

## Oh Yeah, THAT Promise....

### Lawyers and Marriage

Probably of all the promises, commitments, indentures, forbearances and oaths we take, the marital promise is the one most tied to our personal well-being. A truckload of studies over the past few years confirm that marriage and other long term committed relationships increase longevity, strengthen immune function - thus decreasing the incidence of all manner of illnesses from colds to cancer - and result in a much higher level of life satisfaction for the partners and their kids. Despite the fact that divorce rates have actually started to inch down over the past few years, the share of unions that dissolve still approaches 50%.

One reason for this disheartening percentage is the finding by U.W.'s Dr. John Gottman that couples seek counseling on average *six years* after they first conclude that there are serious problems in their relationship. As a colleague mentioned just the other day, by the time they come for help – not only are their efforts to bail out the boat falling behind – the boat's on fire!

Another hurdle that faces almost every couple – and which is particularly relevant to lawyers – is managing conflict. There isn't a long-term, healthy couple out there that hasn't faced a serious conflict over issues that seemed intractable (and as we'll see, actually *was* intractable). The list could fill this page – there can be an ongoing *serious* disagreement about money; raising children; sharing domestic chores; the need to talk about the relationship; sex; in-laws; recreational preferences; alone time vs. couple time; neatness; size of social circle and level of socializing – the list is only limited by the number of couples you ask. It's how we manage these conflicts that lawyers' training and predilections let us down.

Here's pretty much the bottom line: When lawyers are faced with conflict, we feel the need to win. How do we plan to do this? Through making our points logically and stating them clearly and persuasively, of course. But there's a catch and you already can see it coming from 100 miles away. The person you're arguing with isn't having any of it. That other person is being.....*emotional*. They're usually *not a lawyer* and your living room isn't a courtroom.

(As an aside - lawyers hate stuff that smacks of the "touch-feely." Yet, when you walk into the front door of your home, you often are entering the *Land of the Touchy-Feely*. What's one to do?)

The first thing is to realize that according the Dr. Gottman, more that two-thirds of marital arguments *cannot be resolved*. You are not going to get them to agree with you and you're not going to agree with them. There's a lot of "agreeing to disagree" in a workable union. So frustration and even despair for a relationship that comes up against these irresolvable differences is unnecessarily fatalistic.

Yet it *is* awfully hard to feel that you're going round and round over the same thing. You can get pretty discouraged if you're not careful. In fact, that is where most experts say the real challenge to a relationship exists. You lawyers aren't going to convince your partner why you are so *obviously right* and their appeals to some softer form of persuasion are definitely not working for you. People who get stuck in this "marital gridlock" suffer a risk that their frustration will grow into one or more of Gottman's "Four Horsemen" of relationship apocalypse: Criticism, Contempt, Stonewalling and Defensiveness.

You can have complaints about the stuff your partner does or doesn't do. You can really, *really*, disagree and think you are right (not that that's ever happened to any of us). But when you begin to disparage your partner's character, thinking (and then making) global criticisms about who they are as people (from "I'm really pissed that you bounced a check," to "You are irresponsible. I cannot trust you."), you are taking a bad turn on the road to relationship security.

Contempt's another problem. Lawyers are smart, assured in presenting their arguments and used to having someone equally skilled to go up against. However, if your partner isn't also an attorney there is the risk that you will judge their intelligence or capacity to think clearly. Be very careful. Your partner is usually *not* going to argue the way you do. While this may drive you crazy, it's not about their character.

*Gender Segue:* Gottman observes that in the course of relationship conflict, criticism is more common among women. He suggests that for people who are prone to start a "relationship discussion" with critical comments out of the box, that they take a deep breath and work on a "softened start-up." The gender generalities also apply to men, as we are more inclined to stonewall when conflict arises. Guys are more likely to disengage – exit the arena by either emotionally closing down ("I'm done talking about this!") or retreating to the TV, computer, the office or just plain out the door. While sometimes men have to do this – always bear in mind that in order not to send your partner around the bend ("Where are you *going*? We're not done, here!") this needed retreat has to be accompanied by a promise to re-engage within an agreed period – the next evening, for example, or whenever you, Mr. Man, have calmed.

Finally, there is the gender-neutral horseman of defensiveness. This is a hard one. When we feel attacked our first, second and last impulse is to defend ourselves. Yet, when our partner has some important relationship information to transmit, we need to be careful not to automatically turn it into an attack in our heads and start defending ourselves. Really important stuff does not get through, to the detriment of your partner's sense of connection and the relationship as a whole.

Gottman has another helpful suggestion that can go a long way to tempering the level of frustration and distress when partners are faced with what seems to be an intractable disagreement. Use your regular times together to enhance the positive aspects of your

relationship. Build up the partner "admiration system." Gottman and colleagues have studied couples, intensively, for many years and he concludes that a long-term, stable relationship has a ratio of positive, caring comments/gestures to negative of 5:1. That means for every negative or dismissive comment or behavior, there needs to be *five* positives to just keep that boat stable in the water. It doesn't have to be a big deal - a touch or complement will do. This runs smack into the common objection, "My partner knows (or should know) that I love her/him. Why do I have to always say it or show it?" The answer is, "Because that's one way that couples stay together and happy for years and years." It may be hard, and will often take a conscious effort, but its worth it. Do it. Then when the stormy seas hit, you will be able to withstand the turmoil that may get stirred up.

I have observed over the years that lawyers, who live in a professional world of conflict, tend to get a bit undone by personal conflict. It is hoped that some of the thoughts and suggestions, here, may ease the way through some of that roughness.

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