

I AM UNHAPPY IN MY MARRIAGE SO WHY AM I SAD ABOUT MY DIVORCE?

In over thirty years of practicing law, I have seen many surprising things. One of the most unexpected to many, however, is how many people find themselves going through bouts of sadness, or even depression, about ending a very unhappy marriage.

I have had both men and women burst into tears after the court hearing which finalizes their divorce. The level of emotion expressed by the divorcing spouse after the hearing generally has nothing to do with whether they wanted – or even were relieved – about becoming divorced. In fact the opposite may be the case.

So why does someone going through the divorce of an unhappy marriage experience sadness? The answers are as numerous and nuanced as the underlying relationships. There are, however, some constants to this culmination. The most significant of these is identity.

Very few people take becoming a spouse lightly. And whether they do so or not, becoming married changes one's identity indelibly.

Whether a marriage is a happy one or not, once married, a spouse changes from a "me" to a "we." This is true regardless of where the spouse is or what they are doing.

When a married person wakes up in the morning and puts on their shoes, they are a husband or a wife. That identity becomes entwined with who they are and how they may view themselves.

The identity is there whether one is alone or with one's spouse. This means a person can be on a girl's night out, out with their friends, going shopping, at home alone, at work or even on a vacation with friends. No matter where the person goes, the identity remains with them. They are a husband or they are a wife, just as surely they are a parent once they have children, whether they are near their child or not.

Unwinding a marriage, therefore, is also unwinding an identity. This means even though the marriage itself may be unhappy, losing the identity as a married person – or spouse – is an unwinding of identity which creates a new and uncertain future.

Understanding the emotional toll that unwinding an identity takes on a person – whether the marriage has been relatively happy, or even abysmal – is critical in connecting with a spouse going through the process and providing to them the tools necessary to distinguish the often experienced anxiety and sadness associated with unwinding a marriage, even if it is an unhappy one which is better off ended. An experienced divorce litigator can provide the foresight and understanding needed to conceptualize and differentiate between the termination of an unhappy marriage and the natural sadness which accompanies unwinding a married identity before moving on to the next phase in life.