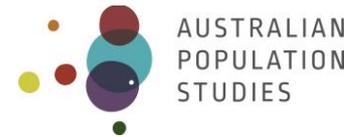


Same-sex marriage and remarriage in Australia, 2018-2020



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Paper received 15 February 2022; accepted 9 May 2022; published 25 July 2022

Abstract

Background

Since same-sex marriage was legalised in Australia in December 2017, thousands of same-sex couples have married. Little Australian research to date has examined same-sex marriage trends and how they are similar or different to different-sex marriages.

Aims

To describe trends in same-sex marriages and remarriages in Australia for the years 2018–2020, comparing and contrasting with different-sex marriages and remarriages by age and sex.

Data and methods

Data come from the Australian Bureau of Statistics, *Marriage and Divorces, Australia*. We use available data on different-sex and same-sex marriages and remarriages for age and sex.

Results

The proportion of same-sex marriages declined from 5.5% of total marriages to 3.7% between 2018 and 2020. Same-sex marriages tended to be at older ages, but the age gap between same-sex and different-sex marriages for males and females reduced over time. Similar trends were observed for remarriage. For different-sex remarriages, there was a slightly higher proportion of males remarrying than females. In contrast, for same-sex remarriages, the proportion of females remarrying was double that of same-sex males.

Conclusions

Early trends suggest same-sex marriages and remarriages occurred at older ages than different-sex. This age gap reduced over time, suggesting that early adopters of same-sex marriage may be a different group. Interestingly, same-sex remarriage was much more common for females. Given that same-sex marriage was not legal in Australia until late 2017, it is likely that many of their first marriages were different-sex. This has received little attention in the research literature to date and requires further investigation.

Key words

Marriage; Remarriage; Same-sex; Australia.

1. Introduction

In December 2017, same-sex marriage was legalised in Australia. Gay rights movements had been pushing to reform discriminatory legislation since the 1970s (Greenwich & Robinson, 2018). However, it wasn't until 1997 that homosexuality was decriminalised in Australia (Willett, 2010). Since 2000, a number of bills supporting same-sex marriage had been introduced in parliament (McAllister & Snagovsky, 2018), but none were passed until 2017 when the Commonwealth Government held a postal vote administered by the Australian Bureau of Statistics (ABS) (McAllister & Snagovsky, 2018). The Australian public was asked: 'Should the law be changed to allow same-sex couples to marry?', to which respondents could voluntarily answer "yes" or "no" (McAllister & Snagovsky, 2018). The majority of the Australian public voted "yes" in the same-sex marriage postal survey (Wilson, Shalley & Perales, 2020), and shortly after legislation, same-sex marriage was passed by the Australian parliament (McAllister & Snagovsky, 2018). Since then, many Queer Australian couples have legally married, with thousands of same-sex marriages registering from 2018 to 2020 (ABS, 2021a; ABS, 2020a; ABS, 2019). In this study, 'Queer' is used as an umbrella term inclusive of all LGBTQIA+ identities (Australian Institute of Family Studies, 2022a).

In this paper we describe and document marriage and remarriage trends for same-sex and different-sex marriages since the law change. We also investigate if this varies according to age and sex. We use the term different-sex, rather than heterosexual, to refer to non-same-sex marriages because the ABS includes people who don't identify as male or female in the total marriage counts (ABS, 2021b). Therefore, even though the number of marriages impacted is likely to be small, the term different-sex is more accurate and inclusive of marriages which are not same-sex but involve people who are Queer and just don't fit the "same-sex" definition. An example of a Queer couple who are not "same-sex" would be a lesbian couple where one partner is a nonbinary lesbian (Hord 2020), and the other partner is a cisgender female lesbian. Using data from the ABS (ABS, 2021a; ABS, 2020a; ABS, 2019), we investigate the following questions: In the years since same-sex marriage was legalised (i) What proportion of total marriages were same-sex marriages?; (ii) Are there differences in proportions of remarriages between different-sex and same-sex couples?; (iii) Are there age differences between different-sex and same-sex marriage and remarriage patterns?; (iv) Are there sex differences between different-sex and same-sex marriage and remarriage patterns?

From a life course perspective, we would expect differences in the timing and patterning of marriage and remarriage for those in same-sex marriages compared to different-sex marriages (Carpenter, 2010). The life course perspective emphasises interactions between individual life biographies and historical time and place (Elder, 1994), where an individual's biography and life course transitions are shaped by the broader social context including legal, cultural, and moral constraints. Marriage and sexual identity have been particularly influenced by societal shifts in many western developed countries over recent decades (Cohler, 2005), with opportunities for marriage over time differing according to sexuality. While we have seen changes in trends of marriage and remarriage for different-sex couples over time, such as increases in cohabitation, delayed marriage, and declining rates of marriage overall, legal marriage has always been a life course option (De Vaus, 2004). For same-sex couples in Australia, the 2017 change in marriage laws has shifted marriage opportunities.

Marriage for sexual minorities has only recently become a normative, and legal, life event in a handful of countries globally (Cohler, 2005; Hewitt & Churchill, 2020; DiGregorio, 2016). In contrast to older Queer generations in those countries (Cohler, 2005), Queer young people will grow up in a context where same-sex marriage is available to them. Historically, many same-sex attracted people had entered into different-sex marriages for a range of reasons (Higgins 2002; Pearcey 2005). For example, in a qualitative Australian study of 26 gay or bisexual men in Victoria, the most common reasons why these men had previously married a woman was because they wanted children and a family, and that it 'seemed natural' in the social context at the time (Higgins 2002). The literature on why lesbian and bisexual women marry opposite sex partners is limited compared to the literature available on men.

Little research has been undertaken on same-sex remarriages, with most Australian and international studies being conducted on re-partnering in different-sex relationships (Hughes, 2000; Raley & Sweeney, 2020; Skew, Evans, & Gray, 2009). In Australia, remarriages of one or both partners after divorce or widowhood accounted for 27.42% to 28.56% of total marriages from 2018 to 2020 (ABS, 2020a). However, it should be noted that remarriage in Australia has declined from around 34% since the year 2000 (ABS, 2021a; ABS, 2020a; ABS, 2019). Nowadays, many couples re-partner by cohabiting rather than remarrying (Skew, Evans, & Gray, 2009).

Research on re-partnering and remarriage amongst different-sex couples suggests that sex and age are important factors. Men are more likely to remarry and re-partner than women (Hughes, 2000; Skew, Evans, & Gray, 2009). This is possibly because men have more options on the remarriage market (Skew, Evans, & Gray, 2009), as it is more socially acceptable for them to marry younger women (England & McClintock, 2009). Age is negatively associated with re-partnering, where people who have separated or divorced at younger ages are more likely to re-partner (Skew, Evans, & Gray 2009). The current study provides some of the first Australian information on same-sex remarriages between men and same-sex remarriages between women. Despite gay male and lesbian female unions being qualitatively different (Ducharme & Kollar, 2012), discussion of sex differences in same-sex remarriage has been limited in previous studies.

2. Data and methods

2.1 Data

The data come from the ABS which collates data on all marriages registered in a calendar year for each of the States and Territories in Australia (ABS, 2021b). All data and variables used in this study were pre-determined by the ABS. Even though the same-sex marriage legislation took effect from the 9th December 2017, data were not reported by the ABS for same-sex marriages in 2017 due to privacy considerations, so our study examines the years 2018, 2019 and 2020 (ABS, 2021a; ABS, 2020a; ABS, 2019).

2.2 Definitions and measures

Marriage refers to all marriages which are registered with Births, Deaths and Marriages Registrars in each Australian state and territory which are then recorded by the ABS (ABS, 2021b). Same-sex marriage, as defined by the ABS, refers to either the number of marriages in which both partners

identify as female, or where both partners identify as male (ABS 2021b). We define any marriages not classified as same-sex marriages as different-sex marriages, and note that the ABS includes people who don't identify as male or female in the total marriage counts (ABS, 2021b). Therefore, it is likely that a small number of marriages which are not same-sex might include people who are Queer, for example they could be male-nonbinary or female-nonbinary marriages, but don't fit this "same-sex" definition.

Remarriages refers to registered marriages where one or both persons were previously married (ABS, 2019). This is inclusive of couples where one spouse has previously been married, but the other could be entering their first or second marriage (ABS, 2021a; ABS, 2020a; ABS, 2019). Information on the total number and proportion of same-sex and different-sex remarriages were derived by summing the number of marriages for males and females whose prior marital status was widowed or divorced.

Sex was defined by the ABS as either 'male', 'female', or 'X' (ABS, 2021b). Both individuals and same-sex marriages are categorised by sex in this study, as determined by the ABS (ABS, 2021b). Marriages where one or both partners identified outside of the male-female binary were excluded from ABS data presented by sex (ABS, 2021b). However, marriages and individuals were included in counts of total marriages and total people married (ABS, 2021b). As such, the sex categories in this study are male and female.

All age categories in this study were pre-determined by the ABS. Age was measured in two ways in the study: age (with categories ranging from age 16 to 50 and above) and median age at marriage. Age refers to the number of individuals in a given age group (in years) who were married in that specific year. This is represented as the following age ranges: 16-19, 20-24, 25-29, 30-34, 35-39, 40-44, 45-49, and 50+. The ABS grouped individuals aged 50+ into one category and we were therefore unable to differentiate between smaller age categories within the 50+ age group in this study. Median age at marriage refers to the median age of individuals who got married in that year, according to sex. This was calculated by the ABS.

2.3 Approach

This study compares and contrasts trends in same-sex and different-sex marriages in Australia. Data provided by the ABS was represented as a series of cross-tabulations with numerical data. These were then re-arranged in a series of tables and graphs, which address the research questions. Percentages of each variable, at either the individual or marriage level, were calculated to allow for comparison across and between variables.

3. Results

3.1 Marriage

Table 1 shows the proportion of total marriages in each year that were same-sex compared to different-sex. The results show that out of total marriages, same-sex marriages accounted for 5.49% in 2018, 4.84% in 2019, and 3.67% in 2020. We note that the number of total marriages for 2020 was low because of the impact of COVID-19 restrictions on being able to marry and host weddings in Australia (Australian Institute of Family Studies, 2022b).

Table 1: Same-sex marriages as a proportion of total marriages

Year	Same-sex marriages	Different-sex marriages	Total marriages
	%	%	N
2018	5.49	94.51	119,188
2019	4.84	95.16	113,815
2020	3.67	96.33	78,989

Source: ABS 2021a; ABS 2020a; ABS 2019.

In Table 2, we present the proportion of same-sex marriages for females and males. We do not present these numbers separately for different-sex marriages because the overall numbers of males and females entering different-sex marriages are virtually equal. The results indicate that a greater proportion of same-sex marriages were between females (57-61%) compared to males (38-42%), demonstrating that a larger number of female same-sex couples got married each year than male same-sex couples.

Table 2: Same-sex marriages by sex

Year	Female	Male	Total
	%	%	N
2018	57.83	42.17	6,538
2019	58.89	41.07	5,507
2020	61.41	38.49	2,902

Source: ABS 2021a; ABS 2020a; ABS 2019.

Figures 1 and 2 present the age distributions of total marriages and same-sex marriages separately for females and males. Overall, the results indicate that same-sex marriages were more evenly distributed across all age groups. In 2018, same sex marriages were most common in the 50 and over age category, particularly for males, likely reflecting the pent-up demand for marriages amongst older couples in long term relationships (Greenwich & Robinson, 2018). In 2019 and 2020, the proportion of same-sex marriages in this age group reduced and the proportion of marriages in the younger age groups of 25-29, 30-34, and 35-39 increased. In comparison, the distribution across age groups for different-sex marriages was remarkably consistent.

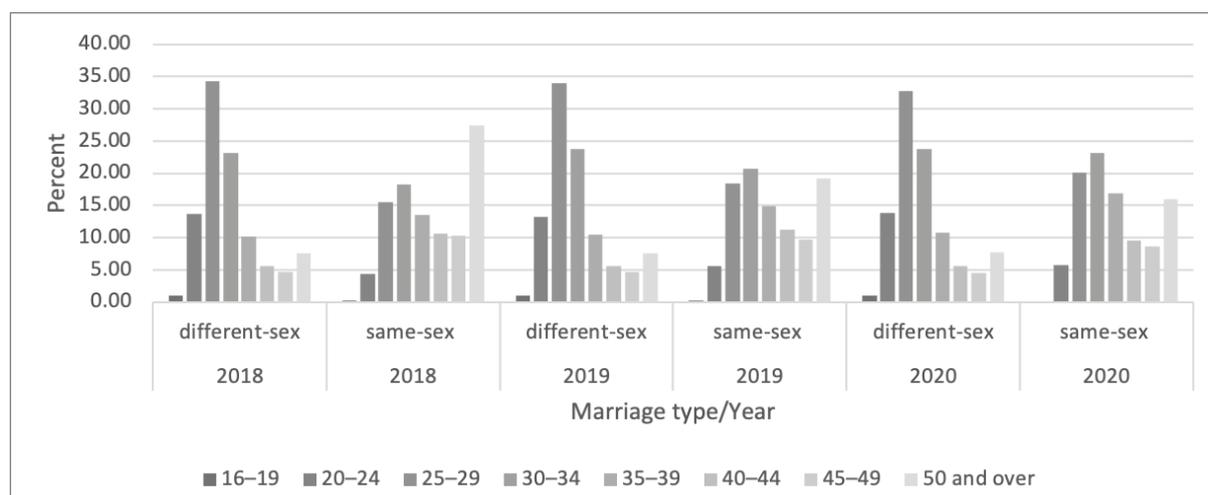


Figure 1: Age at marriage for females, same-sex and different-sex marriages, 2018-2020

Source: ABS 2021a; ABS 2020a; ABS 2019.

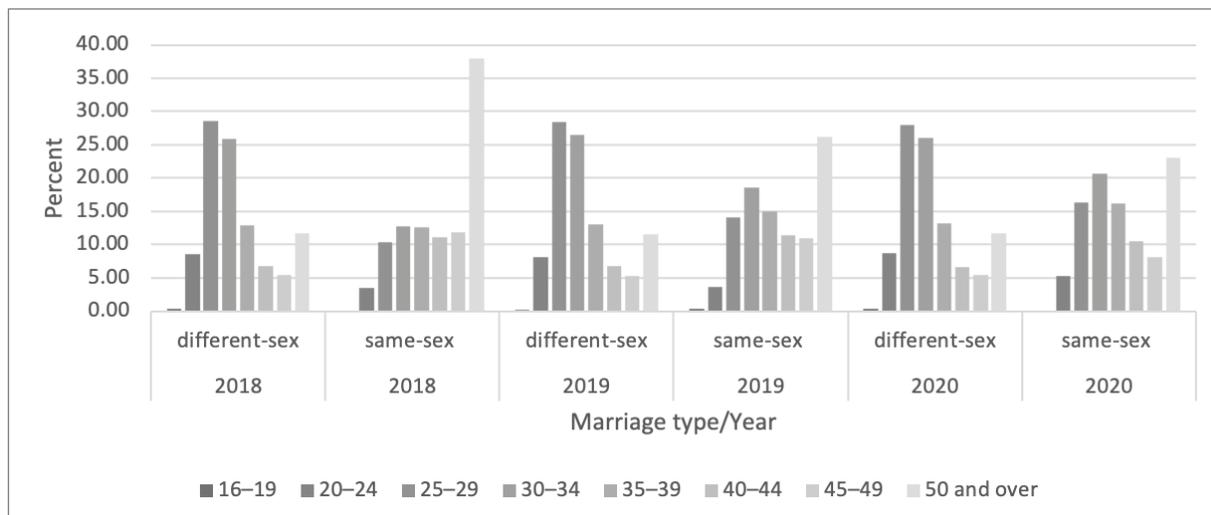


Figure 2: Age at marriage for males, same-sex and different-sex marriages, 2018-2020

Source: ABS 2021a; ABS 2020a; ABS 2019.

3.2 Remarriage

Table 3 shows the results for the proportion of same-sex and different-sex marriages that were remarriages. The results show that about one-quarter of total marriages, both different-sex and same-sex, were remarriages. While the proportion of different-sex remarriages is slightly higher across all years, there is not a large difference.

Table 3: Remarriage proportions of same-sex and different-sex marriages

Year	Same-sex remarriages	Different-sex remarriages
	% of total same-sex marriages	% of total different-sex marriages
2018	26.38	27.97
2019	23.77	27.42
2020	25.09	28.56

Source: ABS 2021a; ABS 2020a; ABS 2019.

Table 4 presents the most interesting finding in this study. We present same-sex and different-sex remarriages as a proportion of total marriages for females and males. The literature on different-sex remarriage indicates that men are more likely than women to remarry (De Vaus, 2004; Skew, Evans & Gray, 2009). This is supported by the data for different-sex remarriages, where a slightly higher proportion of males were remarried each year (20% – 21%) than females (18% – 19%) across all time points. We find very different results for same-sex remarriages. A much higher proportion of females entered same-sex remarriages than males. This difference was large. While male same-sex remarriages accounted for around 10% of all male same-sex marriages in 2018, 2019 and 2020, for females, same-sex remarriages accounted for between 16% and 20% of same-sex marriages, around double that for same-sex males.

Table 4: People in same-sex and different-sex remarriages as a proportion of total people married, by sex

Year	Same-sex remarriages		Different-sex remarriages	
	Female %	Male %	Female %	Male %
2018	19.35	10.41	19.00	20.77
2019	16.52	09.64	18.75	20.39
2020	18.08	10.39	19.74	20.93

Source: ABS 2021a; ABS 2020a; ABS 2019.

To investigate this finding further, we examined the previous marital status of males and females in same-sex marriages. While females were more likely to have been widowed than males, the main differences were in those who had been divorced. Of total male same-sex marriages, the proportion of men who had been previously divorced was 10.12% in 2018, 9.31% in 2019, and 10.12% in 2020. Women who had previously been divorced accounted for 18.88% of total female same-sex marriages in 2018, 15.97% in 2019, and 17.55% in 2020. This suggests that the much higher proportion of same-sex remarriages for females is due to women having previously been married and subsequently divorced.

Table 5: Previous marital status of same-sex marriages

Year	Previous marital status	Male		Female	
		No.	%	No.	%
2018	Never Married	4,940	89.59	6,104	80.69
	Widowed	16	0.29	36	0.48
	Divorced	558	10.12	1,428	18.88
	Total	5,514	100.00	7,565	100.00
2019	Never Married	4,081	90.25	5,421	83.55
	Widowed	15	0.33	36	0.56
	Divorced	421	9.31	1,036	15.97
	Total	4,522	100.00	6,488	100.00
2020	Never Married	1,999	89.52	2,929	82.12
	Widowed	6	0.26	19	0.53
	Divorced	226	10.12	626	17.55
	Total	2,233	100.00	3,567	100.00

Source: ABS 2021a; ABS 2020a; ABS 2019.

The ABS does not publish specific age category data on remarriages, but rather provides the median ages for females and males marrying for the first time, or remarrying after becoming widowed or divorced. The ABS distinguishes between same-sex marriages and total marriages (which is all marriages including same-sex marriages), according to sex. Due to median age being calculated by the ABS, we are unable to comment on different-sex marriages specifically. In Figures 3 and 4 we present information for females and males in same-sex unions compared to total marriages in Australia. For females, the results presented in Figure 3 are consistent with the information provide in Figure 1, where the median age for same-sex marriages was older than the median age for different-sex marriages. In general, this age gap was largest in 2018 and narrowed over the subsequent years. For those in first marriages, the median age gap dropped from 7.1 years in 2018 to 4.3 years in 2020. The smallest gap in median age at marriage between total remarriages and same-sex remarriages was for widowed females at approximately 2.5 years. For

divorced females who remarried, the age gap between total marriages and same-sex marriages was 6.5 years in 2018 and halved to around 3 years by 2020.

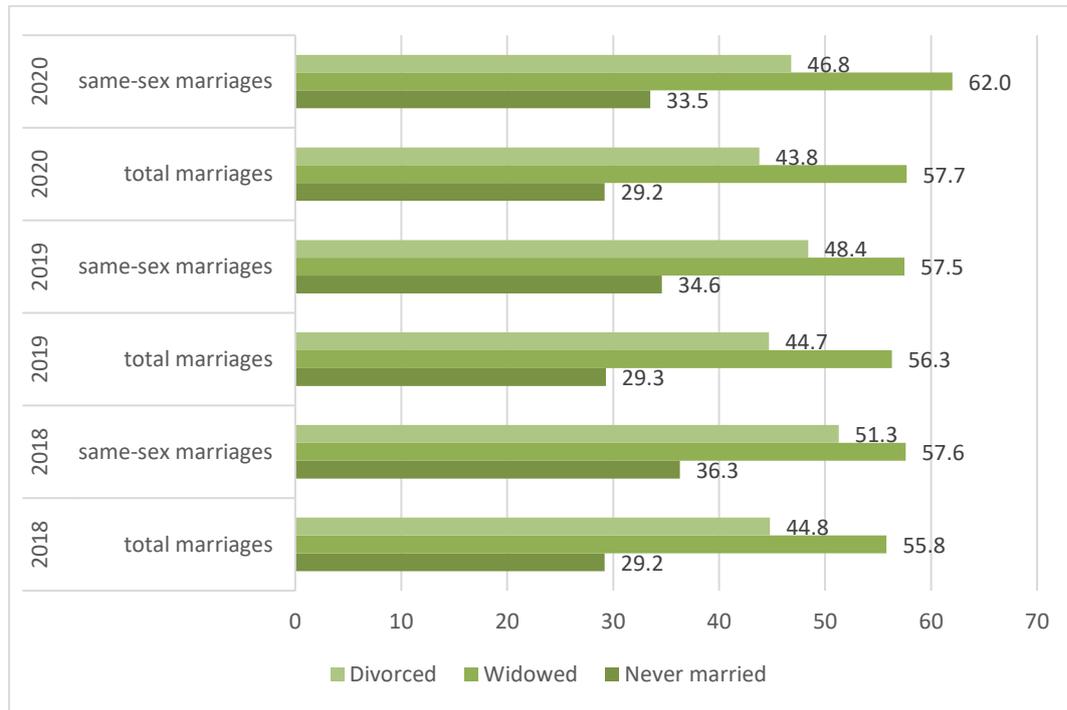


Figure 3: Median age at marriage for females, same-sex and total marriages, 2018-2020

Source: ABS 2021a; ABS 2020a; ABS 2019. Note: Total marriages includes same-sex marriages.

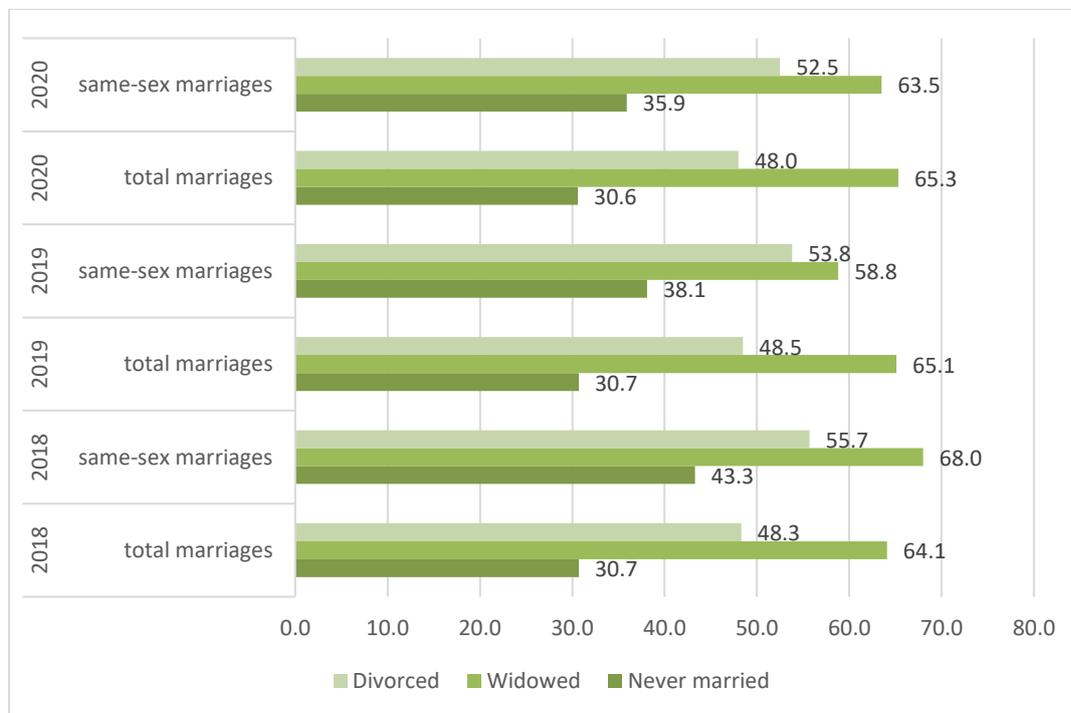


Figure 4: Median age at marriage for males, same-sex and total marriages, 2018-2020

Source: ABS 2021a; ABS 2020a; ABS 2019. Note: Total marriages includes same-sex marriages.

4. Discussion

With the legalisation of same-sex marriage in Australia in December 2017, same-sex couples were able to marry for the first time. This legal change brought Australia in line with around 22 other countries across the world at the time (Hewitt & Churchill, 2020), with another seven countries introducing marriage equality laws since. With three years of ABS data now available on same-sex marriages in Australia, the main purpose of this paper was to describe some early trends and identify similarities and differences with different-sex marriages and remarriages.

4.1 Marriage

First, we described the proportion of total marriages that were same-sex marriages. Given that Australia's sexual minority population aged over 18 is estimated to be around 3.5% of the total adult population (Wilson et al., 2020), there was a relatively high proportion of total marriages which were same-sex marriages in the first two years after the legalisation of same-sex marriage; 5.49% in 2018 and 4.84% in 2019. International data suggests this proportion of same-sex marriages is higher compared to other countries, including Belgium, the Netherlands, Norway, Spain, and Sweden (Chamie & Mirkin, 2011). Rather than necessarily reflecting a higher propensity for those in the non-heterosexual population to marry, it is more likely due to a backlog of same-sex couples wanting to be married prior to 2017 (Greenwich & Shirleene, 2018). The proportion of same-sex marriages in 2020 (3.67%) is more closely aligned to the population estimates. This trend of declining numbers of same-sex marriages is similar to that observed in other countries over the years after same-sex marriage was introduced (Hewitt & Churchill 2020; Chamie and Mirkin 2011). Similar trends have been observed in other countries where legalisation of same-sex marriage was highly politicised. For example, in France, Scotland, and Ireland, a high proportion of same-sex marriages were observed immediately after legalisation, but in the following years, the proportion declined (Hewitt & Churchill, 2020).

Table 2 shows that females account for a higher proportion of people in same-sex marriages compared to men. This aligns with Australian and international literature on same-sex marriages, including in France, Norway, Sweden, and some states in the US, where more women got married compared to men (Chamie & Mirkin, 2011; Meslay, 2019). Prior research has suggested that lesbian women and gay men relate to marriage differently. Gay men are more sceptical of marriage, have a lower desire to marry, and get married less compared to women (Baiocco et al., 2014; Chamie & Mirkin, 2011, Philpot et al., 2016). Whereas, lesbian women are more likely to be sexually monogamous, have greater financial needs, and, importantly, are more likely to have children (Chamie & Mirkin, 2011; Dempsey, 2015; Farr & Goldberg, 2019; Gates et al., 2007; Gates & Ost, 2004). Marriage is linked to parenthood and childbearing, especially for lesbian women who are increasingly choosing to have children after they marry (Kolk & Andersson, 2020). This intersection of gender and parenthood means that marriage and divorce play different roles for same-sex married men compared to women (Farr & Goldberg, 2019). These differences may in part explain gender differences in same-sex marriage.

Figures 1 and 2 show that men tended to marry at slightly older ages compared to women, in both same-sex and different-sex marriages. This is consistent with different-sex marriage literature (Hewitt & Churchill, 2020; Skew, Evans, & Gray 2009). We also found relatively large age differences

between people in same-sex and different-sex marriages, where people in same-sex marriages tended to be older than those in different-sex marriages. People in different-sex marriages tended to be in the 20-24 and 25-29 age categories, while people in same-sex marriages were more likely to be in the 25-29, 30-34 and the 50+ age categories. Of note is the consistent trend for a larger proportion of men to enter same-sex marriages over the age of 50, compared to women. This is broadly consistent with trends in other countries such as The Netherlands and Spain, where a much higher proportion of men enter same-sex marriages in their 50s compared to women (Hewitt & Churchill, 2020). The age differences between people in same-sex and different-sex marriages reduced over the 3 years since the legalisation of same-sex marriage. Given that same-sex marriage as a life transition could not take place in Australia until legalised in 2017, the first cohorts of gay and lesbian couples who are marrying may have been together for a long time before having access to legal marriage (Ducharme & Kollar, 2012), thus resulting in an older same-sex marriage cohort. Consistent with life course literature (Cohler, 2005; Reczek, 2020), this change in socio-political and legal context could have shaped the trajectories and therefore life courses of same-sex couples.

4.2 Remarriage

In terms of the proportion of total marriages that were remarriages for different-sex and same-sex couples, our results suggest only small differences. The proportion of remarriages out of total marriages was slightly higher in different-sex marriages, comprising 28.56% of different-sex marriages in 2020, compared to 25.09% of same-sex marriages in 2020. For same-sex remarriages we note that, given same-sex marriage was illegal until late 2017, the majority, but not necessarily all, of those remarrying would have likely been in a heterosexual marriage for their first marriage.

Arguably the most interesting finding was that there was a substantial sex difference in same-sex remarriage compared to different-sex remarriages. Our results find that in same-sex marriage, women represented a much higher proportion compared to men (Table 3). This is supported by data in Table 4 showing that the proportion of women remarrying after divorce is greater than men. In contrast, previous research has suggested that, in the broader Australian population, men remarry more than women (De Vaus, 2004; Skew, Evans, & Gray, 2009). Although this is reflected in the different-sex results of this study, with men accounting for a slightly higher proportion than women, this paper highlights that in same-sex remarriages, the opposite occurs.

There could be two possible explanations for this. First, similar to our discussion in section 4.1, lesbian women are more inclined to get married than gay men for a range of reasons including attitudes towards marriage and having children (Chamie & Mirkin, 2011; Dempsey, 2015; Farr & Goldberg, 2019; Gates et al., 2007; Gates & Ost, 2004). Secondly, for those remarrying, most, although not necessarily all, would have likely been in a different-sex marriage previously. Given that women tend to come-out as Queer later than men because they experience the coming-out process differently (Groves et al., 2006), they are less likely to realise they are Queer before first marriage (Coleman, 1985). Therefore, they may be more likely to initially marry a different-sex partner, and later marry a same-sex partner. More so than men, lesbian women are expected to conform to ideals of heteronormative marriage, especially if they have children (Allen & Goldberg, 2019). Because of their sexual minority status, these women experience prejudice and stigma that comes with being a lesbian, on top of general stigma from divorce (Allen & Goldberg, 2019). For lesbian women, the nuances of motherhood, such as the normalisation of lesbian lives through pregnancy and childbirth,

amplify societal pressure that divorced lesbians experience (Allen & Goldberg, 2019; Kolk & Andersson, 2020). The link between parenthood and marriage, and the particular stigma that Queer women face, could be why women choose to remarry more than men.

Differences between same-sex and different-sex remarriage patterns show how life courses are gendered and intersectional (Carpenter, 2010), with sex trends playing out differently in marriage according to sexuality. Female same-sex remarriages remain largely under researched, with the literature predominantly featuring gay and bisexual men (Higgins, 2002; Pearcey, 2005). This study fills a gap by highlighting differences in marriage trends between different-sex and same-sex couples in Australia. This requires more research.

Unsurprisingly, remarriages for both different-sex and same-sex relationships occurred at older ages. Same-sex couples also tended to get remarried at older ages than different-sex couples.

4.3 Limitations

Categories in this study were defined by the ABS, meaning some measures were limited. Marriages where one or both partners neither identified as male nor female were not included within the category of same-sex marriages, although they were included in total marriage counts (ABS, 2020b). By excluding marriages with partners who do not identify within the male-female gender binary, gender diverse populations are not adequately represented, thereby risking erasure and confounding data categories (Lyons et al. 2020). This approach also does not take into account people who identify as bisexual.

5. Conclusions

We have described early trends in same-sex marriage and remarriage in the first few years since the legalisation of same-sex marriage in late 2017. While age at marriage was higher in same-sex marriages compared to different-sex marriages, further monitoring will be required to see if these trends persist or change in subsequent same-sex marriage cohorts. This study has also highlighted a gap in the literature: Women who were previously in different-sex marriages but are now in same-sex marriages have remained largely under-researched in previous studies. A difference in remarriage trends exists between same-sex and different-sex marriages, particularly for women. This paper has highlighted the need to view life courses and marriage trends through an intersectional lens, accounting for the unique experiences of sexually diverse women.

Key messages

- Same-sex marriages comprised around 5.49% (2018) to 3.69% (2020) of all marriages.
- Overall, remarriage rates for same-sex and different-sex couples were similar.
- Same-sex marriages and remarriages tended to be older than different-sex marriages and remarriages, although these age differences reduced between 2018 and 2020.
- For females, same-sex remarriages comprised around 20% of all marriages, about double that for males.

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