SPLITOPIA

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DISPATCHES FROM TODAY'S
GOOD DIVORCE

AND

HOW TO PART WELL

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Certain names have been changed.

The lines from Rainer Maria Rilke's "The Spanish Trilogy" translated by Michael Hamburger are reprinted by permission from "Turning-Point" published by Anvil Press Poetry in 2005.

For my parents, Joy Paris and Sanford Paris,
and my son,
Alexander Paris-Callahan

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PART FOUR: SIGNS OF LIGHT

Note to Reader

What We Talk about When We Talk about Divorce

I'd been complaining about my marriage for years. When my husband and announced our decision to separate in November of 2011, I assumed my friends would bring champagne and chocolate truffles, or at least express relief. "Finally," they'd say. "You've been frustrated for ages. Good for you for doing something about it."

Instead, I got pushback. "Are you sure you want to do this? Maybe you're just unhappy in your career," said a single male friend, a fellow freelancer who'd been griping about work along with me for a decade. "I know a number of attractive women your age who are single and have been unable to meet anyone. This could happen to you, too," offered a happily married female friend.

"This may be the last party you two throw," sniffled another married friend. We were standing around the farm table in my warm, yellow-walled kitchen, picking at the crispy edges of potato pancakes I'd fried for the holidays. Kids were running up and down the stairs. My husband, who hadn't yet moved out, was drinking wine with friends in the front room. "Aren't you so sad?" she asked.

I wasn't so sad. At least, not until she suggested I should be.

No matter how wrong our marriage was, divorce couldn't be better, or so these peers believed. Neither my husband nor I like to fight, but once we entered the twilight zone of divorce, they assumed, we'd lose our personalities and values and transform into raging lunatics of hate.

Our son would be irrevocably damaged. I'd be destitute, too miserable to work. My life would unravel, unroll, deliquesce.

Why were my friends so reluctant to let my marriage go? At first, I assumed they were simply concerned for me, and respectful of my husband. Some shared bad divorces they'd seen, including those of their own parents. But as I questioned them further, and began to read more about divorce, I realized that their worries largely dated to an earlier era, back when the only legal way to end a marriage was to prove your spouse a reprobate, when women had few ways to support themselves and property laws conspired against them, when fathers often were excluded from the daily care of their children.

Society and laws have changed dramatically since the early 1970s, when the divorce rate began rising, and my own parents split up. Back then, divorce was less common and judgment widespread. No-fault laws were new and few. Many kids lost frequent contact with their fathers and felt the stigma of having the only divorced family on the block. But today—nearly half a century later—the "average family" has completely changed, as have men's roles. The family next door might easily be divorced, or headed by a single father. It might feature an unmarried couple with children, a biracial or same-gender couple, a transgender pair.

My friends' fears also were inflamed by biased reporting about divorce, it turned out, and blatant misrepresentations of the facts. Writers bemoaning today's changing family often conflate stats on social problems, such as the poverty of unwed mothers, with those on divorce. Unwed mothers are among the poorest people in our society, in part because about half of unwed mothers are adolescents. The fate of a tenth grader raising a baby tells us nothing about the economic future of two married professionals divorcing in their forties. But if you read an article claiming that divorce plunges mothers into poverty, you've just been hoodwinked into thinking it does. In their desire to promote good marriages, some writers and pundits seem determined to scare people into staying in bad ones.

Then there's the early study about childhood adjustment—begun in 1971, based on 131 kids from sixty families by social worker turned psychologist Judith S. Wallerstein. She concluded that ten years after

their parents' divorce, "almost half of the children entered adulthood as worried, under-achieving, self-deprecating and sometimes angry young men and women."

Wallerstein, a caring and dedicated advocate for children, continued flagging the risks of divorce until her death in 2012. But family scholars criticize the methods and conclusions of her early work, and an accumulation of evidence shows that her negative claims were over-blown. There have since been hundreds of studies on childhood adjustment showing far rosier outcomes. Four decades of research show that 75 to 80 percent of kids whose parents divorce adjust fine and have no ongoing psychological, social, or academic problems. Yet anti-divorce ideologues still haul out Wallerstein's to "prove" the ills of divorce, probably because it's the only one they can find showing such dire results. Contemporary studies of divorce that show a dip in health or longevity also can be misconstrued to augur fear. As with all types of loss or disruption, not everyone bounces back from divorce—such as some divorcees who had a preexisting condition of clinical depression. This subset of sufferers lowers the numerical average, but it has no actual bearing on the vast majority of us. Most people get through divorce fine; some become far happier.

While divorce has become as common as staying married, it's been re-stigmatized in some circles. Our hyper focus on healthy life- style choices has spawned a dark side—an unconscious judgment of any act that seems to deviate from Perfect Living. If using a plastic cup that may leach BPAs can harm your children, the reasoning goes, di- vorce must be worse. My friends' concerns also derived from this kind of thinking, as if ending a marriage were the relationship equivalent of existing on a diet of fried pork rinds and orange soda, the long-term ramifications sure to be grave.

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I always had an optimistic view of divorce. My parents divorced in 1973, and I remained close to both. My mother spoke about divorce along- side women's liberation. Shortly before my husband and I split, my sister

divorced, and became notably happier and more productive than when married. My father was living with his third ex-wife as a room- mate in a far more symbiotic, laughter-filled friendship than the power struggle that had characterized their legal union.

My husband, the youngest of six, had almost no experience with divorce. His own parents had been married more than fifty years. He'd gleaned the idea from friends that it would be difficult for about two years. "Better to get those two years out of the way sooner rather than later," he said.

As we dived into those two difficult years, I discovered another reason why divorce has such a bad reputation. It's mind-bogglingly difficult to untangle a shared life. "It's like trying to take apart a rubber-band ball, every band woven in and around the others," one woman said. In some ways, our divorce should have been easier than most. Neither of us had an affair. We didn't labor under the guilt of violating a cherished religious tradition. My husband has an almost preternatural calm, like Spock from *Star Trek*.

We did not devolve into enmity or despair, as some friends forecasted, but I experienced many of the lowlights that divorce can and often does include: feeling socially insecure; needing to move yet being unable to choose a new home, and watching our five-year-old son hurl metal cars off the top of a stepladder and wondering, *Uh, is he upset about something?* I had the nauseating experience of witnessing my almost ex-husband enter an exclusive relationship with another woman quickly after moving out. I also had a minor medical crisis during that first year of separation, which is not atypical. Stress can cause real physical problems, as I would learn.

Divorce remains difficult, far more so than I realized. But the *external* reality has changed in ways that can help us all get through it more smoothly, and better protect those we love. Divorce brings inevitable sadness but also very *avoidable* pain, and we have many choices about how we handle the aspects over which we do have sway. We can support our children through this transition and help them feel stable, secure, and happy—rather than lost and alone. We can use a cooperative, sensitive

legal approach, one of the new options that might actually improve our relationship, post-marriage—rather than spend tens of thousands of dollars on a vicious lawsuit spiraling out of control. Even an unwanted divorce can lead to surprising personal growth, new strengths, and closer connections with others—rather than a sense of ever-fraying bonds. Whether we like it or not, some of our greatest gains and most profound insights come through loss.

I began to appreciate my future ex-husband more with some distance. Our incompatibilities as spouses had obscured his good qualities, and effaced mine. I had so much anger and hurt in my marriage. We hold our feelings for others inside ourselves, and my resentment, painful to him, bored tunnels through me. Now, my burgeoning well of goodwill felt like a font of strength.

This book focuses on the early stages of divorce and tracks those difficult first two years in my own life, starting when my husband moved out in March 2012. That year was exactly forty years since my parents had separated. In that time, the world of divorce had completely transformed, as I would see, due to changes in laws and customs, new insights and new resources.

In 1969, California's then governor, Ronald Reagan, signed the nation's first no-fault divorce law, California's Family Law Act, which went into effect in 1970. No-fault is one of the most significant improvements in divorce law and a major reason so many divorces are less contentious today. Before no-fault, divorce had to be a domestic "war." The exact definition of "permissible grounds" varied from state to state, but the idea was the same across the states for centuries—divorce was an action taken by a "good" spouse against a bad one. The suing party generally had to prove not only that her spouse was morally bankrupt—had kept a mistress or slugged her numerous times, say—but also that she'd done nothing wrong herself.

People who wanted to divorce merely because they were desperately unhappy had few options. Some chose to lie in court, before wit- nesses—to fabricate vice. In New York, for example, a couple might collude with a friend to come to the apartment in skimpy lingerie and

act like a mistress. The wife could then "discover" her husband frolicking with this other woman, and testify about it.

By the 1960s, these "legal fictions" were making a mockery of the nation's courts. In California, where cruelty could be grounds, Supreme Court of California Associate Justice Stanley Mosk described being lied to regularly before no-fault: "Every day, in every superior court in the state, the same melancholy charade was played: the 'innocent' spouse, generally the wife, would take the stand and, to the ac- companying cacophony of sobbing and nose-blowing, testify under the deft guidance of an attorney to the spousal conduct that she deemed 'cruel.' "

Those who could afford it, such as my parents, traveled to places like the Dominican Republic, with short or nonexistent residency requirements and a version of no-fault. But most people had to commit the criminal offense of perjuring themselves in court—or remain stuck in their marriage. No-fault paved the way for an honest, cooperative divorce; even if you're just making it up, an accusatory volley can easily breed mistrust and escalate it into a verbal and financial war. No-fault allowed couples to end their marriages without destroying their relationship.

No-fault also saved lives. If a woman in an abusive marriage worked up the nerve to make a case against an aggressive husband in court, a judge could still deny the divorce. She now had to return home with her violent husband, after shaming him in public. Economists Betsey Stevenson and Justin Wolfers analyzed family violence surveys in the 1970s, before no-fault legislation, and again in the mid-1980s, after no-fault legislation had passed in some states. After no-fault divorce be- came an option, *the number of women murdered by their partners dropped by 10 percent in states that adopted no-fault divorce*. Domestic violence dropped by one-third. Suicide rates among women dropped by 8 to 16 percent in some states. Suicide rates among women continued to fall for more than a decade in the states the economists tracked.

No-fault led to the development of other ways to un-marry, legal approaches that *can actually improve the relationship on the other side*

of marriage. But legal improvements are only part of the good divorce story. In the past four decades, advances in psychology have begun helping adults and children in divorce. We now know more about resilience, the power of gratitude, and how our thoughts affect our feelings. We have more tools for coping, ways to not just spring back but also spring forward. The field of positive psychology has blossomed, offering insights into happiness and methods for creating meaning and crafting lives in line with our strengths and values.

The active inclusion of fathers also has improved divorce. We now have decades of research confirming the notion that fathers *do* play a role in the social and emotional development of kids. This awareness has spurred new practices and policies that support co-parenting.

Meanwhile, new technology gives divorcing couples unprecedented access to information and support. You can look up the child- and spousal-support guidelines in your state, saving time and money by educating yourself. Online co-parenting programs offer new ways to track expenses and overnights, and to share photos, notes, and doc- tors' numbers. A distant or traveling parent can connect with her children on Skype. Social networking sites make it easier than ever for a newly single person to replace her former jogging partner (aka her husband), as well as to reconnect with old friends, meet other new singles, and even find dates.

Nearly every state now has staffed self-help centers at courthouses to answer questions, as well as parenting programs for those facing divorce. Many offer peer sessions for children. The options continue to expand for fee-based help such as divorce therapists, coaches, work-shops, and for-profit programs such as one called "Divorce Detox."

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In my career as a journalist, I'd written about love and marriage, dating and family, but never divorce, a topic that had been with me my whole life. Now that I was entering it from the adult's side, I realized I wanted to know more. How had my parents' divorce affected me, *really*? What actions lead to a decent, reasonably calm divorce, rather than

a firestorm of anger? I wanted to learn about divorce in general, and about good ones, specifically.

I began by reaching out to family and friends, asking about their divorces, and those of people they knew. Then I visited online divorce support groups and chat rooms, and contacted lawyers, researchers, clergy, and family-focused nonprofits. I also read books about marriage and divorce in the Western world, and tracked down relevant studies in psychology, law, demographics, evolutionary biology, and neuroscience.

The most exciting part of the research, however, was not this systematic investigation but rather the chance encounters, often with strangers, who shared intimate details about their divorces—and lessons they'd learned. I love those seemingly random interactions that spark the surprising insight, the tossed-off phrase that sticks with you for years. I'm the kind of person who enjoys talking, to pretty much anyone, preferably about fundamental life concerns. I'll often find my- self in an intense dialogue with someone I've just met. I'll talk to a garden hedge if no one else is around. One of the joys of ending a bad marriage is the chance to reconnect deeply not only with others but also with yourself, with your own strengths and tendencies.

I talked about divorce on airplanes over the Midwest, commuter trains on the East Coast, ferries chugging to and from Manhattan. I spoke to divorced people in coffee shops and hair salons, at a tango in South Florida, a cohousing community in rural New Hampshire, a think tank in Washington, DC. I discussed divorce—and listened to others' tales—while picking up my son from school, Hula-Hooping in the park, corresponding on OkCupid, going on dates.

I spoke to a couple hundred people in the midst of divorce or long past it. My approach was immersive. I was going through a divorce; it was constantly on my mind. I wanted to hear what other people had to say, to *feel* this experience fully.

Divorce, of course, is all around us—and there are plenty of good ones in the mix. My friends hadn't heard about them because the horror stories suck up the airtime.

Ending a bad marriage can be a better choice than staying in it—better for the adults, better for the kids. Probably better for the pets and the houseplants, too. But researchers and therapists I spoke to complained about a shroud of ignorance cloaking divorce, and the persistence of false beliefs.

"The negative impact of living in a bad marriage is incredible, on your health, on your career, on your social life," said Lawrence Birnbach, a psychoanalyst in private practice in New York and Connecticut, and the author of *How to Know If It's Time to Go*. "The conclusions of researchers fly in the face of so much of the negativity around divorce. This information is sorely, sorely needed."

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We need to change how we talk about divorce. It's time to shuck off shame and accept divorce as a reality, using the vast knowledge avail- able today to do it better. Why? Because the mismatch between perception and reality continues to make us angrier than we might be. Saddled with misplaced guilt or blame, we turn on each other and on ourselves at a time we need compassion, self-compassion, and cooperation.

One of the great advances in psychology since the 1960s has been the realization that our *thoughts* about events affect us, perhaps even more than the facts. If you *believe* you're going to be working two jobs while your ex-husband strides across the lush grass of Bermuda, swinging a golf club, that perception can increase feelings of injustice, make you more combative and suspicious, and push a decent parting into a damaging, expensive fight. To put it another way, if fear makes you lash out at your ex in front of your kids, drink too much alcohol, and gorge on brownie-batter-filled Dunkin' Donuts while hiding under the covers, you're creating a reality that may be a little too lonely for a little too long. Assuming divorce must be dreadful often ensures that outcome.

It's easy to blame divorce for the friction generated during a marriage. A marriage may end because one spouse had affairs for a decade, using

cash from the children's college fund. Friends lament the "bad divorce," but the affairs and the lying happened *during the marriage*. The divorce is the final snapped link in a weak relationship chain, the public unveiling of a long-stewing private conflict.

Sometimes "bad behavior" continues during the divorce. About 20 percent of American adults suffer a diagnosable mental illness over the course of a year, according to the National Institutes of Health. This likely explains some of the "crazy" divorce behavior we see. But people who are otherwise sane and logical can behave like Mr. Hyde during divorce. Fear and anxiety exacerbate anger, especially when combined with guilt or embarrassment—and a battery of lifestyle changes taking place all at once. It takes real work to hold the nuances in your head, to remain kind and considerate, to remember why you married in the first place and yet push forward to separate.

There are policy changes that still need to happen to protect divorcing families, and unmarried separating ones. Being dragged through court wreaks its own havoc; moving more divorces and related services out of the courts would help many. For the poor in particular, unrealistic child support obligations and aggressive enforcement can create a form of debtors' prison, sending indigent parents to jail, and right out of their children's lives. But a cultural shift, a deploring of anger-fueled escalation, a conviction that this behavior *is not okay* would help.

There are books to help you decide if you should stay married or get divorced. This is not one of them. It doesn't attempt to figure out the *if* but rather the *how*. Nor does it cover remarriage and stepfamilies, important realities for many; my focus here is on transitioning *out* of the existing marriage rather than into a new one.

Some marriages end due to addiction, abuse, or mental illness. These problems erode intimacy and destroy trust on their own, and are also beyond the scope of this book. I believe you can have a decent divorce even when serious issues exist. You probably won't be eager to spend time with your ex. Your good divorce may look more like establishing your own life, minimizing conflict, and extricating yourself gracefully and kindly from the chaos of the other.

Throughout the book, I use the terms "divorce" and "separation" interchangeably. I'm focusing on the emotional and practical issues at a marriage's end, rather than the signing of the papers. I refer to my partner in divorce variously, too, as my husband or ex-husband, my future ex-husband or almost ex, my husband emeritus, my *wusband*. Many people I spoke to wished for a term without the negative overlay of "ex," one that honors the union as a time-limited bond, something equivalent to "my high school girlfriend," or "my first love." I tried "my first husband," bu without a second, it sounded overly aspirational, like a girl I'd known in college who bought a wedding dress because it fit, and was on sale, though she had no groom in sight. "Even the word 'divorce' sounds too negative," my father insisted. "There should be another word."

About two million people divorce in the United States each year, and the numbers are growing around the world. Everyone likes to say that marriage takes work. Why not work equally hard to have a good divorce?

Divorce is a journey, as nearly all the difficult phases of life seem to be termed these days. If your marriage is strong and adheres through the years, that's a journey, too. But if it ends, your life cracks open, maybe just a sliver, or maybe in a great, gaping maw. New light comes in. As scary as that is, it's also a chance for evolution. How often do you get to start over, hit the "reset" button, examine your beliefs and habits and how you live? It's perhaps more scary than anything else to date, and it goes on and on, until the new life you're creating feels like your "real life," solid and set. But don't let anyone tell you that nothing good can come from this, or that there won't be moments of wisdom and insight and even exhilaration.

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We've grown up with stories of love and marriage. *Romeo and Juliet. Father Knows Best. Cinderella.* The coach and his wife on *Friday Night Lights*. Our marriages exist under the long shadow of the more perfect unions in our minds. They can feel thin and dry when compared to the greatest love songs, inspiring novels, passionate poetry, *When Harry Met Sally*.

There is, however, no Canon of Divorce. There's the occasional story, but the good divorce is largely an unwritten tale. There's no grand, misty vision that our own falls short of meeting. Which is great, because it means we can write the narrative of the new divorce now. We can toss aside the tragic tales, remain open to the myriad possibilities for relationships, and assert the good divorce as the new norm.