

# *Marriage is a Business Contract, Part I*

## *Where Does Love Fit In?*

Marriage has always been a business relationship or contract. Historically the ruler of one country would arrange to have his sons and daughters marry into the ruling family of another country to strengthen the social, political, military and financial bonds between the two countries. Heads of wealthy or powerful families would follow suit by arranging to have their sons and daughters marry into other equally wealthy or powerful families to strengthen or expand their spheres of influence and power base. Members of political dynasties married members of other political dynasties. Many of us can recall from our history lessons or from news reports of arranged marriages.

Historically marriages were pre-arranged affairs between the two families, usually involving a financial motive. Many cultures have the tradition of giving a dowry on the night of the marriage. In some cultures the bride's family gives a dowry to the groom's family, while other cultures it is the groom's family who gives a dowry to the bride's family. The tradition and practice of giving a dowry continues to this very day in many cultures around the world, including our own.

The value of the dowry is generally negotiated between the two families prior to the marriage. The dowry can be in the form of money, gold, land, goats, pigs, sheep, horses, or something else of value. If the value of the dowry is viewed by the receiving party as inadequate, the marriage is called off and the bride is returned to her family, or she suffers a life of all sorts of abuse at the hands of her husband and his family because she is deemed "not good enough" or unworthy.

The very structure of marriage is further proof that it is a *business relationship*. To formalize the union between two people, there is the religious or civil marriage ceremony, or both. There are the marriage vows, marriage certificate, the expressed and implied promises by and between the parties. Sounds like the elements of a formal contract.

The promises and expectations of the parties include living together as a single family unit (i.e., as a married couple) under a single roof, pooling their resources for a common purpose or goal. It could be as simple as who will stay home to raise the kids, or who will provide financial and emotional support while the other spouse pursues his or her dream of becoming a doctor, lawyer, accountant, professional athlete, movie star or musician. The expectation is that the married couple will take care of each other *in sickness and in health, until death do they part*.

Society through its laws impose additional duties and responsibilities on the married couple, but it also grants them special privileges and benefits not afforded to single people. Married couples have more deductions and pay a lower tax rate than single people. They also have greater rights of inheritance when one of them dies. Each spouse is responsible for the debts of the other that was incurred during marriage.

When the marriage fails and the parties no longer wish to remain married, they get a divorce. A divorce is a formal dissolution of the marriage contract. As part of the divorce proceedings, the court will unwind the marriage business relationship by apportioning the assets and liabilities between the parties that were acquired during the marriage. The court may require that one party pay to the other alimony to balance the transaction in recognition of the fact that both parties had contributed equally to the growth of the assets during marriage.

Love may be a motivation for getting married, but marriage has always been a business contract.

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