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THE TENTH ANNIVERSARY OF DUTCH SAME-SEX MARRIAGE: HOW IS MARRIAGE DOING IN THE NETHERLANDS?

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INTRODUCTION

This April 1st marked the tenth anniversary of same-sex marriage in the Netherlands, the first country in the world to recognize same-sex unions as marriages.

This paper briefly assesses two questions: What has the demand for same-sex marriage turned out to be among same-sex couples? And how is marriage as an institution faring generally?

Marriage as a social institution is in general decline among many if not all European nations, and this brief does not attempt to address causality.

1. Gay Marriage is Relatively Rare

In the last 10 years, there were 14,813 same sex marriages. Of those couples, 7,522 were female and 7,291 were male.¹ Statistics Netherlands reports: "The number of homosexual and lesbian couples living together totaled 57 thousand in 2010. One in three couples had their relationships officially registered. Nearly 11 thousand couples were married and more than 6

thousand had registered partnerships."² There have been 1,078 same-sex divorces, 734 (two-thirds) of them by female couples.³

Radio Netherlands explained: "Just 20 percent of Dutch homosexual couples are married, compared with 80 percent of heterosexual couples - this is according to new figures published by Statistics Netherlands as the country marks ten years of officially sanctioned same-sex marriage." The story reports that Vera Bergkamp, head of a Dutch gay rights organization, "sees three main reasons for the lack of nuptial enthusiasm among gay couples: less pressure from family and friends, fewer gay couples marrying to have children than their straight counterparts, and a more individualist, less family-orientated mindset among many homosexuals."⁴

² Statistics Netherlands, "Number of Registered Partnerships Grew Further in 2010" March 15, 2011 at <http://www.cbs.nl/en-GB/menu/themas/bevolking/publicaties/artikelen/archief/2011/2011-3331-wm.htm>.

³ "Ten Years of Same-Sex Marriage: A Mixed Blessing" *Radio Netherlands Worldwide* April 2, 2011 at <http://www.rnw.nl/english/article/ten-years-same-sex-marriage-a-mixed-blessing>.

⁴ "Dutch Same-Sex Couples Less Likely to Marry" *Radio Netherlands Worldwide*, March 27, 2011 at <http://www.rnw.nl/english/bulletin/dutch-gay-couples-marry-far-less>.

¹ Eric Beauchemin, "Rainbow Weddings Celebrate 10th Anniversary" *Radio Netherlands Worldwide*, April 1, 2011 at <http://www.rnw.nl/english/video/rainbow-weddings-celebrate-10th-anniversary>.

As noted above, 14,813 same-sex couples have entered legal marriages in the Netherlands. Dutch survey data suggest that 2.8% of Dutch men and 1.4% of Dutch women are gay or lesbian.⁵ The population of the Netherlands is 16,654,979⁶ which suggests the population of gays and lesbians in the country is approximately 349,755. If every person who contracted a same-sex marriage in the Netherlands was a resident and was gay or lesbian, 29,626 of these 349,755 have chosen to marry. This means about eight percent of gay and lesbian people have chosen to marry.⁷

2. Marriage Rates Among Opposite-Sex Couples are Down

The number of marriages in the Netherlands has steadily declined since 1999 with a 10% drop since 2001.⁸ In 2006,

⁵ Theo G. Sandfort, Ron de Graaf, Rob V. Bijl, & Paul Schnabel, "Same-sex sexual behavior and psychiatric disorders: Findings from the Netherlands Mental Health Survey and Incidence Study (NEMESIS),"

58 *Archives of General Psychiatry* 85 (2001).

⁶ Statistics Netherlands, "Figures" at <http://www.cbs.nl/en-GB/menu/cijfers/default.htm>.

⁷ See also Eric Beauchemin, "Rainbow Weddings Celebrate 10th Anniversary" *Radio Netherlands Worldwide*, April 1, 2011 at <http://www.rnw.nl/english/video/rainbow-weddings-celebrate-10th-anniversary>; Maggie Gallagher & Joshua K. Baker, "Demand for Same-Sex Marriage: Evidence from the United States, Canada and Europe" *iMAPP Policy Brief*, April 26, 2006 at http://www.marriedebate.com/pdf/imapp_demandforssm.pdf.

⁸ Statistics Netherlands, "Number of Registered Partnerships Grew Further in 2010" March 15, 2011 at

Statistics Netherlands reported that the marriage rate was the lowest since 1945.⁹ On the other hand, the number of registered partners has increased dramatically from 2,000 in 2001 to nearly 10,000 in 2010.¹⁰ Nine in ten couples plan to live together before marrying and two-thirds of cohabiting couples plan to marry "but keep postponing marriage."¹¹

3. Divorce Rates are Stable

From 2001 to 2009, the formal divorce rate in the Netherlands dropped from 2.3 to 1.9.¹² The availability of "flash divorces," however, reduced the number of formal divorces during the years when they were available. From 2001 to 2009, married couples in the Netherlands could "convert" their marriage to a registered partnership which, in turn, could be annulled without a court order. This process was called a "flash divorce" and was a significant alternative to

<http://www.cbs.nl/en-GB/menu/themas/bevolking/publicaties/artikelen/archief/2011/2011-3331-wm.htm>.

⁹ Statistics Netherlands, "Marriage Rates Lowest Since 1945" October 10, 2006 at <http://www.cbs.nl/en-GB/menu/themas/bevolking/publicaties/artikelen/archief/2006/2006-2046-wm.htm>.

¹⁰ Statistics Netherlands, "Number of Registered Partnerships Grew Further in 2010" March 15, 2011 at <http://www.cbs.nl/en-GB/menu/themas/bevolking/publicaties/artikelen/archief/2011/2011-3331-wm.htm>.

¹¹ Statistics Netherlands, "Three Quarters of All Young People Want to Marry" November 25, 2009 at <http://www.cbs.nl/en-GB/menu/themas/bevolking/publicaties/artikelen/archief/2009/2009-075-pb.htm>.

¹² Eurostat, "Divorces" at http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&init=1&language=en&pcode=tp_s00013&plugin=1.

divorce, with some 30,000 Dutch couples separating in this way during the period of availability. Statistics Netherlands reports the increase in the number of flash divorces almost completely compensated for the decrease in the number of divorces in recent years.¹³

4. The Out of Wedlock Birth Rate Continues to Climb

Nearly one in every ten live-born babies were born to single mothers last year. Nine in ten were born to couples living together. Four in ten of the 185,000 babies born last year were born to mothers who were not married. Many first-born children are born to unmarried mothers (four in ten) but if the mother has a second or third child she is more likely to be married.¹⁴ In the decade ending in 2009, the share of unmarried parents among people in their thirties went from eight to twenty-two percent.¹⁵

CONCLUSION

After ten years of same-sex marriage, approximately 9 out of 10 gay and lesbian people in the Netherlands have still not chosen to enter a legal marriage. Marriage

as a social institution continues to decline, with lower rates of marriage, higher rates of divorce and out of wedlock childbearing among opposite sex couples.

As noted above, correlation does not prove causation.

At a minimum the data from the Netherlands does suggest that the hopes of those making a conservative case for gay marriage that it will strengthen marriage generally and dramatically increase the stability and fidelity among same-sex couples--are likely to be disappointed.

¹³ Statistics Netherlands, "Thirty Thousand Couples Separated Through Flash Divorce" January 12, 2010 at <http://www.cbs.nl/en-GB/menu/themas/dossiers/vrouwen-en-mannen/publicaties/artikelen/archief/2010/2010-3017-wm.htm>.

¹⁴ Statistics Netherlands, "Nearly One in Ten Live-Born Babies Born to Single Mothers" December 23, 2010 at <http://www.cbs.nl/en-GB/menu/themas/bevolking/publicaties/artikelen/archief/2010/2010-3283-wm.htm>.

¹⁵ Statistics Netherlands, "Three Quarters of All Young People Want to Marry" November 25, 2009 at <http://www.cbs.nl/en-GB/menu/themas/bevolking/publicaties/artikelen/archief/2009/2009-075-pb.htm>.