

Can Marriage Destroy Marriage? Lessons from the Netherlands

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Same-sex marriage emerged in the 1990s as one of the most sensitive topics in the political arena. The case against it rests heavily on the claim that the legalization of same-sex marriage would weaken or even destroy the institution of marriage. This claim has been cited as one of the reasons for the enactment in various states of legislation preventing same-sex marriage, and has spurred an intense debate in the public and in the media. There is surprisingly little evidence, however, even anecdotal that confirms or refutes this end-of-marriage argument. In this paper, I examine what happened to different-sex marriage in the Netherlands after it legalized same-sex marriage in 2001. The Netherlands provides an excellent case study of the effects of same-sex marriage. It was the first country in the world to make same-sex marriage legal, and, beginning in 1998, it allowed both same-sex and different-sex couples a legal alternative to marriage—registered partnership—, an institution similar to marriage in almost every respect.

Using individual-level data from ten years of the Dutch Labor Force Survey matched with official vital records for the period 1995–2005, this paper finds that the 1998 law introducing registered partnership is associated with insignificant changes in the annual rate of first marriages, while the 2001 law legalizing same-sex marriage was accompanied by a significant, though small (.012 percentage points) decline in the first-marriage rate. All of these changes can be traced to differences in individual behavior based on age, education and ethnicity. In order to provide further insight on these trends, I estimate a mover-stayer model (or split-population model) with heterogeneous probability of long-term survival. Given the shape of the survival function plotted in figure 1, I parametrize the hazard of first marriage using a log-logistic function and model the probability of never marrying via a linear equation. My estimates imply that the two laws were followed by a 2 percent and a 5 percent reduction in

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the age at first marriage, respectively. However, these effects might again vary with education, as I expect that people of different education backgrounds to have different behaviors with respect to marriage and thus have different reactions following the two laws.

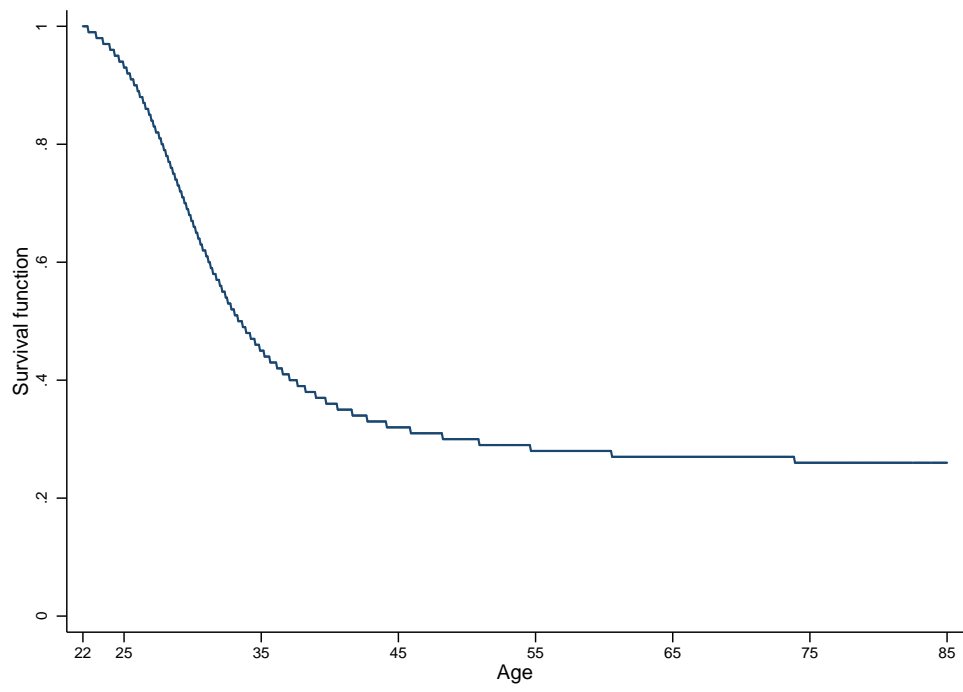
Figure 2 shows that there might be some important information included in the choice of legal form of the relations. When registered partnership is taken into account in a competing risks framework, the 2001 law is associated with a 3 to 5 percent decline in the age at first registration of the relationship, but that relationship is significantly more likely to be registered as a partnership than as a marriage. Moreover, contrary to the two reports produced by the Dutch Ministry of Justice for the evaluation of the two laws (Van Dijk, Van Soomeren en Partners BV, 1999; Dutch Ministry of Justice, 2006), individuals choosing registered partnership do not seem to do so as a preliminary step before marriage. None of the more than 7 thousand registered partnerships in the sample were converted to marriage during the period analyzed, which included 8 years following the enactment of the registered partnership law.

All of this can be interpreted as evidence of the fact that the registered partnership law was not associated with a decline in marriage or a delay of marriage. However, following the legalization of same-sex marriage, individuals do seem to have shifted their preference more toward this alternative institution and away from marriage, although there does not seem to be again any delay in the decision to formalize the relationship. Also, most of the decline in the marriage rate reported in the media and visible in figure 2 can be traced to the demographic characteristics of the population.

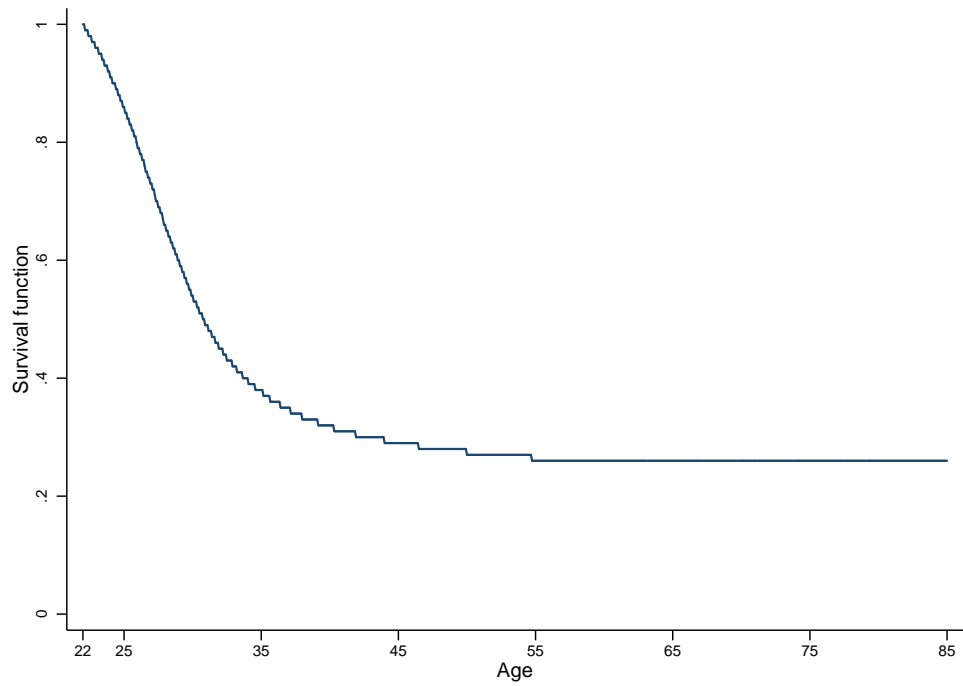
References

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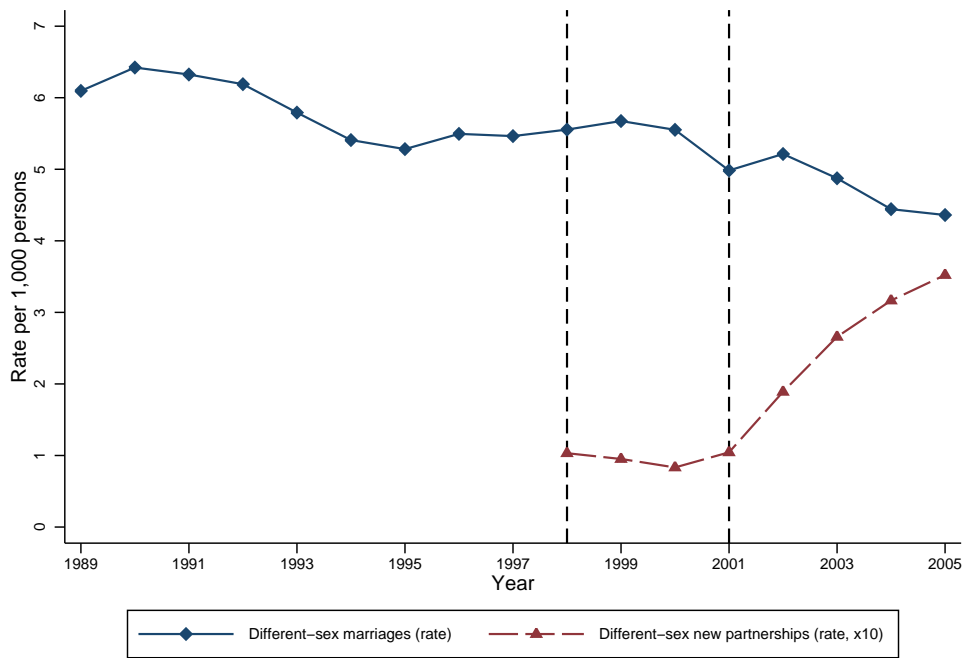


(a) Men



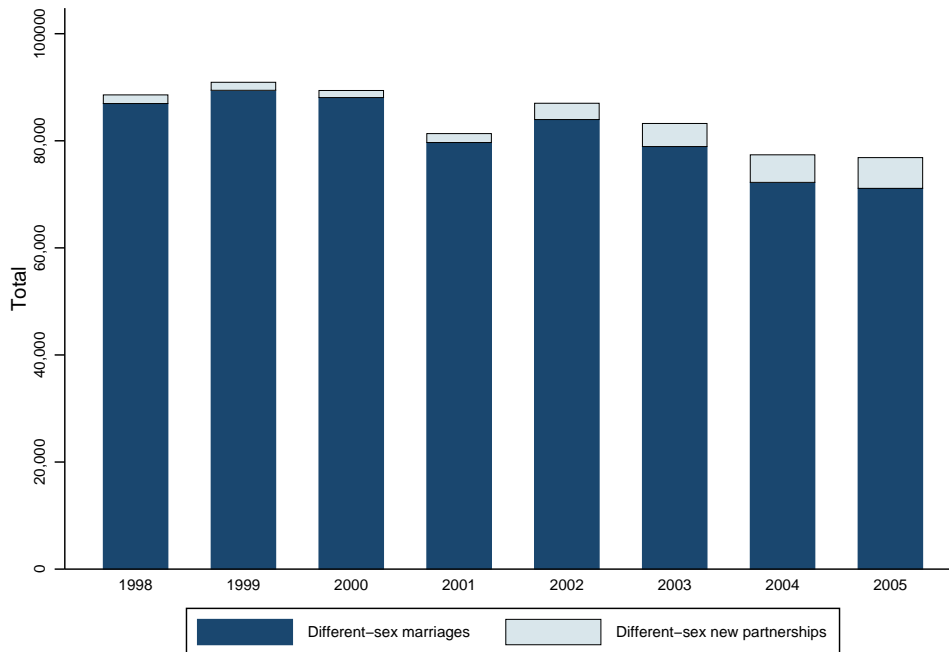
(b) Women

Figure 1: Survival function



Source: Author's calculations using data from Statistics Netherlands

(a) Marriage and new partnership rates in the Netherlands, 1989-2005



Source: Author's calculations using data from Statistics Netherlands

(b) Structure of legal contracts chosen by different-sex couples in the Netherlands, 1998-2005

Figure 2: Marriage and registered partnership rates in the Netherlands