

# Non-Mutual Divorce: I Do... I Don't

Micki McWade, LMSW

The chances of a husband and wife sitting at the breakfast table and one says "I want a divorce" and the other says "Okay, let's do it," are slim to none. Usually, one person will initiate and the other will resist. The degree of resistance ranges from letting go reluctantly to fighting it all the way.

The spouse debating divorce has thought about it for months or years -- long before the announcement is made. He or she has vacillated between going and staying: Should I... shouldn't I? I want to... I can't. We really can't afford it... I'll make it work. What about the kids? The kids will be okay. What about my vows?

Regardless of the current state of the marriage, this announcement often comes as a shock to the other spouse, even though he or she may have been thinking about separation as an option too. Rejection is hard and most people fight it initially. It feels like falling off a cliff. Stability shifts. We hold on to whatever we can to stop the fall.

The announcement may serve as a wake-up call for the resistant partner; he or she may press for another chance or for marriage counseling. The sad fact is that by the time a partner asks for a divorce, it's often -- but not always -- too late to save the marriage. The initiating partner has turned an emotional corner.

She may have wanted change for a long time but was refused. He may have warned her that he wasn't happy but she didn't pay attention. Eventually, when requests have been ignored for too long, the person wanting the change shuts down emotionally. The relationship has gradually eroded away, abraded by disappointment. He or she becomes discouraged and eventually gives up.

This erosion is particularly common in cases where there is an addiction or other major distraction. The offender uses their addiction or distraction to keep from thinking about what their partner is asking. The committed partner will do his or her best to keep the relationship going single-handedly for a while, but not indefinitely. A relationship can't survive without investment from both people. The committed partner eventually becomes drained.

No matter how hard the non-initiating partner tries to make things better, the emotional connection has been broken. The break may be acutely painful for the initiating person but once she's come to this point, she doesn't have the emotional energy or the will to turn back. He may not trust the sudden change he sees. Why now? If you're doing it now, why didn't you do it before when I asked you to? Why did I have to come this far for you to take me seriously?

The initiating person may reluctantly agree to see if there's any way to save the marriage. Marriage counseling fails before it starts when the relationship is already over for the

initiating person. It's only a last-ditch effort and lip service to appease the wounded spouse.

From a marriage counselor's perspective, there is no way to save a disintegrating relationship unless both people want to. There's no magic answer outside of the couple themselves. We can help clear communication, offer healing suggestions, help interpret what has happened and why, but we can't create motivation. Once it's truly over for one, it's over.

When divorce is inevitable, one partner can choose to proceed. Because of the availability of no-fault divorce, a person can obtain a divorce without the consent or cooperation of their spouse. The process will take longer because it can only go as fast as the slowest person. It's his or her divorce too. He or she must be able to eventually process the information and make decisions, but it will ultimately happen.

The initiating person will have to tolerate more frustration and likely have more expense because of the partner's resistance -- both in legal fees and in the settlement -- in order to exit the relationship. As was mentioned earlier, the initiating spouse thought about divorce long before the announcement. The non-initiator needs time to catch up -- to adjust to the coming emotional, logistical and financial upheaval. Minimally, two to three months are needed to accept the unwanted decision and come out of the initial emotional fog. For some, it takes much, much longer.

Unreasonable resistance, however, isn't wise because it's expensive. It will dissipate marital assets, leaving less to establish separate lives and for the children's education. Cognitive Behavioral psychotherapy is a good option for coming to terms with an unwanted divorce. Divorce Support groups are also very helpful. Both of these options help reduce the adjustment time and get a person onto a less painful, healthier and productive road to recovery.

It's wise to be sure the divorce is necessary, but if there's no hope for the marriage, letting go as gently and as quickly as possible will save the sanity and the assets of both partners and their children.