Measuring relationship status in Contemporary Europe: problems and solutions

Sally Widdop (City University London, UK) & Hilde Orten (NSD, Norway)

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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

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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’
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) - not legally recognised 02
In a legally registered 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 card, regardless of whether you are still in that particular relationship? Please select one only.

My current status is:

Legally married
In a legally registered 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

<table>
<thead>
<tr>
<th>Type of relationship</th>
<th>Code of relationship</th>
<th>Description of relationship recognition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legally married</td>
<td>1</td>
<td>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.</td>
</tr>
<tr>
<td>Living with a partner (cohabiting) – not legally recognised</td>
<td>2</td>
<td>This code is to cover instances where couples live together without legally registering their partnership. This category does NOT appear at C42 where the aim is to capture only legally recognised and registered partnerships.</td>
</tr>
<tr>
<td>In a legally registered civil union</td>
<td>3</td>
<td>This code is to cover legal recognition of a union between two people other than marriage whether of the opposite or same sex (as applicable in each country). NCSs should insert the name of country specific legally registered unions (e.g. UK civil partnerships). Cohabitation that is legally recognised following registration 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.</td>
</tr>
<tr>
<td>Legally separated</td>
<td>4</td>
<td>This code may be omitted if legal separation prior to divorce does not exist.</td>
</tr>
<tr>
<td>Widowed / Civil partner died</td>
<td>5</td>
<td>The reference to ‘civil partner’ should only be included in countries where code 3 applies (note different code number at C42).</td>
</tr>
<tr>
<td>Divorced / Civil union dissolved</td>
<td>6</td>
<td>The reference to ‘civil union dissolved’ should only be included in countries where code 3 applies (note different code number at C42).</td>
</tr>
</tbody>
</table>
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?  

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legally married</td>
<td>01</td>
</tr>
<tr>
<td>In a legally registered civil union</td>
<td>02</td>
</tr>
<tr>
<td>Living with my partner (cohabiting) - not legally recognised</td>
<td>03</td>
</tr>
<tr>
<td>Living with my partner (cohabiting) - legally recognised</td>
<td>04</td>
</tr>
<tr>
<td>Legally separated</td>
<td>05</td>
</tr>
<tr>
<td>Legally divorced / Civil union dissolved</td>
<td>06</td>
</tr>
</tbody>
</table>

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

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 dissolved?

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

F9 ~ INTERVIEWER CODE:  
RESPONDENT LIVES WITH HUSBAND / WIFE / PARTNER (code 01 at F5)  
ALL OTHERS  

1 CODE  
2 GO TO

F10 ~ INTERVIEWER CODE:  
RESPONDENT COHABITING  
(Code 03 or 04 at F6)  
ALL OTHERS  

1 ASK F11  
2 GO TO

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.

<table>
<thead>
<tr>
<th>Code number at F6 and questionnaire description</th>
<th>Guidance notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>01 - Legally married</td>
<td>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 03 at F11.</td>
</tr>
<tr>
<td>02 - In a legally registered civil union</td>
<td>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 schemes 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.</td>
</tr>
<tr>
<td>03 - Living with my partner (cohabiting) - not legally recognised</td>
<td>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.</td>
</tr>
<tr>
<td>04 - Living with my partner (cohabiting) - legally recognised</td>
<td>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) - Pacs Civil de Solidarité (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.</td>
</tr>
<tr>
<td>05 - Legally separated</td>
<td>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.</td>
</tr>
<tr>
<td>06 - Divorced / Civil union dissolved</td>
<td>This code MUST appear in all countries. This code is 04 at F11.</td>
</tr>
</tbody>
</table>
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

### Source category

<table>
<thead>
<tr>
<th>Source code</th>
<th>Source code</th>
<th>Indicate YES or NO if the source category &amp; code will be included in the translated questionnaire</th>
<th>IF YES: add the target language wording* for the category</th>
<th>IF YES: add a rough back translation of the category in English</th>
<th>IF YES: add a description** of the category [in English]</th>
<th>IF YES: describe how this category matches the source category***</th>
<th>IF NO: explain why this category has not been included in your questionnaire</th>
<th>NC - 18 Sept</th>
<th>CST - 18 Sept [Note: all other columns prior to Sept 2012 have been hidden &amp; relevant information transferred]</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>YES - Compulsory category [no category &amp; code MUST appear in all countries]</td>
<td>1) Hungarian</td>
<td>Married</td>
<td>The word &quot;Hunyadai&quot; is like the word marriage in English. It describes the status of the two people. Not just a status of one of the parties. Two persons are in a &quot;Hunyadai&quot;. The law &quot;Hungarian Family Code 1991, Article 301&quot; states that same sex couples can get married. As of 1996 same sex couples could get &quot;stabilized unions&quot; that roughly translated &quot;recognized unions&quot;. Later the laws were changed and same sex couples can now get married and are &quot;Hunyadai&quot;. Those that did get &quot;stabilized unions&quot; after 1996 have the same rights as those married and they can change the status to &quot;legally married&quot; if they apply to it. I assume that the few couples (low statistics) are still in &quot;stabilized union&quot; that has the same legal status as marriage. I think we can skip the &quot;stabilized union&quot; category altogether. I am going to install we have number how many are still in that category. &quot;Hunyadai&quot; refers to both same sex and two sex marriage.</td>
<td>Complete</td>
<td>NOT APPLICABLE - Compulsory category</td>
<td>See column D in yellow highlight</td>
<td>OK</td>
<td></td>
</tr>
<tr>
<td>02</td>
<td>YES</td>
<td>Formal same sex</td>
<td>In civil union</td>
<td>See NC comments 4 June</td>
<td>NA</td>
<td>See column D in yellow highlight</td>
<td>As agreed via email this category will be included to capture same sex civil unions (that may apply to same-sex couples who choose not to convert their union to same-sex marriage)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>03</td>
<td>YES</td>
<td>Formal cohabitation</td>
<td>Registered cohabitation</td>
<td>People are living together but not registering their cohabitation at the national registry of Person</td>
<td>Not sure</td>
<td>See column D in yellow highlight</td>
<td></td>
<td>OK</td>
<td></td>
</tr>
<tr>
<td>04</td>
<td>YES</td>
<td>Formal cohabitation</td>
<td>Registered cohabitation</td>
<td>People are living together but not registering their cohabitation at the national registry of Person</td>
<td>Not sure</td>
<td>See column D in yellow highlight</td>
<td></td>
<td>OK</td>
<td></td>
</tr>
<tr>
<td>05</td>
<td>YES</td>
<td>Registered divorce or separation</td>
<td>Divorced or &quot;table and chair&quot;</td>
<td>Terminated by a court. People are not yet divorced but not living together anymore and have filed for divorce. This status is rare due to the number of couples. Most important differences remain, especially when one partner dies. Very few situation applies to one, cohabitation is recognized by law, usually is one of the light and responsibilities associated with marriage.</td>
<td>Pretty well</td>
<td>See column D in yellow highlight</td>
<td></td>
<td>OK</td>
<td></td>
</tr>
<tr>
<td>06</td>
<td>YES - Compulsory category [no category &amp; code MUST appear in all countries but the label may need to be adapted]</td>
<td>Registered divorce or separation</td>
<td>Legally divorced legal dissolved from marriage</td>
<td>The process is now completed</td>
<td>Completely</td>
<td>See column D in yellow highlight</td>
<td>As agreed via email this category will not include a reference to civil unions</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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