

## PATTERNS OF DIVORCE IN CANADA: 1970-1993

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### ABSTRACT

This study analyzes 24 years of Canadian divorce data, from 1970 through 1993, focusing on three time periods (1970-72, 1980-82, and 1990-92) and three age groups (15-29, 30-64, and 65-87). Information not previously available is provided about divorce at older ages. Also, newly-available counts of the legally married population are used to provide a more precise picture of trends in divorce rates. The results show that, except for a peak in 1987 after liberalization of divorce laws in 1985, the general trend over the 24 years has been for the divorce rate to increase gradually, with rates in recent years vacillating relatively slightly. Divorce rates increase with age from 15 to about 29, and then decrease with age. For people in the oldest age group, marriages ending in divorce last either a short time (2 years for men in 1990-92) or a long time (42 years). The probability of getting a divorce, given that the marriage has already lasted a certain number of years, increases rapidly for the first few years after marriage, peaking at five years and decreasing thereafter.

KEY WORDS: Divorce; Marriage.

### RÉSUMÉ

Dans cette étude, nous analysons 24 années de données canadiennes sur le divorce, de 1970 à 1993, mettant l'emphase sur trois périodes (1970-72, 1980-82 et 1990-92) et trois groupes d'âges (15-29, 30-64 et 65-87). Des informations autrefois non disponibles sur le divorce survenant à un âge avancé sont fournies. Nous utilisons aussi de nouveaux dénombrements de la population légalement mariée pour fournir une image plus précise des tendances du taux de divorce. Les résultats montrent qu'à l'exception d'une hausse en 1987 suite à la libéralisation des lois sur le divorce en 1985, la tendance générale sur les 24 années considérées a été une augmentation constante du taux de divorce, avec les taux des années récentes qui vacillent relativement peu. Les taux de divorce augmentent avec l'âge entre 15 et 29 ans à peu près, et puis diminuent avec l'âge. Pour le groupe le plus âgé, la plupart des mariages se soldant par un divorce ont eu une durée soit courte (2 ans pour les hommes entre 1990-92) soit longue (42 ans). Le mariage ayant déjà duré un certain nombre d'années, la probabilité de divorce augmente rapidement pour les quelques premières années suivant le mariage, avec une pointe à 5 ans, pour ensuite décroître.

MOTS CLÉS: Divorce; mariage.

### 1. INTRODUCTION

Divorce is the legal culmination of the legal contract of marriage. While more and more couples are choosing to live together in common law marriages, which cannot end in divorce, divorce statistics are still very important for both administrative and demographic reasons. For example, divorce data are important for the administration of social programs, for the development of household, family, and population estimates and projections, and in litigation involving fatal accidents. Divorce statistics are used in studies that analyze divorce as a social phenomenon, in analyses of fertility data, and in studies of family

formation and dissolution.

This paper analyzes data on the incidence of divorce in Canada over a 24-year period, covering all divorces granted in Canada from 1970 through 1993, with special attention given to three time periods: 1970-72, 1980-82, and 1990-92.

Section 2 describes the data and methods used in this analysis. Section 3 discusses the various different types of divorce rates that can be calculated. Section 4 analyzes divorce rates for three time periods, three age groups, and both sexes. Also examined are the durations of marriages that end in divorce.

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## 2. DATA AND METHODS

The divorce data used in this study are taken from divorce microdata provided annually to Statistics Canada by the Central Divorce Registry of the Department of Justice Canada. The file includes information specific to each divorcing couple (with 100% coverage), such as dates of birth, marriage, and divorce, marital status immediately prior to the marriage being ended by the divorce, etc. These data are maintained, tabulated, and published annually by Statistics Canada (Statistics Canada, 1996).

Most of the population counts used to calculate divorce rates in this analysis were derived from the census and adjusted by Demography Division at Statistics Canada to account for net census undercoverage (which is the difference between census undercount and census overcount) (Bender, 1995).

In recognition of the growing acceptance and prevalence of common law marriage, the 1986 and 1991 censuses asked two questions to ascertain both the legal marital status and the living arrangements of couples. Previous censuses had not distinguished between legally married and common law couples and counted them in the same category. The new questions made it possible to identify the population at risk of divorce, which comprises only legally married couples. Accordingly, this study used population counts of legally married men and women for 1981 through 1993 (using estimates projected back from 1986 for 1981-1985 counts).

Therefore, divorce rates for the two time periods 1980-82, and 1990-92 were calculated using 1981 and 1991 counts, respectively, of the legally married population, and divorce rates for 1970-72 used 1971 counts of the legally married and common law populations combined. Because common law marriages were relatively rare in 1971, it is assumed in this analysis that the 1971 counts are close to counts of the legally married population, so that the rates over the three time periods are comparable.

Divorce counts for these three time periods were averaged over three years (centered on a census year) to provide smoother and less variable divorce rates.

To calculate rates of divorce based on the duration of the marriage, duration-specific population counts were derived from data from Statistics Canada's 1990 General Social Survey, in which the number of respondents aged 15 and older was 13,495.

Divorces were analyzed by age (by 5-year age groups) and for three broad age groups (15-29, 30-64, and 65-87). A very small number of divorce records

indicating that either spouse was older than 87 were omitted from the analysis because the age information was considered to be unreliable.

Divorce statistics were derived for each sex separately to avoid double-counting of couples who are married but not living together. When the statistics are age-specific, the results for men and women may differ appreciably because husbands are not generally the same age as their wives. When the statistics are not age-specific, counts of divorces are the same for men and women, but small differences may occur between other results for men and women because the population counts used to calculate the rates are based on self-reported marital status data, because some spouses reside outside of the country, because the amount of adjustment for undercoverage is different for men and women, etc.

## 3. TYPES OF DIVORCE RATES

There are many different types of divorce rates. A divorce incidence rate is a count of divorces (the numerator) divided by a count of people (the denominator), but there are several possibilities for the numerator and several possibilities for the denominator (Shryock, Siegel and Associates, 1976, p. 345-346).

Divorce is an event that happens to a *couple*. By counting divorces, the numerator counts couples, but the denominator may count either couples (by counting either the number of men or the number of women) or individuals (by counting the number of people, regardless of sex). The rates in the former case are much larger than the rates in the latter case.

The denominator may count all persons, regardless of marital status, or it may count both legally married persons and persons living common law, or it may count just legally married persons. The resulting three types of rates increase in size, respectively, because the denominators decrease in size.

The numerator and denominator may count persons of all ages, or just persons of specific ages (*e.g.*, persons aged 15 and over, the legal ages for marriage in Canada).

Divorce rates can be calculated using either adjusted or unadjusted population counts for denominators. The rates using adjusted counts are smaller, because undercount exceeds overcount.

Other types of divorce rates are also described in Shryock, Siegel and Associates, 1976, p. 345-346. Because of the variety of types of divorce rates, it is imperative to determine details of the construction of the rates when interpreting and comparing them. All

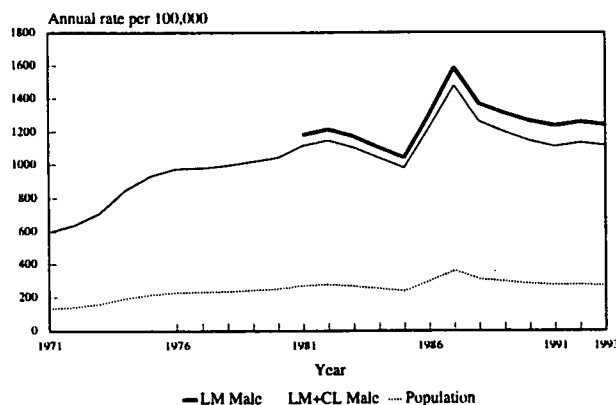


divorce rates in this paper are calculated per 100,000 legally married men or women, unless otherwise indicated.

#### 4. PATTERNS OF DIVORCE BY AGE GROUP, SEX, AND TIME PERIOD

Figure 1 shows three types of divorce rates for Canada. The lowest curve represents the number of divorces per 100,000 population in Canada from 1971 through 1993. The middle curve shows the number of divorces per 100,000 legally married men or men living common law from 1971 through 1993. The top curve displays the number of divorces per 100,000 legally married men from 1981 through 1993.

Figure 1. Three Kinds of Divorce Rates, Canada, 1971-1993



All three curves show the same general trends; overall, the divorce rate increased between 1971 and 1993, with a small dip in 1985 and a major peak in 1987. In the peak year of 1987, 96,200 divorces were granted (a rate of 1,586 divorces per legally married man), and in 1993, 78,226 divorces were granted (a rate of 1,238).

The dip and peak are attributable to the Divorce Act of 1985, which liberalized the possible grounds for divorce. Marriage breakdown became the only grounds for divorce, and the evidence required to support marriage breakdown was reduced. Anticipating the changes, some couples waited to divorce, causing a temporary reduction in divorce rates. Once the act was in effect, a barrage of new divorces caused the rates to rise, also temporarily.

The three time periods on which this analysis focuses were chosen to avoid the dip and peak. Thus Table 1, which contains annual divorce rates (per 100,000 legally married women and men) and three-year divorce counts for the three time periods, shows that divorce rates increased with time in all three age

groups. The increases were much greater between the early 1970s and the early 1980s than between the early 1980s and the early 1990s.

Except for age group 15-29, the numbers of divorces also went up with time. Fewer divorces in the youngest age group is a result of postponement or forgoing of legal marriage; if there are fewer married people in the youngest age group, there are fewer couples "eligible" for divorce. However, the youngest age group had the highest divorce rates (and the oldest age group had by far the lowest rates). Although the rates and counts within each of the three age groups differ for men and women (as explained above), the patterns are similar.

What makes divorce rates go up or down? Reasons for an increase include liberalization of legal grounds for divorce, increased social acceptability of divorce, longer life expectancy (so that some marriages that might previously have ended in the death of a partner now end in divorce), and increased availability of substitute partners (because, for example, higher divorce rates have freed up more potential partners), etc. Reasons for a decrease in divorce rates include recession (making it harder to support two households instead of one), fear of AIDS (resulting in increased monogamy), etc.

Divorce *counts* are likely to decrease if the supply of people in the population at risk of divorce decreases. This happens, for example, when couples form common law relationships instead of marrying, and when lower fertility rates are accompanied by a reduction in the number of couples who marry because they are ready to have children.

Figure 2. Marriages and Divorces, Canada, 1981-1993

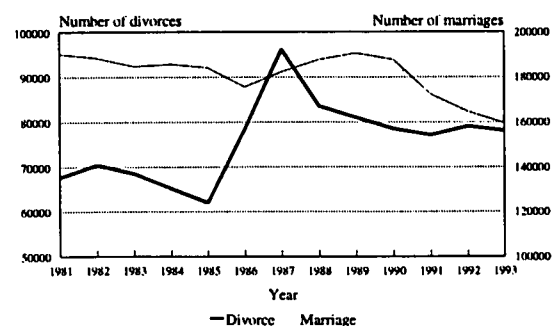


Figure 2 shows the interaction between patterns of marriage and patterns of divorce. Complementing the overall decrease in the number of marriages from 1981 to 1993, the number of divorces increased overall. And following the temporary peaking of divorces in



**Table 1A. Divorce Counts\* and Rates\*\* by Husband's Age Group and Time Period**

| Time Period | Husband's Age Group |       |         |       |        |      |                  |       |
|-------------|---------------------|-------|---------|-------|--------|------|------------------|-------|
|             | 15-29               |       | 30-64   |       | 65-87  |      | All Ages (15-87) |       |
|             | Number              | Rate  | Number  | Rate  | Number | Rate | Number           | Rate  |
| 1970-1972   | 20,783              | 742   | 61,710  | 590   | 1,728  | 103  | 84,221           | 564   |
| 1980-1982   | 49,012              | 1,774 | 141,493 | 1,165 | 3,113  | 138  | 193,618          | 1,128 |
| 1990-1992   | 35,958              | 2,034 | 190,757 | 1,372 | 4,777  | 159  | 231,492          | 1,239 |

\* Counts over 3 years, \*\* Annual rate per 100,000 legally married men

**Table 1B. Divorce Counts\* and Rates\*\* by Wife's Age Group and Time Period**

| Time Period | Wife's Age Group |       |         |       |        |      |                  |       |
|-------------|------------------|-------|---------|-------|--------|------|------------------|-------|
|             | 15-29            |       | 30-64   |       | 65-87  |      | All Ages (15-87) |       |
|             | Number           | Rate  | Number  | Rate  | Number | Rate | Number           | Rate  |
| 1970-1972   | 30,339           | 788   | 53,081  | 537   | 801    | 71   | 84,221           | 567   |
| 1980-1982   | 72,740           | 1,859 | 119,124 | 1,019 | 1,754  | 110  | 193,618          | 1,125 |
| 1990-1992   | 57,685           | 2,175 | 170,949 | 1,247 | 2,858  | 124  | 231,492          | 1,240 |

\* Counts over 3 years, \*\* Annual rate per 100,000 legally married women

1987, the number of marriages rose temporarily, because the increased number of divorces had freed up more people to remarry.

A more detailed examination by 5-year age category showed that divorce rates increase rapidly beginning at age 15-19, peaking at age 25-29. They then decrease with age somewhat rapidly until about age 55-59, and then decrease somewhat more slowly. This pattern was observed for both men and women, and for all three time periods.

This was the motivation for separating the first and second of the three broad age groups between age 29 and age 30. Divorce rates increase with age in the first group and decrease with age in the second group. Also, at ages below 30, divorce rates are higher for women than men, and at age 30 and above, divorce rates are higher for men than women.

The motivation for separating the second and third of the three broad age groups between age 64 and 65 was to examine divorce patterns for older people. Only for the last three years has Statistics Canada compiled and published annual divorce data for the age group 65+; previously the oldest age group examined was 55+. As the population has aged and divorce become more common, interest has increased in divorce among older men and women.

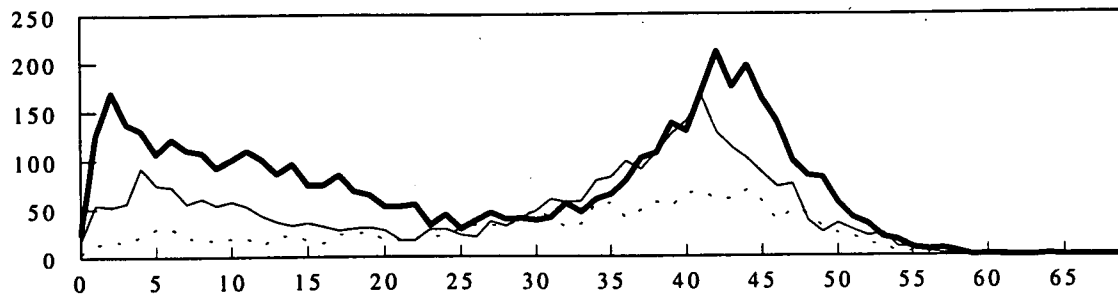
Figure 3A depicts divorce counts for men in the oldest age group (age 65-87), by the duration of the marriage that was terminated. For each time period, this shows the distribution of marriage duration among these divorcing men; if (x,y) is a point on the graph, then y is proportional to the probability of the marriage having lasted x years, given that the marriage has ended in divorce. For men aged 65-87, the average duration of marriages ending in divorce in 1990-92 was 26.6 years. But in this case, average marriage durations are misleading, because, as Figure 3A shows, these distributions are bimodal; men in the oldest age group tend to get divorced either after having been married for a short time (for 2 years in 1990-92), or after having been married for a long time (for 42 years in 1990-92).

Figure 3B and 3C show the divorce counts disaggregated according to whether men aged 65-87 were single or divorced, respectively, immediately prior to the marriage being ended by divorce. The average duration of first marriages ending in divorce in 1990-92 was 37.8 years, and the peak duration was at 42 years of marriage (Figure 3A). The average duration of second and subsequent marriages ending in divorce in 1990-92 was 14.1 years, with less well-defined peak durations at 11 and fewer years of marriage (Figure 3B).

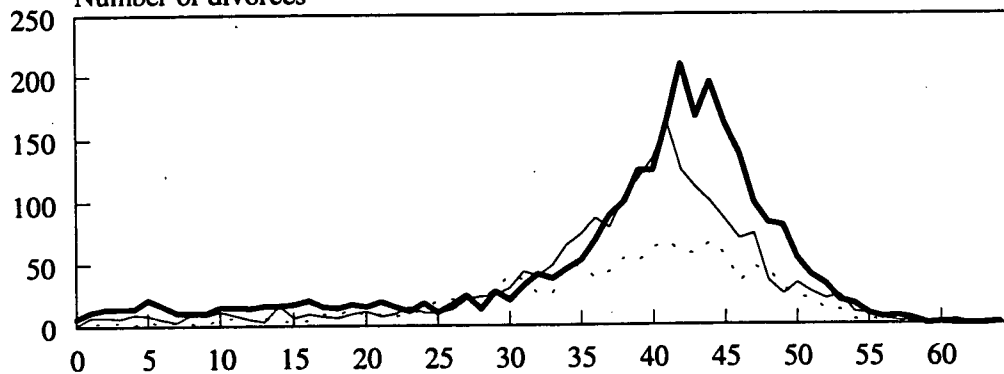




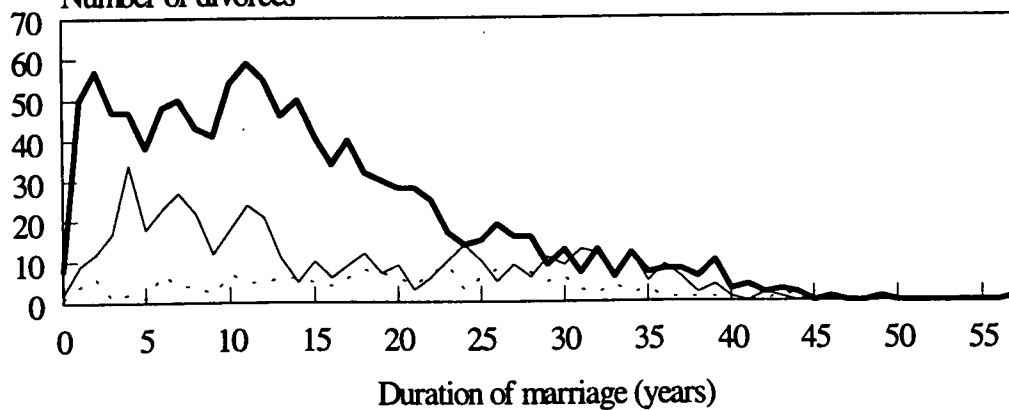
**Figure 3. Number of Divorces by Duration of Marriage, 3 Time Periods:  
A. All Men Aged 65-87**



**B. Men Aged 65-87 and Single Prior to This Marriage**  
Number of divorces



**C. Men Aged 65-87 and Divorced Prior to This Marriage**  
Number of divorces



--- 1970-1972 — 1980-1982 — 1990-1992



**Table 2. Average Duration (in Years) of Marriages Ending in Divorce, by Age Group (at Time of Divorce) and time Period**

and time Period

| Time Period | Husband's/Wife's Age Group |      |         |       |         |       | All Ages<br>(15-87) |
|-------------|----------------------------|------|---------|-------|---------|-------|---------------------|
|             | 15-29                      |      | 30-64   |       | 65-87   |       |                     |
|             | Husband                    | Wife | Husband | Wife  | Husband | Wife  |                     |
| 1970-1972   | 4.90                       | 5.76 | 16.32   | 18.10 | 31.56   | 34.23 | 13.81               |
| 1980-1982   | 4.93                       | 5.61 | 14.07   | 15.63 | 29.22   | 29.90 | 12.00               |
| 1990-1992   | 4.08                       | 4.79 | 13.60   | 14.68 | 26.55   | 29.06 | 12.39               |

Evidently, then, the large number of long marriages in Figure 3A were mostly first marriages, and the large number of short marriages in Figure 3A were second or subsequent marriages. A similar pattern was observed for women in the oldest age group, but not for younger men or women, who had not lived long enough yet to have such long marriages.

Between 1970-71 and 1980-82, the average duration of all marriages ending in divorce decreased from 13.8 years to 12.0 years, consistent with the large increase in divorce rates during this time (Table 2). Between 1980-82 and 1990-92, the average duration of such marriages increased slightly to 12.4 years. For women of all ages and for all but the youngest men, a consistent pattern of decreasing marriage lengths over time is observed.

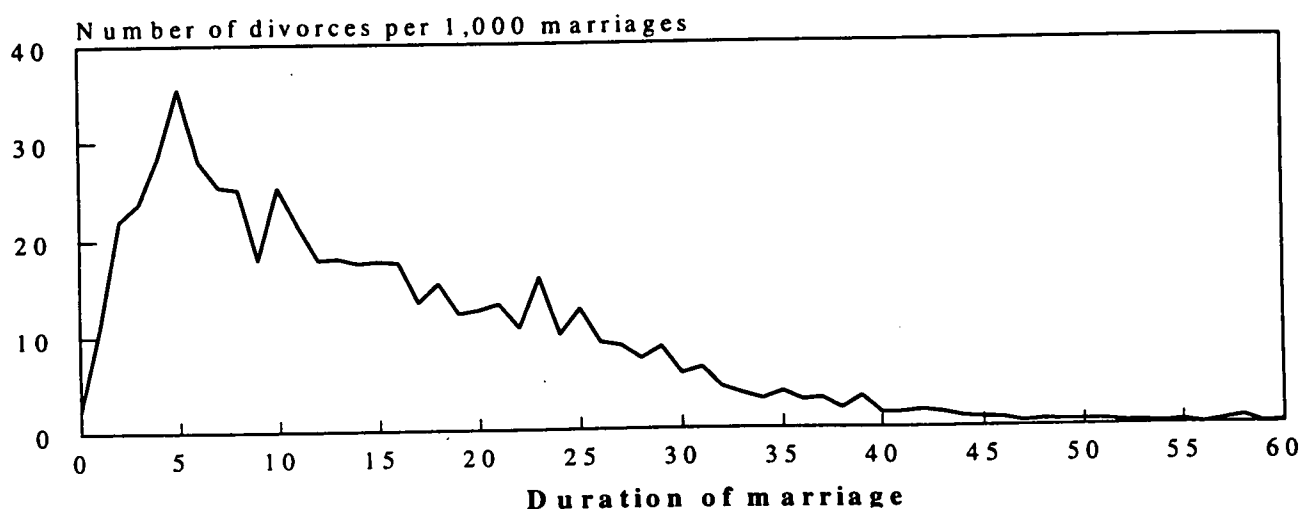
Figure 4 shows the annual chance that a marriage will end in divorce, given the duration of the marriage so far. (To calculate these rates, General Social Survey data were used to obtain counts of couples by duration of marriage, information not available from the census.) The chance of divorce increases rapidly during the first few years of marriage, peaking at 5

years (sooner than was expected in the 1955 movie *The Seven Year Itch*) and then generally and gradually decreasing with marriage length. The peak rate in Figure 4 is at 35 divorces per 1,000 marriages. One reason that the chance of divorce eventually decreases as the marriage ages is that the couple ages, too, and death increasingly becomes a "competing risk," competing with divorce to end the marriage.

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**Figure 4. Divorce Rate Given Duration of Marriage, 1990**



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