

Family

Diagnosing high-conflict spouses in separation and divorce

By Cheryl Suann Williams



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(February 28, 2018, 9:35 AM EST) -- Of the approximately 70,000 annual divorces in Canada, about 10 per cent are classified as high conflict. About one per cent is classified as ultra high conflict, meaning the high-conflict interactions will keep going, even after separation and divorce are finalized because these couples only know how to exist in conflict.

Sometimes it is situational — it is the bad relationship that causes high conflict, and the spouses can resolve the conflict when the situation changes. More likely, it occurs when one or both of the spouses have personality disorders to various degrees. It is difficult enough to achieve clarity and compromise if one spouse has a personality disorder, but when both spouses are afflicted with personality disorders, the conflict may be ongoing.

For family law lawyers, it is helpful to know some basic information about personality disorders in order to understand what your clients are going through and then to help them with their family law matter.

To be characterized as a personality disorder, a person exhibits the following behaviours and traits:

- An enduring pattern of behaviour;
- Existing from early adulthood;
- That is rigid and unchanging;
- That leads to distress and impairment; and
- That exists well outside the person's cultural norms.

The *Diagnostic and Statistical Manual* (DSM-IV-TR) published in 2000 by the American Psychiatric Association, identifies 10 personality disorders. Of the 10 personality disorders, the following four are characterized as Cluster B disorders:

1. **Borderline** — extreme mood swings, fears of abandonment, clinging behaviour, frequent and intense anger and manipulative behaviours;
2. **Narcissistic** — extreme preoccupation with self, a disdain for others and a preoccupation with being treated as superior;
3. **Antisocial** — extreme disregard for rules of society, little empathy, no remorse, a willingness to hurt others for personal gain; and
4. **Histrionics** — demanding of attention, emotionally intense, similar to a borderline, but often with less anger and more drama; sometimes fabricates events.

Often, people with one of these Cluster B disorders will have other disorders or traits of other disorders. Bill Eddy is an American social worker who later became a lawyer and mediator. His book, *High Conflict People in Legal Disputes*, was written to help professionals in the legal, mental health and administrative fields. According to Eddy, one-third of people with high-conflict personalities have personality disorders while two-thirds only have traits. Simply having traits is insufficient to be

considered a mental disorder.

People with Cluster B disorders are deemed to be more likely to be regularly drawn into prolonged and escalating conflict. Addictions, suicides and high-risk behaviours are also more common in persons with these disorders.

Eddy describes these characteristics as common in people involved in protracted legal disputes:

- A lifetime preoccupation of blaming others;
- Avoids taking responsibility;
- All-or-nothing thinking;
- Always seeking attention and sympathy;
- Aggressively seeks allies for their cause;
- Speaks in dramatic, emotional extremes;
- Focuses intensely on others' past behaviour;
- Punishes those guilty of "hurting" them;
- Tries to get others to solve their problems; and
- Lies, if they feel desperate.

Eddy further defines the repeating "Cycle of High Conflict Thinking":

M.A.D. – Mistaken Assessment of Danger: constant desperation and feelings of being in life and death situations so that they cannot think things through, but instead must be constantly on guard and ready for extreme actions;

B.A.D. – Behaviour that's Aggressively Defensive: the need to attack and defend themselves from the persons that they believed caused the danger; and

N.F. – Negative Feedback: the Target of Blame may feel it necessary to retaliate. However, any feedback on past behaviour may be viewed as negative feedback and a personal criticism. This will fuel anger and lead back to a Mistaken Assessment of Danger.

The Targets of Blame

The average person can adapt to changing conditions and their thinking and behaviour will change accordingly. However, for people with a high-conflict personality, their constant state of distress, lack of self-awareness, failure to take responsibility and inability to adapt result in them unreasonably blaming others. Eddy refers to those blamed as "Targets of Blame."

The attacks on the Target of Blame can be:

- Emotionally intense;
- Very personal;
- "It's all your fault";
- Out of proportion with the context; and
- Negatively shared with others.

This is part two of a series. Read part one here.

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