

# Measuring relationship status in Contemporary Europe: problems and solutions

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# Outline of Presentation

- Overview of marital status questions in ESS rounds 1-4
- Round 5 pre-testing and instrument
- Round 6 consultation and results
- Summary and next steps

## Legal marital status – rounds 1 & 2

- Can be used to measure the ‘socio-structural position of the individual in society’
- Only categories related to marriage in a ‘traditional’ sense included
- Same-sex unions started being recognised as an alternative to marriage
- Problem: respondents unable to record this

## Legal marital status – rounds 3 & 4

- Two versions included in rounds 3 and 4
- Countries could choose which version to implement – in some cases the incorrect version was fielded
- ‘Civil partnership’ categories
  - over reported in most countries using this version
  - did lead to reduction in respondents choosing ‘never married’ or ‘married’
- ‘Married’ over reported in countries fielding ‘traditional’ category version

## New approach developed for round 5

### ■ Cognitive pre-testing

- 'legal' marital status – term not easily understood
- 'cohabitation' - viewed as a legal marital status
- 'civil partnership' - misunderstood & chosen when a cohabitation category not provided

### ■ Review of partnership legislation

- 'separation' – not a legal marital status in all countries
- 'civil partnership' v. 'legally recognised cohabitation'

# Round 5 Pilot questions & adaptation notes

Now some questions on a different topic.

ASK ALL

**C41 CARD 41** Which of the descriptions on this card have ever applied to you? Please select all that have applied.

**PROMPT** Which others?

CODE ALL THAT APPLY



Legally married	01
Living with a partner (cohabiting) - <u>not</u> legally recognised	02
In a <u>legally registered</u> civil partnership	03
Legally separated	04
Widowed / Civil partner died	05
Divorced / Civil partnership dissolved	06
None of these	07
(Don't know)	88

ASK ALL WHERE C41 DOES NOT = CODE 07

**C42 CARD 42** I now want to check which one of the descriptions on this regardless of whether you are still in that particular relationship? Please select one legal status and use this card.

CODE ONE ONLY

My current status is:

Legally married
In a <u>legally registered</u> civil partnership
Legally separated
Widowed / Civil partner died
Divorced / Civil partnership dissolved
None of these
(Don't know)

## Implementation Notes for C41 and C42 – Part 1

The aim of C41 is to capture all of the various types of relationships the respondent has ever been in. This captures both legally recognised and unrecognised unions. Interviewers should probe for all relevant answers using the prompt provided. | C42 aims to capture the current legal partnership status of the respondent. Therefore a code for 'living with a partner (cohabiting) – not legally recognised' has not been included in this question. The current legal partnership status of the respondent may stem from the relationship the respondent is currently in. However in other cases it may refer to a previous relationship, for example someone who is married to an ex partner but who is now cohabiting with a new partner should answer 1 at this question.

## Implementation Notes for C41 and C42 – Part 2

Type of relationship	Code at C41	Description of relationship recognition
Legally married	1	This code is for legal marriage only. In most countries this is available only to partners of the opposite sex but in some countries this is now also available to same sex partners. It should not be confused with other forms of legal partnership recognition e.g. code 3
Living with a partner (cohabiting) - <u>not</u> legally recognised	2	This code is to cover instances where couples live together <u>without</u> legally registering their partnership. This category does NOT appear at C42 where the aim is to capture only legally recognised and registered partnerships.
In a <u>legally registered</u> civil union	3	This code is to cover legal recognition of a union between two people <u>other than marriage</u> whether of the opposite or same sex (as applicable in each country). NCs should insert the name of country specific legally registered unions (e.g. UK civil partnerships). Cohabitation that is legally recognised following <u>registration</u> should also be included here. If necessary split arrangements of this type into more than one code and then combine them at the data deposit stage. Or omit this category completely if both civil unions and legally recognised and registered cohabitation are not available in your country.
Legally separated	4	This code may be omitted if legal separation prior to divorce does not exist.
Widowed / Civil partner died	5	The reference to 'civil partner' should only be included in countries where code 3 applies (note different code number at C42).
Divorced / Civil union dissolved	6	The reference to 'civil union dissolved' should only be included in countries where code 3 applies (note different code number at C42).

# New instrument in round 5

F6 ~ CARD 46 You just told me that you live with your husband / wife / partner.  
Which one of the descriptions on this card describes your relationship to them?<sup>78</sup>

Legally married	01	ASK F7
In a <u>legally registered</u> civil union	02	
Living with my partner (cohabiting) - <u>not</u> legally recognised	03	GO TO F8
Living with my partner (cohabiting) - legally recognised	04	
Legally separated	05	ASK F7
Legally divorced / Civil union dissolved	06	
(Don't know)	88	

F7~ And can I just check have you ever lived with a partner, without being married to them  
(or in a civil union)<sup>79</sup>?

Yes 1  
No 2  
(Refused) 7  
(Don't know) 8

#### ASK ALL

F8~ Can I just check have you ever been divorced or had a civil union<sup>80</sup> dissolved?

Yes 1  
No 2  
(Refused) 7  
(Don't know) 8

F9~ INTERVIEWER CODE:

RESPONDENT LIVES WITH HUSBAND / WIFE / PARTNER (code 01 at F5)	1	CODE 1
ALL OTHERS	2	GO TO

F10~ INTERVIEWER CODE:

RESPONDENT COHABITING (Code 03 or 04 at F6)	1	ASK F11
ALL OTHERS	2	GO TO F12

<sup>78</sup> Note that these sentences should be translated to provide the same stimulus in ALL countries. See it shown after F11 for implementation of the answer codes at F6.

<sup>79</sup> Countries should include the highlighted text only if civil unions are included at F6. Where these are in country specific names should be added here. Legally recognised forms of cohabitation should NOT be inferred.

<sup>80</sup> See footnote 79.

**Implementation note on F6 / F11 (codes 01-06) for NCs (This note is NOT for inclusion in the fielded questionnaires but should be used to guide NCs and translators on translation and / or some limited adaptation)**

F6 - The target concept for measurement at this item is the LEGAL status (or otherwise) of the relationship between the respondent and the partner they are currently living within the household. We want to measure how the relationship is viewed under the law of [country]. All countries should 'Ask the Same Question' (ASQ) but should omit and adapt the answer codes according to the circumstances in their country using the guidance notes below.

F11 - The target concept for measurement at this item is the LEGAL marital status of the respondent under [country] law. It is only asked to those NOT currently living with a partner and those who are cohabiting (whether or not this is recognised in law). So respondents who are cohabiting are asked to specify their legal marital status that may stem from a previous relationship. As for F6 countries are requested to 'Ask the Same Question' but to omit and adapt the answer codes according to the circumstances in their country following the notes below.

Code number at F6 and questionnaire description	Guidance notes
01 - Legally married	This code MUST appear in all countries. Note that in countries where same sex couples can legally marry this should be recorded here. This code is also 01 at F11.
02 - In a <u>legally registered</u> civil union	This code must be included in countries that have legal relationship recognition providing rights and responsibilities that are very similar or identical to marriage (e.g. in tax law, property rights etc). Countries must add the country specific name of those scheme(s) which are not formally recognised as 'marriage' in law (e.g. in the UK replace 'legally registered civil union' with 'civil partnership'). Such unions would normally require attendance at a ceremony / register office in order to formally register them with the state. Countries without such a scheme should exclude this code from their questionnaire and showcard. This code is also 02 at F11.
03 - Living with my partner (cohabiting) - not legally recognised	This code should NOT be included in countries where cohabitation is AUTOMATICALLY recognized by law, so that it leads to the rights and responsibilities associated with marriage. Instead, this code should only be applied to cohabiting relationships that confer no legal status to the respondent. It might be necessary to adapt the answer code to clearly differentiate this from the other answer codes depending on the specific situation in the country. In countries where legal rights are acquired after a specific time or after formal registration then relationships PRIOR to this state should be recorded in this code.
04 - Living with my partner (cohabiting) - legally recognised	This code should only be included in countries where cohabitation can be legally recognised. 'Legal recognition' can occur either at the start of cohabitation OR be conferred after a period of time OR following some form of registration. However, which of these takes place will vary across countries. Where possible the formal name of such recognition should be specified (e.g. in France specify Living with my partner (cohabiting) - Parte Civil de Solidarite' (PACS). In countries where legal rights are acquired after a specific time or formal registration then relationships AFTER this change should be recorded in this code. In most cases the formal relationship status of a person in this kind of relationship will be determined by this relationship itself. For example in France since 2006, individuals who have registered a PACS are no longer considered "single" in terms of their marital status. Countries with no such legal recognition of cohabitation should exclude this code. This code does not appear at F11.
05 - Legally separated	This code should only be included in countries where 'legally separated' is a formal legal status. Countries with no such legal state must exclude this code. This code is 03 at F11.
06 - Divorced / Civil union dissolved	This code MUST appear in all countries. This code is 04 at F11.

## Round 5 Post-fieldwork review

- Looked at distributions for each country & compared these to previous rounds
- Checked question categories included/excluded compared to previous rounds
- Identified key problem areas
- Identified that the guidance provided may have been confusing or unclear at times



# Consultation Process



F6 [RSHPTS] CARD 49 You just told me that you live with your husband / wife / partner. Which one of the descriptions on this card describes your relationship to them?									
Source category	Source code	Indicate YES or IIO if the source category & code will be included in the translated questionnaire	IF YES: add the target language wording' for the category	IF YES: add a rough back translation of the category in English	IF YES: add a description** of the category [in English]	IF YES: describe how this category matches the source category***	IF IIO: explain why this category has not been included in your questionnaire	IIC - 18 Sept	CST - 18 Sept [Note: all other columns prior to Sept 2012 have been hidden & relevant information transferred
Legally married	01	YES - Compulsory category [this category & code MUST appear in all countries]	Í hjónabandi	Married	The word "Hjónaband" is like the word marriage in English It describes the status of the two people. Not just a status of one of the partner. Two person are in "Hjónaband". The law "Hjúskaparlög 1993 nr. 3114. apríl" states that same sex couples can get married. As of 1996 same sex couples could get "staðfest samvist" that roughly translates "recognized union". later the laws were changed and same sex couples can now get married and are "Í hjónabandi". Those that did get "staðfest samvist" after 1996 have the same rights as those married and they can change the status to "legally married" if they apply for it. I assume that very few couples (few statistically) are still in "staðfest samvist" that has the same legal status as marriage. I think we can skip the "staðfest samvist" category altogether. I can also try to find if we have number, how many are still in that category. "Í hjónabandi" refers to both same-sex and two-sex marriage.	Completely	NOT APPLICABLE - Compulsory category	See column D in yellow highlight	OK
In a legally registered civil union	02	YES	Í staðfestri samvist	In civil union	See NC comments 4 June.		N/A	See column D in yellow highlight	As agreed via email this category will be included to capture same-sex civil unions (that may apply to same-sex couples who chose not to convert their union to same-sex marriage)
Living with my partner (cohabiting) - not legally recognised	03	YES	Í óskráðri sambúð	In unregistered cohabitation	People are living together but not registering their cohabitation at the National registry of Person	Not sure		See column D in yellow highlight	OK
Living with my partner (cohabiting) - legally recognised	04	YES	Í skráðri sambúð	Registered cohabitation	People are living together and register their cohabitation at the National registry of Person, the registration provides some right and obligations. It is a legal process and the status has some legal rights and obligation that resembles the status of being married. Some important differences remain, especially when one partner dies.  Yes the first situation applies to Iceland. cohabitation is recognized by law AND leads to some of the rights and responsibilities associated with marriage	I (Stefan) am not sure what the legally recognised stands for		See column D in yellow highlight	OK
Legally separated	05	YES	Skilin/n að borði og sæng	Divorced by "table and sheet"	Term known by most. People are not yet divorced but not living together anymore and have filed for divorce. This status is one year the minimum. Then couples need to decide to complete the divorce and get legally divorced	Pretty well		See column D in yellow highlight	OK
Legally divorced / Civil union dissolved	06	YES - Compulsory category [this category & code MUST appear in all countries but the label may need to be adapted]	Skilin(n) að lögum/lögskilnaður/hjó naskilnaður	Legally divorced /legal divorce/divorced from marriage	The process is now completed	Completely		See column D in yellow highlight	As agreed via email this category will not include a reference to civil unions

## National versions R5 v. R6

- Changes made - Legally Separated category
  - Removed from national instrument (BG, CY, DE, HU, IL)
  - Retained at national level (but not harmonised data) (FI, GB)
  
- Changes made – Civil Union category
  - Removed from national instrument (PT)
  - Added to national instrument (HU, SI)
  
- Changes made - categories separated – at national level only
  - Legally divorced & Civil union dissolved – CZ, FR
  - Widowed & Civil partner died - FR

## National versions R5 v. R6

- Changes made to cohabitation category
  - Category removed – HU, SI / Category added – IL, PT
- Small modifications to the translations / category wording
  - Cohabitation (EE, PT, SI, GB)
  - divorced/civil union dissolved category (DE, SK)
  - widowed / civil partner died category (NO)
- Changes to additional country-specific category
  - Category dropped from one question and added at the other – IE
- New countries: KX, AL, returning country (not in ESS5): IS

## Summary & next steps

- Changes made to measures of legal marital status from R3 through to R5 – some more successful than others
- Some small changes / alterations made for national instruments in R6 compared to R5 as a result of the consultation process
- Checks will be carried out after R6 – to ensure that the agreed versions from the consultation were actually fielded
- Consultation process to be retained for new countries joining the ESS in future rounds OR where legal changes within a country make revision of the instrument necessary