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## MAJOR DIVERSITIES BETWEEN COUNTRIES

Maks Banens – IASSCS Conference, Madrid 2011

I would like to say some words on same-sex marriage frequencies in Europe. Please note, I will not comment the different marriages and registered partnerships that exist. I'll call them all "marriage", unless I will mention the different statuses differently. I also will forget the timeline of introduction and the different discussions that has led to legislation. I will only discuss the same-sex wedding rates as far as we see them pop up in the different European countries.

One question before starting: why analyzing marriage frequencies? There is no moral and no political motivation for that. I don't think marriage is good in itself, or bad. And I don't think high frequencies in one country are political arguments for introducing same-sex marriage in other countries as Lee Badgett supposes, nor that low frequencies would show that same-sex couples wouldn't ask for marriage, as Elkridge supposes. My concern with same-sex wedding rates is more indirect. The first reason is pure demography: I observe diverging rates and I want to describe and understand them. The second reason is indirectly political: I think that diverging rates are not just the effect of free choice, same-sex couples in one country enjoying more weddings than same-sex couples in another country. I don't think this is free choice. In my opinion, rates express different ways of being a same-sex couple and these different ways, interesting in themselves, are very likely to be influenced by the levels of homophobia in that country and more generally by the social regulation of homosexuality in these societies.

Yet, I have to say that my analysis is only work in process. Describing wedding rates is not too difficult. Understanding them is far more difficult and I am only half way on that road.

One more thing before starting. As I said, I will treat indifferently all forms of same-sex union registration. There is marriage in Holland, Belgium, Spain, Portugal and the Northern countries. Civil union or registered partnership in the UK, Denmark, Germany, Switzerland, Hungary, Slovenia, Austria. They all will be called "marriage" unless mentioned otherwise. But some countries put particular difficulties. Belgium is one of them. There is same-sex marriage, but there also is same-sex legal cohabitation. The problem with this status of legal cohabitation is twofold: first, it is open to all same-sex cohabitants, if they are a couple or not. According to a recent governmental report, this should be a minor problem, most registering cohabitants seem to be a couple. Second problem, about half of these registering cohabitants marry one or two years later. If I added all legal cohabitations and marriages I would count one couple twice. Unfortunately, there are no data published to avoid this double count.

Another problem are Spain and Switzerland. They have national-wide marriage/registered partnership, but they also have regional partnerships in some regions. Unfortunately, national statistics don't mention these regional partnerships. One more problem, even in a country that is well known for its excellent statistics: the Netherlands. There is same-sex marriage since 2001, but there also is registered partnership since 1998. Both statuses still exist. Same problem as in Belgium: a couple that registered first and married later on will be counted twice. We will see this on the statistics when we show Dutch wedding rates.

There are many more problems with data, but let's get started. Here you have the wedding rates in 2010. Some countries, like the UK have not published 2010 data yet, so I took the 2009 rate. As you see at the statistics, the same-sex wedding rate for all of Europe - when I say all of Europe I mean all countries having introduced same-sex union registration - is 8.2 for 100 000. That means that for every 100 000 inhabitants, there have been 8 same-sex 'marriages' celebrated. Now, the map shows rather diverging rates. There is more than one interesting information on this map.

1/ Central Europe countries show extreme low rates, something like ten times lower than mean European rate

2/ Northern Scandinavian countries also show low rates, something like 30 to 50% lower than European mean rate

3/ France shows the highest rate, 60% higher than European mean rate.

The first information may not be so much of a surprise. There are more than one reason for that, we will come back to that later. But the second and third information are a real surprise. Why Scandinavia has such low frequency and France such high?

That has been the starting point of my research. To get to an answer, I have visited most, if not all of these countries and had interviews with same-sex couples. I simply asked them if they had married, if they considered doing so and the reasons for doing so or not doing so. I also analyzed in more detail the demographic data on same-sex registration. In the minutes that are left, I just have time to give you my main conclusions. I'll do it in the form of a typology of countries.

Here you see the first type of countries. I call them the 'Low Interest' countries. Of course, I don't mean financial interest but interest for marrying. Couples in these countries repeatedly told me they had no reason to marry. First, because, as they put it, there would be very little social and fiscal benefit in marrying, the social and fiscal system has been very much individualized, leaving to each the possibility to share or not to share current and future income with anyone without consideration of marriage. They also generally showed low interest in the more symbolic meaning of marriage. Declaring commitment to one-self, to the partner, declaring the same-sex relationship to the family, to friends and to the workplace, all those symbolic functions certainly exist for some couples but these turn out to be rather few. These societies show very low homophobia and rather highly modernized family patterns. Last function of marriage, the political acting out to the community and to society as a whole, also seems to be exceptional. This is confirmed by the slope of the curves. As you see, the introduction of the registered partnership in the early 90s, and the transformation into marriage in 2009, are hardly visible, if visible at all. It shows very small community demonstrating effect.

Yet, there is a particularity for female couples. As you can see, female marriages were very low at the start, but they are rising ever since. Indeed, female couples that would want children, after a period of diminished rights to adoption and to artificial insemination, do have interest in being married now to have their co-parenthood established.

If these countries may be labeled as low interest countries, I must say there is one argument that does not fit into the picture. Opposite-sex wedding rate is not low in these countries. Marriage values and family forms are very much modernized and individualized, but weddings are still frequent and

attractive. So why the material and symbolic interests are low for same-sex couples and not for opposite-sex couples living the same conditions?

The second type is made up by the 'Wait and See' countries. In all of these countries, couples told me they were not ready yet for marriage. Statistics confirm. Very few couples marry. There are various reasons for this attitude. In some of these countries, homophobia is high and many couples have not come out to parts of the family and at the workplace. They fear marriage will bring uncontrolled coming out at some point in time. Another reason is the small social, fiscal and legal benefits that come with the same-sex partnership status in the Central European countries. Many couples consider this status to be discriminating, even in Germany, where this is hardly the case anymore. In Slovenia, even some LGBT organizations advised against marrying. The third reason for these extreme low values comes from above. Several countries have set up administrative proceedings that tend to make weddings socially invisible, preventing all symbolic use of same-sex weddings. Germany and the Czech Republic don't even publish marriage numbers. What you see here for Germany are estimates of the German LGBT organization LSVD. So, if we take it all together, we may speak of a 'Wait and See' attitude.

The third group is called 'Acting Out'. Its specificity is the first year boom. It comes with the publicity media accord to the new status. It signifies some kind of connivance between same-sex couples, LGBT community and mainstream media. Same-sex couples seem susceptible to the symbolic power of marriage as much for personal commitment as toward family, friends, and the outer world. Wedding rates are particularly high the first year, especially male wedding rates. They remain rather high after the first boom died out, even if we don't know yet for the UK and for Switzerland.

The second type is what I have called 'Wait and See'. It seems dominant in Slovenia, Hungary, the Czech Republic and in Germany. The dominating remark I heard from same-sex couples in these countries is: we are not against marrying, but not now, not yet. This wait and see attitude has different origins. One is social homophobia, rather high in most of these countries. Many couples haven't come out to all the members of their family and even less to their professional environment. They fear marrying might make their homosexual relationship public. They fear uncontrolled coming out at some point in time.

Another reason is the poor rights the marriage status provides in more than one of these countries. Some Slovenian LGBT organizations even called for not marrying as long as the status is so discriminating.

The last reason is administrative invisibility. All of these countries organized same-sex marriage in such a way that its symbolic use is almost impossible. The Czech Republic and Germany don't even publish same-sex marriage statistics.

Germany is a special case in this group. Social homophobia is not high in Germany. It is even lower as in France or the UK. Yet, political opposition to the new status has delegated its administrative organization to the regions. National statistics are impossible to collect because of extreme diversity of administrative proceedings. The data I showed you are estimates of the LGBT organization LSVD. In the meantime, new legal obligations will resolve these problems in 2012.

The second group shows extreme low frequencies and no particular introduction boom.

The third group of countries is the largest. I called them the 'Acting Out' countries. They show very high first year registration rates, a real boom of weddings. But they also show stabilization after the first year boom at a rather high level. Around 10 for 100 000. The most striking characteristic I have met in these countries is the pride to marry. Marriage is often presented as a turning point in personal life, often an unexpected turning point. Very often presented as positive, even by those who are not ready for marriage.

It is also perceived as a turning point for society. And that is where same-sex couples, LGBT community and mainstream media came together. There is national pride in introducing same-sex marriage. That is the reason of these high introduction rates. All the countries of this group think of themselves as world champions. The Danish because they were first to introduce a same-sex registered partnership. The Dutch because they were first to introduce same-sex marriage. The Swiss because they were first to introduce same-sex partnership by people's vote. And the British, they were convinced their civil union was world's best same-sex status. I won't discuss this. The important thing is that they have built an enormous national pride around that, boosting the introduction rates high up.

Of course all this enthusiasm was much more important than the reasons they gave it. Let's turn to France. We saw France was number one in 2010. We see now why. France is an outlier. French same-sex couples don't claim any positive championship. They are mostly rather discrete about it. The main reason for marrying is utilitarian. The Pacs may not provide all the rights opposite-sex marriage provides, it is easy to get into and easy to leave. These two characteristics are acclaimed by same-sex couples and not just by them. Opposite-sex Pacs is seriously threatening marriage. We may wonder if the original intention claimed by the first Pacs activists did not come true in the end: Pacs is not less than marriage, it is better than marriage.

No other country shows such rising wedding rates.

Now, if you followed my typology, you may wonder what I did to two countries that are Belgium and Spain. I don't think these countries form a different group. I would say they are inbetweens. As the curves show, there was no particular introduction boom in these countries, which means there has not been the same national-wide pride around the introduction of same-sex marriage. Yet, the wedding rates are not low as in the Wait and See and in the Low Interest groups. Same-sex couples do show interest in marriage, but they don't tend to see it as a turning point for themselves nor for society as a whole. What we see in Spain particularly, is a modernization of the family pattern as a whole. Same-sex marriage is not opposed to traditional family, it takes place in the renewed family. Same-sex couples use marriage to better integrate in their families of origin, transforming these families by doing so. It surely is an interesting example of integrated transformation.