Marriage and divorce registration in selected countries: levels and differentials

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Population Data for the 21st century: Advances in data collection methodologies
UNFPA Headquarters
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Why marriage and divorce registration matters?

What do we know about marriage and divorce registration coverage levels?

- Preliminary analysis from Kyrgyzstan, Armenia and Republic of Congo

UNFPA ongoing activities in marriage registration and way forward
Why Marriage and Divorce Registration Matters?

- Legal proof of marriage or dissolution of marriage
- Secure property and inheritance rights and social protection
- Legal basis for the distribution of parental responsibilities
- Provide guidance for developing programs on family welfare and protection of rights of women and children
- Statistics show patterns of family formation and dissolution
- Demographic studies, genealogical research, and sampling frames for research studies
Evidence of coverage of marriage registration from censuses
18. Marital status (for persons 15 years and over)

[ ] Never married

[ ] Married (registered)

[ ] Married (not registered)

[ ] Marriage carried out only with church canonical ritual

[ ] Widowed

[ ] Divorced (registered)

[ ] Separated (not registered)
10. Marital status (persons 15 years and over)

[  ] Never married

[  ] Registered married

[  ] Not registered married

[  ] Widowed

[  ] Divorced

[  ] Separated
The marital status question categorized all persons into the following marital statuses:

[ ] Never married

[ ] Married (Registered)

[ ] Married (Customary)

[ ] Widowed

[ ] Divorced

[ ] Legally separated

[ ] Separated (Not legally)
21. What is your marital status? (Concerns people aged 15 years or more)

[ ] Single

[ ] Married (in actual status of marriage)

[ ] Married (in separation adjudicated by court)

[ ] Married (not in the actual status of marriage but without separation adjudicated by court)

[ ] Widower/widow

[ ] Divorced

23. Non-obligatory question:

Was your current relationship formally established in a registry office or in a church (religious association)?
Australia
2011

6. What is the person’s present marital status? (‘Married’ refers to registered marriages)

[ ] Never married

[ ] Widowed

[ ] Divorced

[ ] Separated but not divorced

[ ] Married
The marital status question classified persons aged 15 years and above into the following marital statuses:

[ ] Married

[ ] Single

[ ] Widowed

[ ] Divorced

Persons who reported being married were further asked if the marriage is registered (Y/N).
B41. Etat matrimonial Situez l'état matrimonial du recensé et inscrivez le code correspondant à la réponse

00- Monogame (pour les hommes et les femmes mariés en union monogame)
01- Poly/1ère épouse (pour les femmes mariées en union polygame et qui occupe le 1er rang (1ère épouse)
02- Poly/2iè épouse/2 épouses
03- Poly/3iè épouse/3 épouses
04- Poly/4iè épouse /4 épouses
05- Poly/5iè épouse /5 épouses
06- Célibataire
07- Veuf/Veuve
08- Divorcé(e)
09- Union libre (concubinage)
10- Séparé (e)

B42 DECLARATION A L'ETAT CIVIL Est-ce que le mariage de [NOM] a été déclaré à l'Etat civil? 1 si c'est OUI , 0 si c'est NON et 9 pour NSP
For countries that have not included a direct question on the status of marriage and divorce registration in their censuses or household surveys....

Coverage of marriage registration is derived indirectly if the questionnaire provides a detailed breakdown of different types of marriages that are practiced by the country’s population (i.e. quantifying registerable marriages according to the country laws). 2007 census of Congo is an example
Congo Case Study
Congo, like most sub-Saharan African countries, has a low proportion of marriages registered in the civil registration system (13.1%).

<table>
<thead>
<tr>
<th>Type of Marriages</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mariage religieux</td>
<td>6.6%</td>
</tr>
<tr>
<td>Mariage civil</td>
<td>6.5%</td>
</tr>
<tr>
<td>Mariage coutumier</td>
<td>40.9%</td>
</tr>
<tr>
<td>Union consensuelle</td>
<td>46.0%</td>
</tr>
</tbody>
</table>

Notes: Mariage religieux = religious marriage; Mariage civil = civil marriage; Mariage coutumier = customary marriage; Union consensuelle = common-law union

Source: Congo 2007 census
Before colonization:
- Rights and duties governed by customs
- Parish registers for the needs of the church

During colonization: administration of the colony (HR management, assessment of the tax base, mobilization of migrants, etc.)
- The Decree of 29 June 1889, which for the first time organized the civil registration system of French citizens in the French Congo, was the birth certificate of the Congolese civil registration system
- Order No. 927 of 13 December 1940, reorganizing the indigenous civil status into an AEF (French Equatorial Africa), made the declaration of marriages mandatory.
After independence:

- The current civil registration system is governed by Law No. 073/84 of 17/10/1984 on the Congolese Family Code.
- Customary marriage: a prerequisite for civil marriage (article 123) but without legal effect and not registered.
- Validated by the payment of the Dot not exceeding CFAF 50,000 (article 140), prescription not applied. There is a lot of stock on the issue of the cost of dowry.
- Maximum duration of the "pre-marriage": 5 years (article 126), prescription also not applied.
- Age for marriage: 21 years (men) and 18 years (women).
Matrimonial processes in Congo

- Religious marriage
- Civil marriage
- Pre-marriage: (1st + 2nd + 3rd) wine + Dot
- Consensual union

At least 3 ceremonies
Preliminary Results:
2009 Kyrgyzstan
Population and Housing Census
92.7% of marriages were registered in Kyrgyzstan in 2009, with no significant sex disparities.
No significant difference in marriage registration coverage between rural (94%) and urban (91%) areas in Kyrgyzstan.
Marriage registration coverage is the lowest among people with primary education in Kyrgyzstan.
Younger people (34 years and below) are more likely to be in unregistered marriages than older people in Kyrgyzstan.
Marriage registration coverage by age

Pattern is true by place of residence, education level, and sex in Kyrgyzstan
Marriage registration level among women by their reproductive history

Women with no child ever born have a lower marriage registration level than those with children in Kyrgyzstan.
Marriage registration level among women by their reproductive history and education

Reproductive history has the largest impact on the marriage registration level of women with lower education level in Kyrgyzstan.
Preliminary Results:
2011 Armenia
Population and Housing Census
95% of marriages were registered in Armenia in 2011, with no significant sex disparities.
Marriage registration level similar in urban and rural areas in Armenia

Marriage registration level by place of residence

DISTRIBUTION OF TOTAL POPULATION AGED 15+ (%)

Rural

- Married registered: 94.1%
- Married not registered: 5.9%

Urban

- Married registered: 95.8%
- Married not registered: 4.2%
Divorce registration coverage by place of residence

Lower divorce registration level in rural areas in Armenia

<table>
<thead>
<tr>
<th>Area</th>
<th>% of divorces registered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban</td>
<td>63.3%</td>
</tr>
<tr>
<td>Rural</td>
<td>52.1%</td>
</tr>
<tr>
<td>Total</td>
<td>60.8%</td>
</tr>
</tbody>
</table>
Non registration of marriage disproportionately high among young people (34 years and below) in Armenia.
So is non-registration of divorce - disproportionately high among **young people** in Armenia.
No significant difference in marriage registration coverage by education level in Armenia

<table>
<thead>
<tr>
<th>Education level</th>
<th>Primary</th>
<th>Some secondary</th>
<th>Some tertiary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of marriage registered (%)</td>
<td>93.1%</td>
<td>95.1%</td>
<td>96.1%</td>
</tr>
</tbody>
</table>
People with lower education level are less likely to register their divorce in Armenia.

Divorce registration coverage by education level:

- Primary: 50.0%
- Some secondary: 57.8%
- Some tertiary: 70.4%
Marriage registration level among women by their reproductive history

Women with no child ever born have a lower marriage registration level than those with children in Armenia.

DISTRIBUTION OF WOMEN AGE 15+ BY REPRODUCTIVE HISTORY

Percent

<table>
<thead>
<tr>
<th></th>
<th>% of marriages registered</th>
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<tbody>
<tr>
<td>No child</td>
<td>73.5</td>
</tr>
<tr>
<td>With children</td>
<td>93.5</td>
</tr>
</tbody>
</table>
Women with no child ever born also have a lower divorce registration level than those with children in Armenia.
Summary

Factors associated with marriage and divorce registration

Reproductive history

- Age
- Education level
- Place of residence
- Geographic location?
- Sex
UNFPA ongoing activities in marriage registration and way forward

- Representation in major conferences
  + Conference of Ministers responsible for CRVS
  + UAPS - 8th African Population Conference (APC)

- Ongoing advocacy to include questions on marriage and divorce registration in 2020 census round and household surveys (MICS)
  + Marriage questions now include in the DHS8 women’s questionnaire

- Research and analysis
  + Analysis of Senegal 2013 census and others?
  + Duration of marriages, former marriages, socio-demographic characteristics of husbands/partners
  + Qualitative studies

- Policy implication
  + Legal reforms? Family code? Provision of civil registration services? Raise awareness?
1. What is the type of your marriage?

- Civil/Statutory;
- Customary/Traditional;
- Detailed religious categories, to be defined at the national level, e.g. Islamic/Hindu/Christian;
- Other, please specify ________
- Unknown

2.1 Has your marriage been legally registered? or
2.2 Do you have a certificate for your marriage?
2.3 Age at first marriage (asked to ever-married people)