

Marriage Too Complex for Such a Simple ‘Fix’

**By
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Whether we are straight or gay, the Georgia Legislature appears determined to make it a threesome in the bedroom. Several legislators want to strengthen marriage by changing the waiting period for a divorce from the current 30 days to 120 or 180 days. This is akin to the notion that we enrich the content of our lives solely by adding years.

While the intent of the Georgia Legislature may be positive, the thinking is profoundly limited and even flawed. If the primary emphasis on a solution to our high divorce rate is to make the waiting period for a divorce longer and for all divorcing parents to take classes on the effects of divorce on children, then we are prey to seriously inadequate solutions in response to a highly complex set of issues.

Adding danger is the attempt to legislate morality by proposing that adulterers in a divorce proceeding lose rights to marital property. Straying or adultery is not the cause of a divorce but a symptom of what has already been occurring in the relationship. Adultery is the socially acceptable reason for legally dismantling an already disheveled and pained marriage.

If legislators truly want to positively impact the family, save marriages and minimize trauma to children when divorce is inevitable, then they need to paint with broad strokes using experienced artists, not a shotgun approach by newly hired hands. Why not organize a committee with experienced, skilled and learned clinicians and therapists around the state and take under advisement their collective intelligence? I ask the legislature to use its positive intent by acting collaboratively, not in isolation, possibly infused by pious fervor alone.

If the thinking is that by legislating a couple to stay together longer when it is clear they will divorce, that this will minimize “innocent victims,” think again. My experience is that when couples who are profoundly unhappy together, believing they have to suffer, “bite the bullet” and stay together longer because of the children, then the emotional cost is often extreme and long-term...mostly for the children. In such situations children can come to believe that “If it wasn’t for me, Mom and Dad could be happy.” That is why, when dissolving a marriage with children, family therapy, in addition to taking classes, is a core component towards creating healing. The successful transformation of a nuclear family to a bi-nuclear family requires multiple resources, not only the excellent classes for parents already required by many counties of divorcing parents.

My clear bias is that folks do all they can to solve their problems inside of marriage. Yet, when kids see their parents unhappy and in pain 24/7, they’re unhappy and in pain 24/7. They have lessons up close and personal on how to be anxious, depressed and unempowered, especially if the couple does not seek help.

On the other side of the coin, I would encourage the legislature to consider making it far more challenging to get married. Make the process of entering marriage much more rigorous, intentional and introspective, rather than simply attempting to legislate the length of the “parole” in the final chapter of the marriage. In addition to a license, blood test and a blessing, I would require couples to take courses on marriage and the family. I would like to see couples have extensive pre-marital counseling and classes, where, once passing through the phase of romantic love and infatuation, there is a necessary phase of “conflict and power struggles” which will rear its ugly, but necessary head. Before hand, what do they think that will be like for them based on how they currently solve problems?

Taking time to distinguish cooperative vs. competitive relationships and how solving problems in an on going way will go far towards building a solid, long-term foundation.

In terms of penalizing the adulterer, my experience is that adultery is a symptom of a pained marriage where closeness and connection have been replaced by unresolved conflict and alienation. To affix blame or condemnation only to the adulterer is shortsighted and too easy. When working with a couple there comes a time, after attending to the hurt, pain and outrage resulting from the betrayal (and the lies), I ask the non-straying partner, “While not excusing the affair, how might you have contributed to creating the condition where it was ‘easier’ for him/her to decide to have the affair?” Adultery rarely occurs in a vacuum and while straying is catastrophic to any committed relationship, there are worse things that can occur...much worse.

Adultery is only one form of catastrophic loss of connection and intimacy in marriage. Addiction is another, whether it be drugs or alcohol, work, gambling and yes, at times, even the church. A most painful loss of closeness is having a partner experiencing on-going emotional pain, anxiety and depression. Would the legislature want to eliminate property rights of the partner who is an alcoholic, or works 60 hours a week or is depressed?

I have seen marriages recover, heal, grow and even flourish from all kinds of betrayals, including adultery. I believe the positive intent of the Georgia Legislature will indeed benefit from being enlightened and by taking its time.

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