

# **HOUSE BILLS 2562 & 2003**

Testimony of

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My name is Fred Kompass. I am marriage and family therapist, practicing in the State of Pennsylvania since 1969. I have been a clinical member of the American Association for Marriage and Family Therapy (AAMFT) since 1972. This is the national professional association for the discipline of marriage and family therapy. It sets the standards for clinical practice. Its Commission on Accreditation for Marriage and Family Therapy Education is nationally recognized as the accrediting body for training programs in marriage and family therapy throughout the United States and Canada. There are more than 24,000 members of AAMFT throughout the United States and Canada. Marriage and family therapists are licensed in thirty-seven states and many of the Canadian provinces. I have been approved as a supervisor by the AAMFT since 1979. I am a teaching/clinical member of the American Family Therapy Academy, a professional association of senior members in the field who are among the cadre of educators and trainers in marriage and family therapy. I have a masters degree in pastoral counseling and a Doctor of Ministry degree, specializing in family therapy, from Princeton Theological Seminary. For the second time in a little more than a decade, I am the President of the Pennsylvania Association for Marriage and Family Therapy, a state division of the AAMFT, comprising around 1,000 members.

I would like to address the issue of no-fault divorce from the standpoint of one whose expertise comes from over 25 years experience in treating severe mental illness embedded in dysfunctional family systems, at the heart of which generally lies troubled marriages.

In 1956 a team of researchers at the Mental Research Institute in Palo Alto, California, headed by Gregory Bateson, an anthropologist, and Don Jackson, a psychiatrist, published their by now classic paper entitled, "Toward a Theory of Schizophrenia," in which they posited their theory of the double bind. What is significant about that is that for the first time the beginning of emotional problems in children was linked to communication patterns in the family, particularly to the dysfunctional relationship of the child's parents.

Working at the Philadelphia Child Guidance Clinic, in the great state of Pennsylvania, Salvatore Minuchin, another psychiatrist, and his colleagues published the

results of their experience with severe eating disorders, among other things, in 1978 in a book called, *Psychosomatic Families*. There they reported scientific evidence pointing to the deleterious, often life-threatening, physiological impact on children of overt escalating conflict between their mothers and fathers.

In 1954 Murray Bowen, yet another psychiatrist, joined a research project at the National Institute of Mental Health in Bethesda, Maryland, treating schizophrenics during the course of which he hospitalized whole families, not just the patient. He has built a scientific, biologically grounded theory which accounts for his observations that it takes about three generations of dysfunctional family patterns, driven by dysfunctional marital relationships, to produce schizophrenia. As water seeks its own level, Bowen has demonstrated that human beings tend to meet and marry people who possess about the same degree of maturity, or lack thereof, as they themselves do.

Carl Whitaker, also a psychiatrist, also working with schizophrenics, has developed the concept, which is now commonly accepted, that marriage is a bi-lateral affair. That is to say, what happens in a marital relationship is contributed to in equal proportions by both spouses. Though it may not often look that way on the surface, he found that any so-called "craziness" in one spouse is matched by an equal amount of "craziness" in the other, albeit of a different shape and form. But if you scratch the surface, you will discover it because it is there.

Finally, Ivan Boszormenyi-Nagy - a psychiatrist - and his associates at the Eastern Pennsylvania Psychiatric Institute in Philadelphia, as with the others, working with schizophrenics, discovered that one of the major motivators of human behavior is, not instincts or drives or ugly unconscious impulses as Freud promulgated, but the innate need we all have to be loyal to those most significant others in our lives, the members of our biological families. Dr. Nagy is internationally known for his ideas about child custody in cases of divorce whereby he believes that the parent given custody should be the parent who is most able to promote in the children a positive image of the other parent. Children, he says, have a need to be loyal to both parents.

Though originally from the medical profession, these men are a part of that group of pioneers that formed and fashioned what has become the separate and distinct mental

health discipline known as family therapy. I cite these references because they all point to the connection - or the hotlinks as we would say in this age of the world wide web - between the health of the marital relationship and the health of the kids. While this may still be controversial in some circles, I can't imagine anyone in their right mind who would deny the fact that the emotional adjustment of children over the years correlates positively with the level of love, caring, and harmony in their parents' relationship. In a study of healthy families published in 1976 in a book titled *No single Thread*, it was found that in the most healthy families there is an egalitarian relationship between husbands and wives, a relationship in which unresolved conflict does not accumulate and poison the atmosphere.

Putting all this the other way around, what is really harmful to children is overt war between their parents. Where children are concerned, the fact is that divorce does not end the relationship between the spouses; it only rearranges that relationship. The mother and father are still coparents of their children. Divorce is not to be glamorized or seen as the logical solution where two people can't seem to get along. Too often it amounts to running away from problems rather than seeking a solution to them, and that can be a pattern of how problems are dealt with that will continue into the future: an unrealistic pattern and frequently an unhealthy pattern. Where children are involved, one or more of the kids frequently get entangled in their parents' struggle and become the glue that keeps them together: an equally unhealthy pattern. I am not a believer in quick divorce or easy divorce. But I do believe that where children are involved, both parents have an obligation to rise above their differences with each other and collaborate to do the things that are best for their children and to do them in a way that minimizes the impact of the breakup on their kids and to coparent in such a way as to encourage and enable their offspring to have a good relationship with both their mother and their father.

I would hope that the law would not interfere in that process. I believe that an adversarial divorce process does so interfere. These days we have such a thing as divorce mediation, a brand new discipline designed to help separating partners negotiate the breakup and distribution of the assets rather than duke it out in the courts. It doesn't always work. It cannot work without both partners wanting it to work. The need to affix

blame, which no-fault divorce laws obviate, fans the flames of conflict and undermines whatever spirit of cooperation-for-the-sake-of-the-kids warring spouses had left.

The concept of blame is the issue at stake here, as I see it, whether or not children are involved. As I have indicated in the studies I cited above, when a marriage is broken, finding fault in one of the two parties so as to end up with a victim and a villain belies the facts of how relationships get started and how they evolve. It is very unrealistic, to put it plainly. Finding fault in one or the other also encourages each to focus on the other guy, look for and discover what's wrong with her or him, get angry about that, feel self righteous, do battle with the other and/or complain to your kids about their other parent, when children are involved. Finding fault thus contributes to a process that exacerbates whatever inescapable harm divorce, in and of itself, brings upon a divorcing couple's children. This is the logic for no-fault divorces.

To the extent that House Bill 2562 and House Bill 2003 do away with the opportunity for the parents of families that are breaking up to part in a way that mitigates their overt conflict and minimizes the impact of the breakup on their children, I am opposed to them. And I urge you not to report these bills out of your committee.