

Do female same-sex unions still have a higher risk of divorce than male same-sex unions?

The case of Norway 1993 to 2010

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Abstract

The Scandinavian countries were among the first to legally recognize same-sex unions. In Norway, registered partnerships were introduced in 1993 and then, in 2009, gender-neutral marriage legislation was adopted. By 2010, 547 couples had married and 35% of the registered partnerships entered between 1993 and 2008 had been converted to marriage. Using Norwegian longitudinal register data we will, first, present updated descriptive statistics on all same-sex marriages and partnerships entered 1993-2010. Second, we will reconsider the divorce risk for same-sex unions in this period. The end of the pioneering period and the changing composition of same-sex partnerships may have lowered the high divorce risk previously found for female couples, partly because more female couples have children.

Introduction and background

Same-sex unions in Scandinavia

The Scandinavian countries were among the first countries to grant legal recognition to partners of the same sex when they introduced a new civil status, *registered partnership*, which was different in name but otherwise quite similar to opposite-sex marriages. Registered

partnerships were introduced in Denmark in 1989, Norway 1993, followed by Sweden two years later.

In the first years after the law on registered partnerships was introduced, the opportunities to jointly adopt a child or to have medically assisted insemination were not given to registered partners in Norway. These exceptions were, however, highly debated and have been moderated during subsequent years. Some Norwegian registered partners have also travelled to Denmark, where lesbian couples as well as single women can get medically assisted insemination. However, we do not know how many children who are the result of such treatment abroad.

In 2009, Norway and Sweden adopted fully gender neutral marriage legislations and gave those already living in registered partnerships the opportunity to convert their civil status to marriage. As the registered partnerships amounted to a *de facto* same-sex marriage, this was mainly a symbolic act. One year after the new marriage law came into force, 32 per cent of the registered partnerships in Norway had been converted to marriage. The conversion rate was higher among women than men. In the second year after the gender neutral marriage law was introduced, the number of new conversions was reduced by 90 per cent.

Previous research and new trends

Access to longitudinal and all-encompassing population register data makes it easier to study same sex relationships in Scandinavia than in most other countries. In each of the Scandinavian countries, the first analyses covering the period 1993 to 2002 showed that the divorce risk in unions of two women was, much higher than in those of two men. In both Norway and Sweden the divorce risk for female partnerships was twice that for male partnerships (Andersson, Noack, Seierstad and Weedon-Fekjær, 2006)

Danish data from a more extended calendar period (1989 to 2002), verify the higher divorce risk in female partnerships, but the difference between female and male partnerships was more moderate (Andersson and Noack, 2011). We have also noticed a slight difference in the period trends of divorce risks for male and female registered partners in Sweden and Norway. Divorce risk seems to have increased over calendar time for male unions whereas it decreased for female unions.

These first divorce risk analyses are, however, from what can be seen as the pioneering period of registered partnerships (Norway 1993-2001, Sweden 1995-2002). After a spike in partnership registration in the first years the annual number of new partnerships levelled out,

followed by a moderate increase. Also, in these first years, a vast majority of the partners were men. In recent years (since 2002 in Denmark, 2005 in Sweden, and 2006 in Norway) there has been a turnaround in the gender composition and now the majority of new partnerships in Scandinavia consist of two women (Andersson and Noack, 2011).

Another and maybe more important trend, is the increase in same-sex parenting. Even though many of the first registered partners had a child from a previous heterosexual union, child rearing and childbearing in same-sex partnerships were relatively uncommon during the 1990s. The number of children born to registered partners in Norway has, however, increased rapidly since then, from only 5 in 2001 to 72 in 2008. Parenting, here defined as getting a child while living in a partnership/same sex marriage is, as expected, much more common among the female than the male couples (Andersson and Noack, 2011).

Outline of the current paper

Using Norwegian population register data linked with information from other registers (e.g., annual income, education, prior partnerships or opposite sex marriage, and children), we will reconsider the divorce risk for Norwegian same-sex couples in the last 17 years (1993-2010). Additionally, we will study the effect of parenting on the divorce rates. Our hypothesis is that the changing composition of those living in same-sex partnership, may have influenced the divorce risk and that the relative high divorce risk for female couples may have decreased with far more female couples having children.

The hazard of divorce will be modelled using multivariate event history models. We will control for variables frequently included in studies of heterosexual divorce (Lyngstad and Jalovaara, 2010), like spouses' income and education level, experience from earlier (heterosexual) marriage, children (from prior relationship(s)), union duration, and age.

In addition, we will present some updated descriptive statistics on all same-sex marriages and partnerships entered 1993-2010. Variables of interest include median age at marriage or partnership formation, partners' age difference, the number with experience from a prior heterosexual marriage, share of couples with children from a prior heterosexual relationship, and the share of lesbian and gay couples with (adopted) children.

References

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