

# The educational gradient in matrimonial property regime among Italian and foreign spouses

Romina Fraboni

Istituto Nazionale di Statistica (ISTAT)

Agnese Vitali

University of Southampton and ESRC  
Centre for Population Change

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## Abstract

The paper studies the choice of matrimonial property regime (community vs. separation of assets) of spouses at marriage comparing Italian spouses, spouses in mixed marriages and marriages with both foreign spouses across educational categories and distinguishes the main countries of origins of the foreign spouses. We use data from the 2013 Italian marriage register which collects information on all marriages celebrated in Italy in a given year and use logistic regression to estimate the probability of a couple choosing to separate their resources on the basis of their educational composition and couple type (both Italians, mixed marriage, both foreigners) for first and second marriages. Preliminary results show the existence of an educational gradient in the choice of matrimonial property regime at marriage: as educational attainment increases, couples are more likely to opt for separating the assets that they will accumulate during marriage. This pattern is observed for both endogamous and exogamous marriages, while the opposite holds for marriages with both foreign spouses. Finally, we find that in endogamous marriages and marriages with an Italian bride, educationally hypogamic couples (i.e. couples where the bride is more educated than the groom) are more likely to choose the separation of property with respect to hypergamous couples (i.e. couples where the bride is less educated than the groom).

## Background

A number of previous studies have investigated income pooling and management of resources among spouses (see, e.g. Pahl 1995; Lundberg and Pollak 1996; Yodanis and Lauer 2007). In particular, recent research has compared married and cohabiting couples and it has shown that income pooling is less common among cohabiting couples, especially if they have no intention to marry (Lyngstad et al. 2010; Hiekel et al. 2014).

Less is known, however, about resource pooling in mixed marriages. Mixed marriages, however, represent a growing share of the emerging unions in developed countries and have been increasing substantially over the past years, also as a consequence of the increasing international mobility. So while marriage is losing its centrality as a form of union formation in favour of non-marital cohabitation, marriages with at least a foreign spouse are increasingly popular.

This paper aims at filling a gap in the literature by studying the choice of matrimonial property regime at marriage comparing Italian spouses and foreign spouses in Italy by their educational attainment.

Italy represents an interesting case study because, at marriage, couples are asked to decide upon the property regime that they want to adopt. Such choice will regulate the ownership of the assets accumulated during marriage. Since 1975, the reform of the Italian family law established the community of property as the statutory matrimonial property regime. Couples have the option to opt for the alternative separation of property, according to which each spouse maintains the ownership of the properties accumulated during marriage, or to sign a specific pre-marital agreement. Marriages with at least a foreign spouse passed from 3% of total marriages in 1992 to 12% in 2013. Educational homogamy is increased among marriages with at least a foreign partner and is particularly high for low educated spouses (De Rose and Fraboni forthcoming).

Previous research has looked at the characteristics of spouses in mixed marriages in comparison to native spouses and it has linked the occurrence of mixed marriages to the changing marriageability of certain groups in the population, due to the emergence of a 'reversal of the gender gap in education' (Van Bavel 2012). Low-educated men tend to be less gender-egalitarian and are more likely to hold traditional masculine ideologies than high-educated men (Bryant 2003). Also, having a lower earning potential, low-educated men are less attractive on the marriage market and find it difficult to find a spouse in the national marriage market where there is a shortage of equally low-educated women who share their same traditional values. Not surprisingly, of those men who marry foreign brides, the majority tend to be low-educated. We expect both spouses in this type of couple to conform to more traditional gender roles and to be more likely to opt for the community of property regime. On the other hand, high-educated women, who hold more gender-egalitarian values than low-educated women, find it difficult to find an equally high-educated spouse on the national marriage market because there is a shortage of high-educated men. Again, of those women who marry foreign spouses, the majority tend to be high-educated (Serret and Vitali 2014). We expect both spouses in this type of couple to conform to more gender-egalitarian roles and to be more likely to opt for the separation of property regime.

This paper seeks to identify whether there are differences in resource pooling on the basis of the spouses' educational attainment and their citizenship status.

## **Data and Methods**

This paper makes use of the 2013 marriage register for Italy, which collects all marriages celebrated in Italy in 2013 (N. = 194,057) and contains information on the place of residence of the spouses, together with their citizenship, age, level of education, current employment status and the choice of matrimonial property regime.

The final paper will analyse if and how the probability that a couple chooses the separate vs. communal property regime at marriage varies across couple types using logistic regression models. Our main independent variables are the spouses' level of education at marriage; the couple type (both Italians (ref.), Italian bride and foreign groom, Italian groom and foreign bride, both foreigners); an interaction between the couple type and spouses' education. We also control for spouses' ages and region of residence. For heterogamic marriages, in the final paper we will further distinguish the main origins of the foreign spouse. We will also run separate analyses for first and second marriages.

## **Preliminary results**

Today, the separation of property is the preferred option among spouses in Italy. Of the 167,977 endogamic couples (i.e. couples with both Italian spouses) whose marriage was celebrated in 2013, as many as 71.8% chose the separation of property as their matrimonial property regime. This indicator signals a radical shift from the normative behaviour in place when the statutory community of property regime was introduced forty years ago. If we look at marriages with at least one foreign spouse, the percentage choosing the separation of property is equal to 54.3%, hence much lower than among natives. The difference is mainly driven by the behaviour of couples where both spouses are foreigners. Among this typology of couple, only 28.3% opt for the separation of property. The choices of couples with at least a foreign spouse are more similar to those of Italians, although the percentage choosing the separation of property tends to be lower than for natives (65.5% among couples with a foreign bride and 64.5% among couples with a foreign groom).

Preliminary results suggest the existence of an educational gradient in the choice of the property regime among married couples. The choice of separation of property increases with the level of education of the bride among couples with at least an Italian partner, especially when both are Italian (75.7%). Interestingly, if the bride is highly educated, the percentage of marriages with separation of property is the lowest for couples with both foreign spouses (Figure 1).

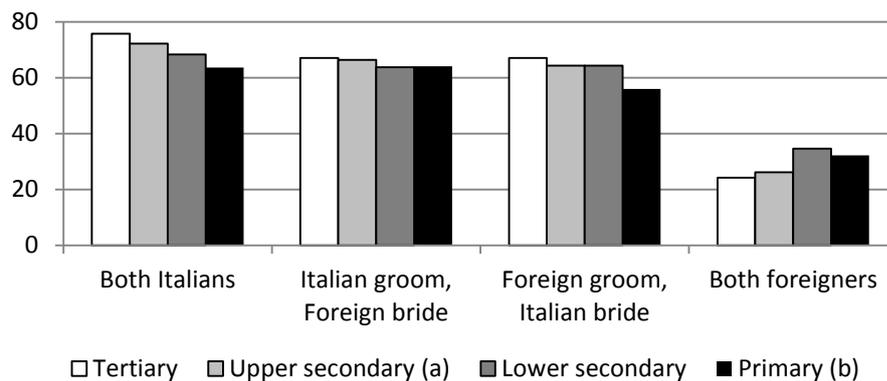
Furthermore, the educational composition of the couple matters for determining the choice of matrimonial property regime. The highest percentages of couples choosing the separation of property are found among homogamous couples with both highly educated spouses, followed by spouses who are both upper-secondary educated and couples where at least one of the spouses is highly educated. The percentage of couples choosing the separation of property, instead, is lowest among couples with both lower-secondary or primary educated spouses, with the exception of couples where both partners are foreigners (Figure 2). Finally, separation of property is more common among hypogamic couples (i.e. couples where the woman is more educated than the man) than among hypergamic couples (i.e. couples where the woman is less educated than the man), in endogamous marriages and marriages between a foreign groom and an Italian bride, while the opposite is true in marriages between an Italian groom and a foreign bride.

## **Conclusion**

The paper demonstrates the existence of an educational gradient in the choice of matrimonial property regime at marriage: as educational attainment increases, couples are more likely to opt for separating the assets that they will accumulate during marriage. This pattern is observed for both endogamous and exogamous marriages, while the opposite holds for marriages with both foreign spouses. Also, the separation of resources is more likely among educationally hypogamous couples with an Italian high-educated bride than in hypergamic couples.

*The paper will contribute to understanding if couples are less likely to pull their resources when one of the spouses is more vulnerable due to having achieved lower education and/or being a foreign-born.*

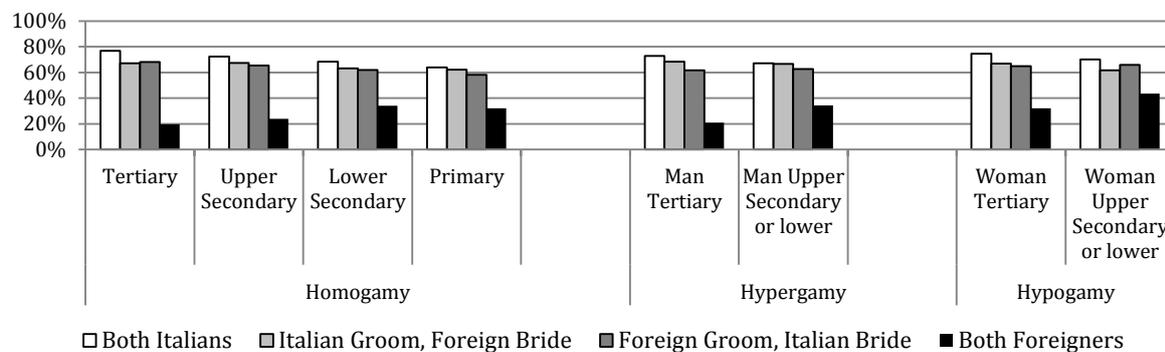
**Figure 1:** Percentage of marriages with separation of property by couple typology and level of education of the bride. Italy, 2013



Source: Istat, Marriage register

(a)=Including post-secondary, non-tertiary (b)=Including no education degree

**Figure 2:** Percentage of marriages with separation of property by couple typology and educational composition of the couple. Italy, 2013



Source: Istat, Marriage register

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