

Anti-Nuptial Agreements: Setting the Tone for Compromise and Communication in the Marriage

A pre-nuptial agreement is a great test for a marriage and the couple's ability to compromise on what will likely be recurring themes in the relationship. Relationships, like a prenuptial agreement, are full of compromise and negotiation. Two people entering into a marriage need to know how to have the difficult conversations and find fair and reasonable compromises.

A prenuptial agreement is a good way to start the relationship with full disclosure and open communication about these likely and potential issues that will continue throughout the relationship. Entering the marriage with knowledge instead of unrealistic expectations and an arsenal of tools developed before conflict arises will help a marriage weather the minor disagreements and difficult times that all relationships face.

There are a few key reasons that couples embarking on marriage typically consider getting a prenuptial agreement, 1) pressure from the family of the wealthier partner, 2) protection for children from previous relationships, 3) a large wealth and/or income disparity, and 4) protection of a particular asset. These reasons and concerns do not magically disappear after the wedding only to reappear at a divorce, but will probably be the root of reoccurring issues throughout the marriage.

If future in-laws are the driving force between a coercive and one-sided agreement, the couple will likely be dealing with other manifestations of parental pressure throughout the relationship. The couple can start developing a method to cope with the parental influence by working together to create provisions in the prenuptial agreement that protect the less wealthy spouse as well as the parents' asset. This will set a precedent both for conflict resolution within the marriage and for how the parental expectations will be met and not always complied with in the future.

The same is true if the pressure comes from business partners, an ex-spouse, other influential people in your partners' life, or even if he or she comes up with an idea on his or her own. How your partner approaches the issues when the relationship is strong does not necessarily foreshadow how he or she will behave if there are financial disputes in the relationship or if the relationship breaks down, but it may be a good indicator. If your partner cannot balance your interests with those of other influential forces in his or her life it may be a warning sign of his or her behavior during the marriage.