

Sorting Out the Emotions in the Divorce Process

It's not unusual for lots of different emotions to swirl around the situation of two persons going through the divorce process. Those various emotions are by no means all created equal. Most importantly, and leaving out all sorts of psychological labeling, they fall into two major categories for our purposes. The two categories are: (1) emotions that suggest a need for understanding and empathy, and perhaps counseling, and (2) emotions that affect the negotiating of divorce agreements and the management of the legal process of divorce. These two categories are by no means mutually exclusive, but it is useful to sort out their separate characteristics.

Emotions affecting a party's own stability. These include the emotions that are analogous to Elizabeth Kübler-Ross' stages of death and dying – denial, anger, bargaining, depression, and acceptance. A more sophisticated version is suggested by collaborative attorney Joryn Jenkins and is set forth in the right sidebar of www.CreativeDivorce.net. There are a number of other emotions that also evince a need for empathy and possible counseling. These include low self-esteem, insecurity, reactivity, defensiveness, and more generally, difficulties in normal day-to-day functioning. There are two sub-parts of this category, namely (a) emotional problems resulting from the divorce process, and (b) problems that also emanate from earlier points in the marriage. The former often passes as a party works through the divorce process, while the latter may be much longer-term.

Emotions affecting divorce negotiations. This category of emotions often reflects quite different aspects than the first one. It includes the styles of conflict in the Thomas-Kilmann – namely competing, accommodating, and worst of all, avoidance. Another category comes from a family systems model of marital negotiating, which focuses on emotional enmeshment and emotional distance, and/or a chaotic or inflexible approach to marital negotiating. Still another form of emotionality is found in Bill Eddy's category of high conflict couples, in which the conflict itself becomes an emotional focus. Often this is accompanied by the obsession of one or both parties with the conflict and goes well beyond the substantive differences between the parties. In this kind of situation, which can be very reactive, the emotions of the parties generate elements of conflict, which in turn leads to an even higher level of emotionality. Emotions = more conflict = even more emotions.

What next? This article is just a starting point. A party's emotions in the first category may need to be acknowledged, and at times may get in the way of negotiating an agreement. The second category can be more serious, especially when it results in the parties' positional, competitive and inflexible reactions to the conflict over the substantive issues. More later.