent may not impose undue restrictions on the exercise of that right. If necessary, the court will make an order specifying the access to be granted.

In cases (i) and (xiii), custody arrangements have "changed" due to the children's "preference". In the former case, the positive aspect of the change was that the siblings (16 years and 9 years) were no longer separated and their bond was being strengthened. However, the negative consequence was that the children were not spending sufficient time with their mother. In the latter case (xiii) the children, preferring to be with their paternal uncle, also spent limited time with their own parents.

In the case of (ii), the father exercised access to the children at their mother's home, which was the former marital home.

It was interesting to note that in case (iii), the respondent had never seen her divorce order. Hence, she was unaware of any conditions regarding access, let alone the nature of the custody order. However, she assumed the responsibility of having all four children in her "custody", with them having limited contact with their father. Such a situation violates the rights of the children particularly in terms of Article 18 (1) of the United Nations Convention on the Rights of the Child as alluded to in the literature review.

The details in the table indicate that arrangements become much more flexible as children grow older and consideration is given to their views and preferences. Davel (2000:80) cautions that the views of the child are to be given due weight in accordance with the age and maturity of the child.

3.3.3. Parenting Responsibilities

The custodial parents and the joint custodians indicated that they met "all" the responsibilities of taking care of their children. These included:

- Performing household chores
- Taking care of children's meals
- Transporting children e.g. to school, tuition after school, extra-curricular activities
- Financial support including paying for accommodation and school fees,
- Purchasing clothing
- Disciplining the children
- Supervision of children's homework
- Providing moral guidance

The custodial parents who were fathers reported that they depended largely on their support systems to carry out a major portion of their responsibilities such as cooking, cleaning and supervision of children. In the one instance, the respondent's support system was his mother while in the other instance, his "new" spouse supported him.

Even in the case of one of the joint custodians, his parents formed his main support system. The other joint custodian's children, being over the age of sixteen years, were able to carry out certain tasks such as cooking, on their own.

The custodial parents who were mothers were all primarily responsible for the care of their children. Only two of these mothers were full-time housewives. The others were in full-time employment. A study carried out by Lee, Law and Tam (1999:157) showed that "employment is a double-edged sword". They found that while employed single parents reported significantly higher life satisfaction, because employment is associated with financial resources and social stimulation, they were worse off in having adequate time for various child care activities which, in turn, was associated with lower life satisfaction.

It was further found that even non-working single parents, who should have at least equal if not more time than their married counterparts to take care of their children, generally insist that parenting alone is difficult. Weiss (1979) in Lee, et al (1999:142) attributes this difficulty to psychological reasons:

- Single parents, even when they have enough time, still feel overburdened because there is no sense of partnership and no adult to appreciate their efforts.
- The new demands of the parenting role because the custodial parent must now assume the parental role taken up by the absent spouse.

Five custodial mothers reported that although they often felt overburdened with the parenting responsibilities, they nevertheless felt happier and "stronger" since their divorce. This was in keeping with the finding of Wallerstein and Kelly (1980)

in Lee et al (1999:145) that “being a single parent can be perceived as an experience for personal growth and maturity that brings about a more satisfying life”.

In the case of the non-custodial fathers, all contributed towards the maintenance of their children. However, only 1 father was involved in the discipline and guidance of his children, while another father’s involvement with his adolescent son was minimal. A third father was limited in terms of time and frequency of contact with his three-year-old child.

In the case of the latter 2 respondents, their relationships with their ex-spouses remained conflictual.

3.3.4. Issues, Events or Situations that Cause/Caused Problems When Divorced Parents Share Responsibilities.

As the sharing of parental responsibilities after divorce is challenging, respondents were asked to indicate what issues, situations, or problems make this task difficult for them. Their responses are outlined in the table below:

Table 16: Problems when Divorced Parents Share Parenting Responsibilities

Problems	Mother		Father		Total	
	No.	%	No.	%	No.	%
1. Attendance at school functions	5	62.5	4	50	9	56.25
2. Who pays for what?	4	50	4	50	8	50
3. Making decisions about school	3	37.5	5	50	8	50
4. Division of parenting time	3	37.5	4	50	7	43.75
5. Discipline	4	50	3	37.5	7	43.75
6 Ex-spouse's personal habits	4	50	2	25	6	37.5
7.Things that bothered you when you were married	3	37.5	3	37.5	6	37.5
8. Buying necessities for children	4	50	2	25	6	37.5
9. Putting children's needs first	2	25	3	37.5	5	31.25
10. Step-parent or live-in lover	3	37.5	2	25	5	31.25
11. Relationships with in-laws	1	12.5	4	50	5	31.25
12. Activities in which your ex-spouse involves your children	4	50	1	12.5	5	31.25
13. Financial support	1	12.5	4	50	5	31.25
14. Religious differences	2	25	2	25	4	25
15. Holiday time	1	12.5	3	37.5	4	25
16. Different standards	1	12.5	2	25	3	18.75
17. Wanting more structure	2	25	1	12.5	3	18.75
18. Buying gifts for children	2	25	1	12.5	3	18.75
19. Ex-spouse's dating habits	0	0	2	25	2	12.5
20. Last minute schedule changes	1	12.5	1	12.5	2	12.5
21. Crisis management	2	25	0	0	2	12.5
22. Pick-up drop off time	1	12.5	1	12.5	2	12.5
23. School performance	0	0	1	12.5	1	6.25
24. Wanting more flexibility	0	0	1	12.5	1	6.25

The following are the main issues, which caused problems when the respondents “shared” parenting responsibilities:

“Attendance at school functions” by parents emerged as the most common problem experienced. Three fathers and one mother indicated that they were never informed about such events. Only female respondents indicated that their ex-spouses did not attend these functions despite being informed. One respondent identified this issue as a problem because her ex-spouse always attended such functions accompanied by his “new” wife.

Fifty percent of the respondents identified **“making decisions about school”** as an issue. The fathers felt that their ex-spouses did not make an attempt to involve them in decision making e.g. school transfer. Mothers on the other hand, felt that their ex-spouses did not show an interest in this regard, placing the responsibility solely on their shoulders.

The sentiments expressed by the fathers in this study emerged as similar to the findings of a study, which explored the involvement of 20 fathers in their children’s schooling. (<http://www.fathers.bc.ca/fatherlo.htm>) The study revealed that all fathers who participated expressed a strong desire for school responsibility and believed that it was their duty to be involved. Further, majority of the fathers reported that the loss of their children was the major consequence of separation and divorce and that this loss extended to loss of involvement in their children’s schooling.

“Who pays for what?” was an issue for 50 % of the respondents.

The **fathers** who identified this as a problem expressed concerns such as:

- “I am paying too much maintenance for a three year old child”;
- “My ex-wife always wants to increase the amount of maintenance” and
- “My ex-spouse is unemployed”.

The **female** respondents expressed concerns such as:

- “Even though I earn less than him, he expects me to pay for half of everything”.
- “He can spend money on discos and parties but cannot afford to buy what the children need”.

With regard to the **“division of parenting time”**, 43.75% of the respondents expressed that this was an area of concern. Non-custodial fathers felt that their ex-spouses did not allow them sufficient access time. One custodial mother, on the other hand, felt that her ex-spouse could spend more time with their children. There are various implications when one parent tries to do too much and excludes the other parent as highlighted in the literature review on page 26.

“Discipline” was a source of concern for 43.75 % of the respondents. A non-custodial parent who stated that he was allowed very little contact with his teenage son expressed the following: “although my son is rebellious and is joining bad company, I can’t do anything about it”. One respondent stated that less contact between the father and his children made it easier for her to discipline them, as they had to adhere mainly to her set of values and expectations. Another respondent reported that his ex-spouse, being unable to discipline her teenage son, sought assistance from him.

Respondents who identified **“your ex-spouse’s personal habits”**(37.5%) and **“things that bothered you when you were married”**(37.5%) as an issue, referred to the following:

- the ex-spouse’s substance abuse
- parent giving in to child’s demands for expensive gifts resulting in the child making similar demands from the other parent.
- persistent interference of in-laws even after the divorce.

“Buying necessities for the children” was an issue for 37.5% of the respondents. Two respondents felt that the ex-spouses “spoil” the children,

either with pocket money or buying unnecessary items. Non-custodial parents found it unfair that they had to buy necessities for the children during their access time. One respondent objected to buying necessities because he was paying maintenance. Another respondent, who was a non-custodial parent, stated that she found herself in a difficult position financially when she had to purchase necessities for the children during their visits to her.

Respondents who identified **“step-parent or live-in lover”** as an issue were mainly mothers who expressed concerns such as:

- inappropriate discipline methods of the “new wife”.
- step-parent interfering in matters concerning the children.
- the morals and values of the step-parent.

Berk (2001:337) states that for most children, step-parents present difficult adjustments because they often use different child-rearing practices than the child was used to, and having to switch to new rules and expectations can be stressful. Children also often regard step-relatives as “intruders” in the family. According to Bray in Berk (2001:337), how well children will adapt will depend on the overall functioning of the family and this often depends on which parent forms the relationship and on the child’s age and sex e.g. older children and girls seem to have the hardest time.

Five (31.25%) respondents felt that their ex-spouses failed in their responsibility of **“putting children’s needs first”**. Reasons provided included:

- “My child has the right to know her father’s family, but my ex-wife will not allow me to take my child to my family”.
- “My children feel that their father has always put his needs first and was never there for them”.

“Holiday time” was an issue for 25% of the respondents for the following reasons:

- children do not want to go to the other parent for a holiday.

- non-custodial father unable to take the children during holidays as he works.
- father not being allowed to take the child for a holiday.
- since father has remarried, he does not take the children for holidays.

From the above, it is clear that a continuing relationship with both parents is not being promoted at all times either by the custodial or the non-custodial parent. In addition, once children have grown they are likely to make their views and preferences known.

3.4. WORKING AS A CO-PARENT WITH THE EX-SPOUSE

During the interview, respondents were asked to rate themselves according to various statements, comment on their responses as well as describe how their situations had changed since the time they were first divorced.

Fifty percent of the respondents responded “always” or “almost always” to the statement ***“Even when my ex-spouse and I disagree on a personal level, I am able to put aside our differences to deal with the children”***. These parents appear to have been able to restructure their relationships to avoid “fruitless struggles”(Blau 1993:190). One respondent stated that “if I need my ex-spouse to have a father/son talk about something concerning my son, I am willing to phone the father and make the request”.

Of those who responded “usually”(25%), one parent stated that “this has taken years to achieve because the anger of the divorce often prevented us from focusing on the children”. The display of anger, often in the form of resentment or blame, forms one of the stages in the grief process in divorce as referred to in the literature review. It is thus likely that this respondent was going through the grief process. It is essential to note that this respondent was one of those who had not been exposed to any counselling.

In response to the statement ***“my children’s needs come first”*** 81.25 % of the respondents responded “always” or “almost always”. The remaining (18.75%) respondents who said “sometimes” or “usually” provided the following justification:

- One parent stated that he would balance his needs with those of his children.
- Another stated that it would depend on the importance of the child’s need.
- Another stated that his time for golf would precede meeting his child’s need, unless the need was extremely urgent.

This finding contrasts with Blau’s (1993:125) findings, where the vast majority of the respondents, who were actively co-parenting, answered “always” or “almost always”, which indicated that they had a healthy balance of their own adult needs and the needs of their children.

A large percentage (68.75%) of the respondents responded with “always” or “almost always” to the statement ***“I encourage my children’s relationship with their father/mother”***. Of those who indicated “usually”, two respondents substantiated their response as follows:

- “When my children are with their father, he always runs my church, my family and I down. He always blames me for everything and always talks about a reconciliation”.
- “I am afraid that if I encourage the relationship too much, my daughter may return to her mother’s custody”.

In the latter case, the respondent, by virtue of his fear, has negatively affected the relationship between the mother and children. In so doing, the children’s rights in terms of Article 9 of the Children of Divorce - Bill of Rights and Articles 7 (1) and 9 (3) of the United Nations Convention on the Rights of the Child, as referred to in the literature review, appear to have been compromised.

While 43.75% responded as “always” or “almost always” to the statement ***“I respect my ex-spouse as a parent”***, a significant number (50%) responded

with “usually” or “sometimes”. It was noted that 75% of the mothers indicated the latter. Some of the reasons they outlined were as follows:

- He provides a poor role model for the children.
- He does not fulfil his responsibilities.
- He imparts negative values and messages to the children.
- He overspends when the children are with him.

One father (6.25%) indicated that he did not usually respect his ex-spouse as he disapproved of her standards of discipline e.g. “she allows my son too much of freedom”. The above concerns expressed by the mothers are related to distrust of their former spouse’s parenting abilities. Parents, particularly mothers who have such doubts about their ex-spouses, are more likely to have a conflictual co-parenting relationship, as described in the literature review.

Only 31.25% of the respondents indicated “always” or “almost always” to the statement ***“If I don’t agree with my ex-spouse’s standards or approach to child rearing, I can accept that we are different”***. The 62.5% who said “sometimes” or “usually” expressed reservations such as the following:

- accepting that the ex-spouse follows a different religion but object when he imposes his religion on the children.
- not being able to trust the ex-spouses standards or values.
- not always being in agreement with ex-spouse about discipline procedures.

Fifty percent of the respondents stated that they could ***“never” attend a joint celebration*** and 68.75% indicated that they would “never” be able to ***plan a joint celebration***. These responses came mainly from the fathers.

One respondent expressed disappointment that her ex-spouse did not attempt to attend any functions, while another expressed that he would love to attend a joint celebration but his ex-wife would not invite him. Two of the respondents indicated that since their ex-spouses remarried, they could not see themselves attending or planning a joint celebration.

Fifty percent indicated “sometimes” or “usually” in response to the statement ***“I communicate with my ex-spouse about what happens when our children are with me”***. Common reasons for communicating with the ex-spouse would be if the child had become unwell or had homework. One respondent stated that she limited such communication with her ex-spouse as he often adopted a negative attitude, which in turn inhibited the children from communicating freely with her. Another respondent stated that she was cautious and used her discretion when communicating with her ex-spouse, as she was never certain of the nature of his response.

The remaining half of the respondents indicated that they would “never” or “rarely” communicate with their ex-spouse. When parents cannot communicate directly with each other and are trying to disengage, it is often best if non-emergency communication is done by mail, fax or e-mail (<http://www.parentingafterdivorce.com/books/parallell.html>). By putting communication in writing, the parent will have time to gather his or her thoughts and make sure that the tone is not argumentative. The receiving parent can also take time to respond so that he or she is not impulsive or angry. A useful tool for communication between parents is a “parent communication notebook”.

Most respondents (81.25%) stated that they were ***“able to step out of ‘traditional’ gender roles when necessary”***. One respondent indicated that he is restricted in terms of his access to his child. Hence, he has had no opportunity to play any other role e.g. cooking for the child.

While 68.75 % of the respondents responded “always” or “almost always” to the statement ***“I restrain myself from talking badly about my ex-spouse in front of the children”***, 12.5% said that they “sometimes” restrain themselves and 19 % said they “never” or “rarely” do so. Smart & Neale (2000:164), in a study which explored what 52 children had to say about post-divorce parenting and family life, found that once the children had accepted the idea that their parents had

separated, what they wanted most was civility or mutual regard between the parents. They found it very hard to witness one parent denigrating another.

In response to the statement ***“If I have something to communicate to my ex-spouse, even if it is about the children, I do not ask them to convey the message”***, 68.75 % of the respondents indicated “always” or “almost always”. The 18.75 % who responded as “rarely” or “usually” stated that they would definitely not ask their children to convey messages regarding money. The researcher felt that irrespective of the nature of the message, asking a child to relay a message to the other parent puts the child in the middle of the parent’s relationship and places undue pressure on him or her.

In response to the statement ***“No matter what I think of my ex-spouse, I know that it is important that he/she is in my children’s lives”***, 75% said “always”, while the remaining said “never”(6.25%), sometimes (6.25%) and “almost always”(12.5%). This finding was supported by Blau (1993:25) who reported that of the 112 adults who were interviewed, 85 % responded “always” and 15 % responded “almost always” to the above statement. These findings indicated that despite reservations that divorced parents might have had about their ex-spouses, the majority recognized the importance of the other parent in their children’s lives. This was further affirmed when 93.75% of the respondents in this study acknowledged the importance of the long-term perspective when they responded as “always” to the statement ***“I believe that as long as we are both still alive, my ex spouse and I will always be ‘kin’ to our children”***. The one response of “never” was attributed to the ex-spouse being unstable and engaging in prostitution.

Majority (87.5%) of the respondents “always” agreed to the statement ***“I think it is important for children to maintain contact with their grandparents no matter what I think of them”***, while 12.5% responded “usually”. It was encouraging that although several respondents did not like their ex-spouse’s

family, they did not assume that their children would not either. Folberg and Graham (1981) in Kruk (1993:240) point out that “while sole parenting can sever a child’s ties with an entire set of relatives, shared parenting permits the child’s support group to expand”. Johnson (1998) in Berk (2001:538) found that after marital break-up, grandparents on the custodial parent’s side have more frequent contact with the grandchildren than do grandparents on the non-custodial side. The researcher is of the view that, while the majority of the respondents agreed with the statement, the amount of contact between the children and their grandparents will be largely determined by the extent to which it is actually promoted and facilitated by either parent.

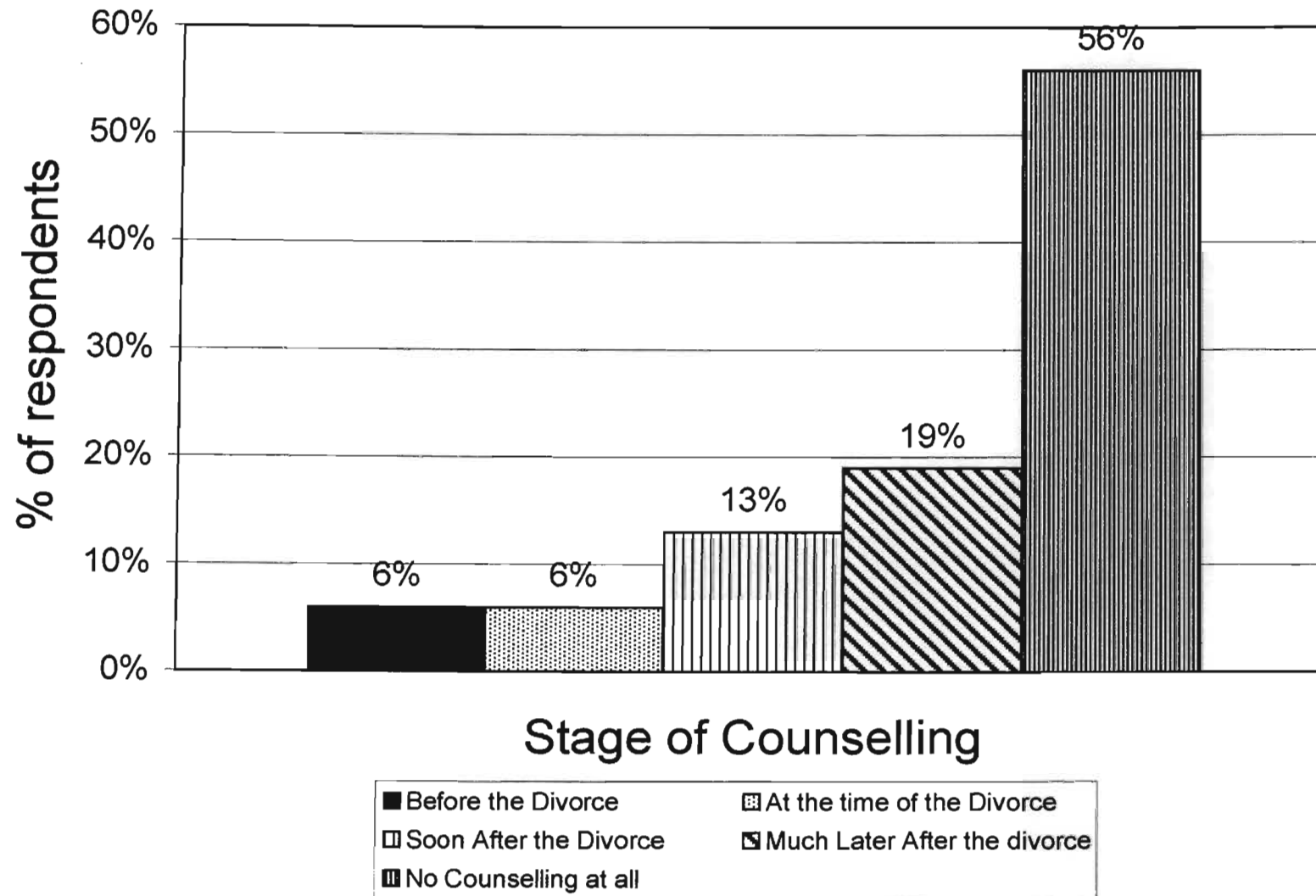
Most of the respondents indicated “never” (31.25%) in response to the statement ***“it is possible for us to discuss an issue concerning our child without ending in a conflict”***. Three (18.75%) of the respondents indicated that they did not communicate at all with their ex-spouses. In response to the statement ***“we are able to consult with each other on important issues without any problems”***, 25 % felt strongly that this could “never” happen while 25 % indicated that this occurred “rarely” or “sometimes”. While 31.25 % responded as “usually”, “almost always” and “always”, 12.5% reported that such situations had not arisen thus far. The responses to these two statements indicated that these respondents had a difficult relationship with their ex-spouses. An appropriate alternative for such parents would have been to engage in “parallel parenting” as suggested in the literature review.

In the section that follows the researcher will examine the extent to which respondents were exposed to counselling at different stages of the divorce as well as the benefits gained therefrom.

3.5. EXPOSURE TO PROFESSIONAL COUNSELLING

Figure 7 reflects details on the exposure of respondents to counselling.

Fig.7 :Exposure of respondents to Counselling



The researcher noted with concern that 56.25 % of the respondents (5 mothers and 4 fathers) had not received any counselling at all. Seven respondents (43.75%) received divorce related counselling at some stage from either a social worker or a psychologist or both. Only 1 respondent received counselling from Childline specifically related to sexual abuse of the daughter by the father. Two respondents had only one contact with a social worker. A further 2 respondents had more than one consultation with professionals. Only 1 respondent sought counselling on an ongoing basis.

Table 17: Professionals Whose Services had been Sought.

Professionals	Mothers		Fathers		Total	
	No.	%	No.	%	No.	%
Psychologist	1	14.28	2	28.57	3	42.85
Social Worker	2	28.57	4	57.14	6	85.71
* Two of the fathers had each seen 2 psychologists as well as a social worker.						N = 7

It was encouraging to note that mainly fathers sought counselling. However, this might be indicative of the particular stresses fathers undergo following a divorce especially as non-custodial parents e.g. in this study one father was experienced tremendous difficulty in exercising his access rights.

Respondents received counselling mainly from private practitioners. Only two respondents received counselling from a welfare organization i.e. Childline and Chatsworth Child and Family Welfare Society.

Benefits of Counselling

The respondents reported the following benefits experienced as a result of counselling received at different stages of the divorce:

(i) Before the divorce

One respondent who received counselling at this stage reported that she was helped to overcome her feelings of depression, she learnt to let go of her marriage and felt empowered to focus on the positive development of her self and her children. She was able to recognize the deviousness of her ex-spouse.

(ii) At the Time of the Divorce

One respondent received counselling services from Childline. The counselling focussed on helping the family members to cope with the trauma of discovering that the father had sexually molested his daughter.

(iii) Soon after the Divorce

Two respondents (12.5%) reported that counselling received at this stage helped them to understand the effects of divorce on their children and developed skills to improve their communication with them. Another respondent, who had one consultation with a social worker, found that she experienced great relief in talking about her problems.

(iv) Much Later after the Divorce

The 3 respondents who received counselling at this stage reported similar benefits as mentioned above. One respondent reported that joint counselling, even though it was only one session, helped in "cementing a friendship" between himself and his ex-spouse and in so doing, they both gained a better perspective to their situation regarding the children. Another respondent reported that counselling helped to reinitiate contact between himself and his children.

Only 1 respondent had sought counselling on a regular basis. Based on his positive experience, he felt strongly that counselling was essential for those in the throes of a divorce. Among the benefits he reported was that it helped him to cope with his emotions, reduce his stress levels and to put issues into their correct perspectives. He realized that a cordial relationship with his ex-spouse was essential, as they will always remain parents to their child. He developed skills to deal with difficulties experienced during access visits. Counselling also helped him to realize that litigation was not the answer to his problems.

The benefits of counselling as outlined above are tremendous, yet such a small percentage of the respondents utilized such services. The extent of counselling appeared to be limited in respect of those who did indicate that they had received counselling. The question arises as to whether there is a lack of services for individuals going through a divorce or respondents chose not to seek such services even though they were available. Whiteside (1998:3) stresses that during the divorce transition, helping professionals can play a significant role for parents in framing their thinking about the structure of the post-divorce family, in developing strategies to meet their parental responsibilities and in increasing awareness of the impact of their actions on the well-being of their children.

3.6. CONCLUSION

After the stress of divorce, it becomes more important to provide children with stability and support. However, this can become very difficult when emotional and practical issues remain unresolved. The respondents in the study shared their views on the various problems and challenges they faced as divorced parents. Their post-divorce relationships, which were initially mainly extremely hostile, impacted greatly on the nature of the problems that emerged in the study. This provided insight into the extent of the sharing of post-divorce parenting by mothers and fathers. Conclusions and recommendations based on these findings will be presented in the next chapter.

CHAPTER 4

CONCLUSIONS AND RECOMMENDATIONS

4.1. INTRODUCTION

The basic aim of this study was to provide insight into the personal experiences of divorced parents in relation to sharing of parenting after divorce. This insight could prove helpful to various professionals involved in divorce related work. In addition, those affected by divorce, either directly or indirectly, could also gain a better understanding of the dynamics of parenting after divorce.

In this descriptive study, the researcher used the snowballing technique of sampling. The data analyzed in this study was obtained from an interview schedule administered to 16 divorced parents. An equal number of mothers and fathers were represented in the sample.

In this chapter, the main conclusions of this study are outlined, followed by recommendations.

4.2. MAIN CONCLUSIONS

Children Affected by Divorce

A significant number of children, that is forty, have been affected by the divorce of the respondents who participated in the study.

Grief Process

The researcher found that many respondents displayed feelings of anger, sadness and love, which are identified as the three dominant emotions of psychological adjustment to divorce. The emotions and responses of the 'left' i.e. those respondents whose spouses left them, differed from those expressed by the leaver i.e. those who left their spouses. Some of the respondents who

were the “leavers” were dominated by guilt while those who were “left” mainly felt rejected (<http://www.hec.ohio-state.edu/famlife/divorce/parent.htm>). This indicated that several respondents had not overcome their grief despite being divorced for at least two years.

Custody and Access Arrangements

The study revealed discrepancies between legal and actual arrangements in practice. In certain cases, the custodial parent had made the exercise of access difficult. Irregular access was also a problem. Certain custodial mothers were resentful of non-custodial fathers who tended to be permissive and indulgent particularly as they, the mothers, had to endure the stressful and unattractive aspects of daily care of the children (Schafer 1993:14). The findings illustrated that the further away the non-custodial parent lived from the child, the more difficult, expensive and inconvenient it was to exercise access.

Post-divorce Co-parenting Relationships

The study revealed that only 37.5% of the respondents had the benefit of a “co-operative” post-divorce relationship where they communicated effectively about their children. One father and two mothers i.e. 18.75% had a conflictual relationship with their ex-spouse. Majority (43.75%) of the parents i.e. 4 mothers and 3 fathers had adopted the “disengaged” style of parenting and avoided contact with the other parent so that conflict would not develop. Maccoby and Mnookin, in their 1992 study, also referred to the “disengaged” style as being the most common pattern of co-parenting 3.5 years after separation.

Post - Divorce Relationship

During the first 2 years after the divorce, moderate anger and extreme hostility mainly characterized the post-divorce relationships. A significant improvement was noted after 2 years as only 18.75% of the relationships were still described as being extremely hostile. Of the 6 respondents who were married for longer than 5 years, 66.66% described their post-divorce relationships as co-operative

while the remaining 16.66% reported that their relationships deteriorated to the extent that there was no communication with ex-spouses.

The main factors, which had a positive impact on their relationships, were the “*passage of time*” and “*personal growth*” that had taken place on the part of the respondents or ex-spouses or both, as well as “*children getting older*”.

On the other hand, the main factors, which impacted negatively on the relationships, were a “*particular incident or crisis*”, “*a new relationship*” or an “*ex-spouse’s remarriage*”.

Only 37.5% of the respondents identified “*the need to co-parent*” as a factor which contributed to change in the post-divorce relationship, indicating that many respondents did not have adequate knowledge about co-parenting and its benefits. The finding that 62.5% of the respondents’ post-divorce co-parenting patterns were either conflictual or disengaged also bears testimony to this.

Other factors identified but less significant in terms of the number of responses were: individual or family therapy, membership in a support group, influence of other couples who have experience of post-divorce issues, education regarding the effects of divorce on children and influence of the media.

Remarriage

Most respondents perceived the remarriage of an ex-spouse as having a negative impact on their post-divorce relationship. One respondent reported that once he remarried, the co-operative relationship he enjoyed with his ex-spouse became strained. Two respondents reported that the remarriage of their ex-spouses distanced them even further. Other respondents expressed concerns about inappropriate discipline methods of step-parents, their interference in matters concerning the children, as well as the morals and values of the step-

parents. In at least one instance, the children preferred not to spend holidays with their father due to his remarriage.

The above confirmed that remarried couples experience stress from step-family situations as indicated by Bray (1999); Ganong & Coleman (1994) in Berk (2001: 478). "A caring husband-wife relationship, the co-operation of the absent biological parent, and children's acceptance" are crucial for step-parent adjustment (Berk 2001:478). Absence of these factors often contributes to the break up of many remarriages. In such a situation, many children may have to endure the trauma of yet another parental divorce.

Non-custodial fathers

Most (60%) of the non-custodial fathers in the study did not reflect positively on their experiences. While it was evident that they wanted to be involved with their children, they reported feeling lost and dissatisfied due to difficulties encountered in having contact with their children. It was evident, in one case that the father and son relationship was dwindling as the mother was reported to be preventing contact. Another father experienced frustration due to "unreasonable" limitations placed by his ex-wife in terms of access to his child. His frustration was exacerbated by the difficulties he encountered within the legal system, both in terms of the private legal fraternity and the justice system. These findings concur with that of Lehr and Macmillan (2001:380) who investigated the personal experiences of non-custodial fathers.

Parenting Responsibilities

The majority of respondents and ex-spouses were in full-time employment. These parents, particularly custodial parents, faced the major challenge of adequately meeting work and family responsibilities. The degree of success in achieving this would impact on the quality of their post-divorce parenting.

It was found that the 6 custodial mothers, 5 of whom lived independently, were primarily responsible for the care of their children. The 3 male respondents and an ex-spouse of a female respondent, who had children in their care, relied extensively on their support system, which was either their “new spouse” or their mothers, for help in caring for the children. Two of the fathers resided within the extended family system where such support was easily accessible. This indicated that “while both custodial and non-custodial parents are learning to redefine their relationships with children, custodial fathers find that they are required to make major shifts in lifestyles and priorities as a result of being the primary caregiver of the child”(<http://ohioline.osu.edu/hyg-fact/5000/5291.html>).

The main problems encountered by parents in their efforts to share parenting responsibilities were as follows:

- “*Attendance at school functions*” – this pointed to a lack of co-operation between parents and a lack of understanding of the reasons why children need both parents in their lives.
- “*Who pays for what?*” was a source of conflict for 50% of the respondents.
- “*Division of parenting time*” was identified as a problem in terms of limitations imposed by custodial parents on access time as well as failure of certain non-custodial fathers to spend sufficient time with the children.
- Certain respondents felt strongly that their ex-spouses did not “*put the needs of the children first*”.
- Other difficulties encountered were in terms of “*holiday time*”, “*ex-spouse’s personal habits*”, “*buying necessities for children*” as well as “*step-parents or live-in-lover*”.

Working as a Co-Parent with the Ex-Spouse

The following were identified as ***strengths*** in the co-parenting relationships of the respondents:

- 50% felt that they could “always” or “almost always” put aside their differences to deal with the children.

- 81.25% indicated that they would “always” or “almost always” put their children’s needs first.
- 68.75% would “always” or “almost always” encourage the children’s relationship with their mother/father.
- 81.25% were able to step out of traditional roles when necessary.
- 50% indicated that they “sometimes” or “usually” communicated with their ex-spouse about the children.
- 68.75% would “always” or “almost always” restrain themselves from talking badly about their ex-spouse in front of the children.
- 68.75% indicated they would not convey messages via the children.
- The majority recognised the importance of the ex-spouse being in the child’s life and the importance of children maintaining contact with grandparents.

The following emerged as **areas of concern** when respondents co-parented:

- 50%(mostly mothers) indicated that they would “usually” or “sometimes” respect the ex-spouse as a parent. Reservations were expressed in relation to the parenting abilities of the ex-spouse.
- 62.5% would “sometimes” or “usually” be able to accept that he/she was different from the ex-spouse. Respondents held different views with regard to religious beliefs, discipline procedures as well as morals and values.
- 50% (mainly fathers) felt strongly that they could “never” attend a joint celebration and 68.75% (mainly fathers) indicated that they would “never” be able to plan a joint celebration. Some respondents felt that ex-spouses failed to invite them to functions and others felt that despite being invited, ex-spouses did not attend. Remarriage of partners was also a “deterrent”.
- 50% stated that they would “never” communicate with their ex-spouse about the children, as they were concerned about the possible consequences this might have for the children. An element of fear related to the nature of the ex-spouse’s response was evident.
- 50% indicated that it was not possible to discuss an issue concerning the child without conflict arising between them i.e. the parents.

Counselling

Only 43.75% of the respondents had been exposed to some form of counselling, with one (6.25%) having received counselling on a regular basis. Considering how traumatic divorce is for the all the parties concerned, it was of concern that counselling was utilized to such a limited extent. The researcher is of the view that in South Africa, the State fails to protect survivors of divorce. The only divorce-related counselling services available are those offered by FAMSA, a private welfare organization. However, such services are accessible to a limited number of people only. Others seek the services of private practitioners such as social workers and psychologists where cost is often an inhibiting factor. Hence, children and parents are often left to flounder in their efforts to cope with the challenges of post-divorce life. Divorce mediation is not offered by the State in its true sense. The Enquiry, which is conducted at the Office of the Family Advocate, when parties divorce, focuses only on the custody and access arrangements regarding the children. Detailed arrangements regarding parenting responsibilities are not the focus of the Enquiry.

4.3. OVERALL CONCLUSION

Respondents in the study experienced tremendous difficulties in coping with the aftermath of divorce more especially in the realm of co-parenting. The main challenges they have had to face were access problems, conflict in post-divorce relationships, stress related to the remarriage of ex-spouses, lack of sharing of parenting responsibilities, communication problems and the lack of therapeutic support.

4.4. RECOMMENDATIONS

In order to promote effective post-divorce parenting, recommendations are made in the following categories: educational programmes, therapeutic services and the justice system.

4.4.1. Educational Programmes

The following programmes can be offered by relevant experts e.g. social workers and psychologists in private practice, welfare organizations and the State, as part of their preventative programmes. In terms of the State, whether this service should fall within the ambit of the Department of Welfare or part of the Department of Justice is debatable. The researcher is of the view that greater collaboration between the Departments would be necessary for such initiatives to be developed.

- **Pre-marital Counselling/ Marriage Enrichment Programmes**

Exposure to programmes of this nature can in the long run contribute to a decrease in the divorce rate.

Religious leaders can also conduct pre-marital counselling courses.

- **Parenting Skills Programmes:**

Divorced parents, like many other parents, often do not possess basic parenting skills. Attendance at such programmes will empower them with skills, which will help them to cope better with the task of post-divorce co-parenting.

- **Learning How to Manage Conflict**

Courses on conflict management can help couples, married or divorced, to learn how to manage conflict and problem-solve more effectively. Divorced parents, in particular, can learn how to argue constructively and avoid further conflict. Blau (1993:87) states that even if one parent attends such a course and gains insight about effective communication techniques, the conflicts are bound to become more manageable. This will impact positively on the nature of the post-divorce parenting and could promote co-parenting.

4.4.2 Therapeutic Services

- **Counselling Services:**

Therapists can be particularly useful to parents by helping them to establish safe and structured environments for parenting discussions, teaching constructive problem-solving techniques and framing issues from the perspective of the children (Whiteside 1998:12).

Divorced parents can be helped through the grief process. Children of divorce will also benefit tremendously from counselling. Counselling services need to be made available by the State, before and for a certain period after the divorce. Parents who are experiencing certain problems such as denial of access will have some recourse to receive help. Presently, the only recourse is the legal route that is extremely costly.

- **Preparation for re-marriage and step-parenting**

One reason why problems arise so often in second marriages is that the parents do not prepare themselves adequately for the experience. It stands to reason, therefore, when Berk (2001:478) states that it generally takes 3 to 5 years for blended families to develop the connectedness and comfort of intact biological families (Ihinger-Tallman & Pasley, 1997). In light of this, and the problems identified in this study, relevant programmes including couples and group therapy can help divorced and remarried adults to adapt to complexities of their new circumstances (Berk 2001:478).

- **Group Work with Non-Custodial Parents**

Non-custodial fathers struggle with and sometimes fail to maintain a relationship with their children after a divorce. Grief in Grief & Ephross (1997: 84) states that group work can help reduce the non-custodial parent's pain and provide a safe haven for exploring their relationship with their children. Non-custodial mothers and fathers can have the opportunity to meet with other parents in a supportive atmosphere where their feelings and concerns can be explored.

- **Group Work with Children of Divorce**

Considering the high rate of divorce as well as the number of children affected, group work with children of divorce is imperative as it can help to ameliorate the stress of divorce and promote adjustment to divorce. Alpert and others (1989) in Grief & Ephross (1997:95) state that children in divorce groups have demonstrated a decrease in problematic behaviours and an increase in school performance.

- **Divorce Mediation**

This service should be made available to help families through the stressful time of the divorce. Research undertaken by Dillon & Emery (1996) in Berk (2001:336) has indicated that this intervention increases out-of-court settlements and positive parental communication about child-related matters. The major impediment to this, however, will be the cost factor.

The researcher supports Kruk's (1993:242) recommendation that a therapeutic/interventionist approach to divorce mediation as opposed to "the structured, short-term, future-focused, and neutral mainstream model" may offer a means of promoting co-operative shared parenting. Such an approach, which is guided by a 'therapist-mediator', will reduce parents' anxiety about living arrangements, help parents work through the development of a shared parenting plan and help them implement the plan in as co-operative a manner as possible.

With regard to the debate on which profession should practice mediation, Van Zyl in Davel (2000:99) recommends that a "possible solution is interdisciplinary co-mediation, where mediation is conducted by a team usually comprising of one lawyer and one mental health worker".

4.4.3. The Justice System

If research suggests that post-divorce family interaction, parenting competency, and parental conflict impacts on children's adjustment to divorce, the question arises as to what role the justice system is playing presently to maximize

children's adjustment to divorce and minimize the emotional trauma associated with divorce. Presently the Enquiries conducted at the Office of the Family Advocate in terms of the Mediation in Certain Divorce Matters Act No. 24 of 1987 are focussed on determining the best custody and access arrangements for children. In-depth or ongoing counselling do not form an integral part of the services offered by this Office. This indicates that a gap exists in the State in terms of comprehensive services offered to divorced parents and children. The question arises as to whether the Department of Welfare or the Department of Justice should fill this gap in the service. Once again, this indicates that greater collaboration between the Departments becomes essential.

The researcher's view is that the Department of Justice should introduce the following initiatives to protect the interests of all parties involved in a divorce:

- **A Centre for Divorce Recovery**

The South African justice system has made strides in setting up family courts where those affected can apply for a divorce at a minimal cost. However, the researcher is of the view that the State has not catered for the emotional trauma associated with a divorce. At the Centre for Divorce Recovery in Illinois, services are geared to the divorce recovery process. Clients can choose from different levels of care ranging from supportive counselling to intensive individual psychotherapy and highly interactive groups (<http://www.divorcemag.com/IL/pro/cdr.shtml>). South Africa needs to create such centres. It is also a challenge for professionals in the private sector to initiate projects of this nature to meet the needs of those affected by divorce.

- **Divorce Education / Parenting Education Programmes**

The findings of this study strongly indicated that parents need assistance in the area of co-parenting. Social workers and psychologists should conduct parenting education programmes to empower parents going through a divorce or even those already divorced with the necessary skills.

It is recommended that a divorce education programme should become an integral part of the legal divorce process and attendance at such programmes, either before or after divorce, should be mandatory. A qualitative evaluation of a Divorce Education Program in Ohio revealed that many parents were upset at being forced to attend, but as the program progressed their anger lessened. The majority recommended that the programme should be mandated because people would not attend if it were not (<http://hec.osu/famlife/bulletin/volume.4/bull42e.htm>). Arbuthnot and Gordon (1996) found that parents, who attended a mandatory divorce education programme where they learned useful parenting and communication skills, were more willing than the comparison group to let their children spend nearly half of their time with the other parent (<http://hec.osu.edu/famlife/bulletin/volume.4/bull42e.htm>).

- Information Sessions for Lawyers and Teachers

Lawyers can “bring to mediation a knowledge of the legal aspects of divorce but are not usually skilled in dealing with their client’s emotional problems” (Van Zyl in Davel 2000:97). Hence, they would benefit from information sessions on the emotional and psychological aspects relating to divorce. It is anticipated that with a better understanding, lawyers can help parties to reach more amicable arrangements.

Teachers come across children from divorced homes on a daily basis. Information sessions on the impact of divorce on parents and children, safety issues, legal issues and conflict management, could equip teachers with information on dealing with the effects of divorce in the classroom and on relevant legal issues (<http://www.extension.umn.edu/mnimpacts/impact.asp?ProjectID=1992>). It would also be critical that teachers become acquainted with information on referral procedures and resources which can be utilized to help children undergoing trauma due to the divorce of their parents.

- **Shared Parental Responsibility**

Shared parental responsibility is a court ordered relationship in which both parents retain full parental rights and responsibilities and in which both parents confer with each other, so that major decisions affecting the welfare of the children will be determined (<http://www.flabar.org/tfb/TFBConsum.nsf/basic+view/A6A343374A88DOEE85256B2F006C5A-4/1/02>).

The South African Law Commission is engaged in discussions on the shift from the concept of 'Parental Power' to 'Parental Responsibility'. The Discussion Paper 103 of the South African Law Commission suggests that South Africa has a legal obligation to recognize in its legislation a shift towards the concept of parental responsibility. When South African law attains this shift, the rights of children, especially those of divorce, will be further protected and promoted. This will be in keeping with trends in other countries such as the State of Florida.

- **Divorce Mediation**

This has been discussed in section 4.4.2. above. The researcher is of the view that this service could be offered by the Department of Justice as part of the legal divorce process. Although this may have major cost implications, it will in the long term promote certain advantages such as better communication between parents and greater satisfaction with the outcome of the divorce settlement.

4.5. RECOMMENDATIONS FOR FUTURE RESEARCH

- a. As this study highlighted the position of the non-custodial father, it would be appropriate for future research to examine the relationship of non-custodial fathers to their children.
- b. According to the HSRC Report - Theme 5(1997: 134), South African research on divorce has been conducted mainly for postgraduate degree purposes and there have been very few coordinated attempts to reach

conclusions and to propose guidelines for the future management of divorce.

Hence, research could be conducted in respect of the following:

- The development of effective divorce counselling.
- Effectiveness of a Divorce Education Programme in facilitating the co-parenting relationship.
- The advantages of Divorce Mediation as part of the legal divorce process.

4.6. CONCLUSION

There will always be a percentage of parents who, despite negotiation and assistance, will not become co-operative. On the other hand, there will always be parents who will need no assistance in maximizing the adjustment of their children to divorce. It is the majority of families that fall between these extremes that will benefit from initiatives to help them meet the numerous challenges they face as divorced parents. With adequate support, the ideal of co-operative shared parenting could become a reality for the majority of separated and divorced families, as well as families where remarriage had taken place.

The rights of children affected by divorce are clearly protected in the Children of Divorce – Bill of Rights, International Children’s Rights instruments and South African legislation, as outlined in the literature review. These rights “can only have an effect on the real lives of children if they are supported and advanced by a citizen corps that is deeply conscious of, and feels itself bound by the values and principles” thereof (Bekink & Braud in Davel 196:2000).

The following comments from a wise judge appropriately concludes this study as it makes explicit the right of the child to shared parenting after divorce (<http://www.members.tripod/~mdcrc/sharprnt.html>):

Although the dispute is symbolized by a “versus” which signifies two adverse parties at opposite poles of a line, there is in fact a third party whose interests and rights make of the line a triangle. That person, the child, who is not an official party to the lawsuit but whose well being is in the eye of the controversy, has the right to shared parenting when both are equally suited to providing it. Inherent in the express public policy is recognition of the child’s right to equal access and opportunity with both parents, the right to be guided and nurtured by both parents, the right to have major decisions made by the application of parents’ wisdom, judgement and experience. The child does not forfeit these rights when the parents divorce.

*Presiding Judge Dorothy T. Beasley
(Georgia Court of Appeals, July 2, 1993).*

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ANNEXURE 1

MINI – DISSERTATION : SHARING PARENTING AFTER DIVORCE

INFORMED CONSENT

I am a qualified social worker who is presently studying for a Masters Degree in Child Care and Protection at the University of Durban Westville. My research supervisor is Ms R. Partab (M.Med.Sc.SW.UDW.), a lecturer in the Department of Social Work. In my present year of study I am required to do a Mini-Dissertation which entails the undertaking of a research project. The topic for my research project is the **SHARING OF PARENTING AFTER DIVORCE**.

The purpose of the study is to provide insight into the personal experiences of parents in relation to the sharing of parenting after they have been divorced. This insight could prove extremely useful to professionals such as family lawyers, psychologists and social workers that work with divorce related issues as it would promote understanding and increased sensitivity to the parents and children involved in divorces. The participants in the study, who will be divorced parents, will also have an opportunity to reflect on the nature of their own parenting as divorced parents.

I will administer an interview schedule to you at a place and time to suit your convenience. The completion of this interview schedule will require approximately two hours of your time. There is no cost involved on your part. Your responses will be recorded in writing for the purposes of compiling a report on the findings of the research.

All information will be treated as **STRICTLY CONFIDENTIAL**. All the interview schedules will be coded by subject numbers only, so that your name will not be associated with your interview schedule.

You may withdraw from the study at any stage and for any reason.
I wish to thank you for your willingness to participate in this study.

Once you have read the explanation above kindly sign below.

Yours Sincerely,

REHANA RAHIM

Researcher

Telephone : 031-2072575 / Cell 083 3818428

SIGNED ON THIS _____ DAY OF _____ 2002

NAME: _____ SIGNATURE: _____



Annexure 2

**Sharing of Parenting after Divorce
INTERVIEW SCHEDULE**

SECTION A - IDENTIFYING DETAILS

1.a. Gender _____ b. Age _____ c. Religion _____

2. Level of Education _____

3. Employment Details

4. Hours of Work

5.a. Date of Religious Marriage: _____ b. Date of Legal Marriage: _____

6. Details in Respect of Children Born of this Marriage:

Child No.	Sex	Age	Education	Employment Details	Living with Whom

7. Any Previous Marriage/Remarriage: _____

8. Children Born of Previous Marriage/s or Remarriage and living with you the Respondent:

SECTION B - THE DIVORCE AND BEYOND

1. a. Date of Last Separation: _____ b. Date of Divorce: _____
2. Who initiated the divorce: Husband _____ Wife _____ Mutual Decision _____
- Explain

3. Briefly explain the reason/s for the divorce:

4. On the following continua, please indicate your post-divorce relationship with your ex-spouse at each point in time:

Years	Extremely Hostile	Hostile	Moderately Angry	Civil but Cold	Co- operative	Friendly	Very Friendly
During the First Year							
During the Second Year							
Between Two and Four years							
After five years							

5. What has brought about the change in your relationship over the years?
 Check which of the following apply to your circumstances, mark with a cross and explain:

The passage of time		The need to co-parent	
A particular incident or crisis		Change in my financial status	
Influence of religious leaders		Pressure from my own parents	
The children getting older		Child(ren) leaving home	
Personal growth		Different job/career	
Individual therapy		Influence of the media	
Family therapy		Making new friends	
A new relationship		My remarriage	
Membership in a support group		My ex-spouse's remarriage	
Change in my ex-spouse's circumstances		Influence of other couples who have experience of post divorce issues.	
Involvement in outside activity (e.g. sports/voluntary work)		Education regarding the effects of divorce on children.	
Other:			



SECTION C – CUSTODY AND PARENTING TIME

1. What is the legal custody arrangement?

Joint Custody _____ Sole Custody _____ Custody (Ordinary) _____

Comments:

2. What is the legal access arrangement?

3. How does this arrangement actually work in practice?

4. How have the schedule and living arrangements changed as the children got older?

6. Explain what brought about the change in the arrangements:

7. What are the parenting responsibilities carried out by you?

8. What are the parenting responsibilities carried out by your ex-spouse?

9. Identify and explain which of the following issues, events, or situations cause(d) problems when you and your ex-spouse share parenting responsibilities:

Who pays for what		Putting children's needs first	
Pick-up/drop off time		Making decisions about school	
Different standards (e.g. cleanliness/ dress)		Buying necessities for children	
Discipline		Buying gifts for children	
Holiday time		Step-parent or live-in lover	
Wanting more flexibility		School performance	
Wanting more structure		Last minute schedule changes	
Attendance at school functions (sports/consultations)		Relationships with in-laws (grandparents/aunts/uncles/cousi ns)	
Your ex-spouse's personal habits (e.g. drinking, gambling)		Activities in which your ex-spouse involves your children	
Things that bothered you when you were married		Your ex-spouse's dating habits	
Crisis management e.g. the child has a problem		Division of parenting time	
Financial support		Religious difference	
Other			

SECTION D:

WORKING AS A CO-PARENT WITH YOUR EX-SPOUSE

For each of the following statements:

- ♦ Rate yourself by indicating where you fall. Put a cross in the appropriate box:
 - ♦ Comment about your particular rating.
 - ♦ Describe how your situation has changed over time since you were first divorced.
-

1. Even when my ex-spouse and I disagree on a personal level, I am able to put aside our differences to deal with the children:

Never	Rarely	Sometimes	Usually	Almost Always	Always
--------------	---------------	------------------	----------------	--------------------------	---------------

2. My children's needs come first.

Never	Rarely	Sometimes	Usually	Almost Always	Always
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3. I encourage my children's relationship with their father/mother.

Never	Rarely	Sometimes	Usually	Almost Always	Always
--------------	---------------	------------------	----------------	--------------------------	---------------

4. I respect my ex-spouse as a parent.

Never	Rarely	Sometimes	Usually	Almost Always	Always
--------------	---------------	------------------	----------------	--------------------------	---------------

5. If I don't agree with my ex-spouse's standards or approach to child rearing, I can accept that we are different.

Never	Rarely	Sometimes	Usually	Almost Always	Always
--------------	---------------	------------------	----------------	--------------------------	---------------

6. When it comes to “milestone” events, e.g. birthdays and graduations, my ex-spouse and I can attend a joint celebration.

Never	Rarely	Sometimes	Usually	Almost Always	Always
--------------	---------------	------------------	----------------	--------------------------	---------------

We can plan a joint celebration.

Never	Rarely	Sometimes	Usually	Almost Always	Always
--------------	---------------	------------------	----------------	--------------------------	---------------

7. I communicate with my ex-spouse about what happens when our child(ren) is/are with me.

Never	Rarely	Sometimes	Usually	Almost Always	Always
--------------	---------------	------------------	----------------	--------------------------	---------------

8. I am able to step out of “traditional” gender roles when necessary- e.g. a mother fixes a bike; a father cooks dinner.

Never	Rarely	Sometimes	Usually	Almost Always	Always
--------------	---------------	------------------	----------------	--------------------------	---------------

9. I restrain myself from talking badly about my ex-spouse in front of the children.

Never	Rarely	Sometimes	Usually	Almost Always	Always
--------------	---------------	------------------	----------------	--------------------------	---------------

10. If I have something to communicate to my ex-spouse, even if it is about the children, I do not ask them to convey the message.

Never	Rarely	Sometimes	Usually	Almost Always	Always
--------------	---------------	------------------	----------------	--------------------------	---------------

11. No matter what I think of my ex-spouse, I know it is important that he/she is in my children's life.

Never	Rarely	Sometimes	Usually	Almost Always	Always
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12. I believe that as long as we are both still alive, my ex-spouse and I will always be "kin" – connected through our children

Never	Rarely	Sometimes	Usually	Almost Always	Always
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13. I think it is important for children to maintain contact with their grandparents – no matter what I think of them or my ex-spouse.

Never	Rarely	Sometimes	Usually	Almost Always	Always
--------------	---------------	------------------	----------------	--------------------------	---------------

14. It is possible for us to discuss an issue concerning our child without ending in a conflict.

Never	Rarely	Sometimes	Usually	Almost Always	Always
--------------	---------------	------------------	----------------	--------------------------	---------------

15. We are able to consult with each other on important issues e.g. operations, without any problems.

Never	Rarely	Sometimes	Usually	Almost Always	Always
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SECTION E –COUNSELLING

1. Have you received any form of counselling on divorce-related issues, especially post divorce parenting. Put a cross in the appropriate box.

Before the divorce	Soon after the divorce	At the time of the divorce	Much later after the divorce
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2. Discuss the nature of the counselling:

3. How did you benefit from the counselling?

THANK YOU FOR TAKING THE TIME TO COMPLETE
THIS INTERVIEW SCHEDULE

This Interview Schedule has been adapted from the *Families Apart Questionnaire: Sharing Parenting after Divorce* developed by Melinda Blau as outlined in her book *Families Apart – Ten Keys to Successful Co-Parenting* (Published in 1993 by the Berkley Publishing Group in New York).