Why pool resources in marriage? A study on the choice of matrimonial property regime in Italy

Agnese Vitali
Romina Fraboni
ABSTRACT

This paper investigates the pooling of resources among spouses using data collected in the Italian Marriage Register. The study of matrimonial property regime sheds light on whether resource pooling in the form of the shared ownership of property or assets accumulated during marriage is more likely to be chosen when there is a disparity between spouses economic potential. Results support the hypothesis that the community of property is more likely to be chosen among couples who are different in education, employment status, age, or when one of the spouses is of foreign nationality. However, our results suggest the existence of a gender double-standard: the community of property is more likely when the weaker spouse is the woman, whereas the separation of property is more likely if the weaker spouse is male.

KEYWORDS

Changing gender roles; female breadwinners; marriage; property regime; Italy.

EDITORIAL NOTE

Dr Agnese Vitali is a Lecturer in Social Statistics and Demography at the University of Southampton and a member of the ESRC Centre for Population Change.

Dr Romina Fraboni1 is Senior Researcher at the Italian National Statistical Office (ISTAT).

Corresponding author: Dr Agnese Vitali, A.Vitali@soton.ac.uk.

1 The views expressed are those of the author and do not necessarily reflect those of Istat.
ACKNOWLEDGEMENTS

This research was funded by the Economic and Social Research Council under the Future Research Leaders grant ‘Female-breadwinner Families in Europe’ grant reference number ES/N00082X/1.
WHY POOL RESOURCES IN MARRIAGE? A STUDY ON THE CHOICE OF MATRIMONIAL PROPERTY REGIME IN ITALY

TABLE OF CONTENTS

1. INTRODUCTION ............................................................................................... 1
2. MATRIMONIAL PROPERTY REGIME IN ITALY ............................................ 2
3. WHY CHOOSE THE COMMUNITY OF PROPERTY AT MARRIAGE? ......................... 5
4. DATA AND METHODS ..................................................................................... 8
5. RESULTS .......................................................................................................... 10
6. CONCLUSION .................................................................................................. 12
REFERENCES ...................................................................................................... 16
1. INTRODUCTION
A number of previous studies have investigated income pooling and management of resources among spouses (see, e.g. Pahl 1995; Lundberg and Pollak 1996). Existing research has shown that resource pooling is especially common in traditional male-breadwinner–female-homemaker couples (Amuedo-Dorantes, Bonke and Grossbard 2011), although men who earn all or the largest share of the household income tend to retain the power over decision-making and asset management or have more control over personal consumption expenditures (Pahl 1995; Vogler and Pahl 1993; Burgoyne and Lewis 1994; Yodanis and Lauer 2007). Much less is known of what happens to income pooling when the wife is the highest earner. According to the “doing gender” hypothesis, women who have a competitive economic advantage over their spouses are not more likely to exert more control over resources, hence, in this situation, income pooling is expected to be more likely than income separation (Tichenor 1999).

This paper makes use of an under-utilised measure of resource sharing among spouses, which is available from the Italian marriage register data: the matrimonial property regime. At marriage, spouses can choose whether to opt for either the community or separation of property, this choice regulates the ownership (joint or separate, respectively) of the assets accumulated during marriage, regardless of whether such assets were purchased jointly or separately by the spouses.

When the community of property was introduced as the default property regime in Italy in 1975, it was justified on the grounds that shared ownership of property acts as a means to protect the economically weaker spouse, most frequently the wife. At the time Italian society was organized according to a strict separation of gender roles. The reform of the family law introduced in 1975 was aimed at regulating, among others, the property regime that, like other institutions, was based on patriarchal values regulating the family life.

Comparing the role of women in Italy today with that in 1975, there has been considerable change. For example, in 2013 66.6% of women were employed at the time of marriage, up from 55.8% in 1975 (Source: Istat, 1978) and gender-egalitarian attitudes are now much more widespread (Altintas and Sullivan 2016). Yet, if compared
to contemporary Western European countries, gender-egalitarian attitudes are much lower in Italy (Plantenga et al. 2009; Arpino, Esping-Andersen and Pessin 2015). For example, Italian women are more likely to earn less than their spouses (Klesment and Van Bavel 2015) and more likely to quit work after the birth of a child, and this situation has worsened during the recent economic crisis: in 2012 almost one in four (22.3%) mothers who had a job during pregnancy quit after the birth of their child. This proportion has increased since 2005 when the figure was 18.4% (Istat 2014). Effectively, Italian women are still, on average, economically weaker in a marriage, though their economic situation has improved since the 1970s as contemporary women have accumulated more human capital and are more likely to be employed full-time (or to have been before marriage). Reflecting this, the community of property declined from being chosen by about 80% of couples in the mid-1970s to about 30% of couples marrying in 2013 (Table 1).

In this paper we study the characteristics of those who opted for the community of property vs. those who opted for the separation of property. We theorize that today the community of property continues to maintain its original role of protecting the economically weaker spouse. We identify economically weaker spouses as those who, in comparison to their spouse have; lower educational attainment, are of younger age, are unemployed or inactive and of foreign nationality. We also investigate to what extent couple’s heterogamy in terms of education, age, employment and country of birth affects the choice of patrimonial regime and whether hypergamy or hypogamy plays a different role.

2. MATRIMONIAL PROPERTY REGIME IN ITALY
In Italy, 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. Couples can choose between the community or separation of property. Under the community of property, spouses share equally the ownership of all assets accumulated during (but not before) marriage. In case of divorce or separation, the family assets are distributed equally among spouses who opted for the community of property, regardless of whether the assets were purchased jointly or separately. Under
the separation of property, spouses maintain the sole ownership of assets accumulated
during (and before) marriage.

The institution of the matrimonial property regime was introduced in 1865 with
the Pisanelli Code. The law established the separation of property as the statutory
matrimonial property regime. Given that the vast majority of women did not work and
did not earn any income at the time, they basically maintained only the property of their
initial dowry. In 1975, the Family Reform law was introduced, with the aim of
overcoming the existing disparities among spouses. Among other matters, the 1975 law
abolished the dowry system and established the community of property as the default
option for spouses at marriage. The decision to establish the community of property
as the default law at marriage was justified within a patriarchal vision of the family in
which the wife was generally the more economically disadvantaged spouse (Becker
1981). Spouses, however, can opt out of the community of property by choosing the
alternative separation of property. Such option needs to be declared at marriage and is
recorded in the marriage certificate.

Under the community of property, spouses were –and still are today– requested
to share jointly any decision pertaining to the ‘extraordinary’ administration of their
patrimony i.e. which will alter the structure and consistency of goods. In case of legal
separation or divorce, under the community of property each spouse is entitled to
receive exactly half of the assets acquired during marriage. In case of separation of
property, each spouse is entitled to receive the assets which he or she has purchased
during marriage.

For each marriage cohort studied Table 1 reports the percentage of marriages
according to the chosen patrimonial regime, as self-reported by respondents in the 2009
survey ‘Family and Social Subjects’. The community of property represented the vast
majority of marriages celebrated in the second half of the 1970s, this patrimonial regime

---

2 Personal goods which were purchased by each spouse before their marriage or received after marriage
as a consequence of donation or bequest remain out of the community of property.
gradually lost its popularity over time to reach less than 50% at the end of the 2000s.\textsuperscript{3}

Of all marriages celebrated in 1995, the year when the information on matrimonial property regime was first recorded in the marriage register by Istat, only 59.1% of couples opted for the community of property, down to 30.5% by 2013.

<table>
<thead>
<tr>
<th>Marriage cohort</th>
<th>Patrimonial regime</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Community</td>
</tr>
<tr>
<td>1975-1979</td>
<td>81.2</td>
</tr>
<tr>
<td>1980-1984</td>
<td>75.0</td>
</tr>
<tr>
<td>1985-1989</td>
<td>69.2</td>
</tr>
<tr>
<td>1990-1994</td>
<td>62.1</td>
</tr>
<tr>
<td>1995-1999</td>
<td>56.7</td>
</tr>
<tr>
<td>2000-2004</td>
<td>53.4</td>
</tr>
<tr>
<td>2005-2009</td>
<td>46.4</td>
</tr>
</tbody>
</table>

\textbf{Table 1:} First marriages by cohort and patrimonial regime (percentage of first marriages and absolute values in thousands)

\textbf{Source:} ISTAT – Family and Social Subjects 2009.

Relevant regional differences could be observed in 1995, as well as a strong shift in the territorial pattern between 1995 and 2013, due to a considerable decline in the community of property observed in the Southern area and Islands (Figure 1). The community of property, which was chosen by almost 80% of spouses in the Southern regions in 1995, levelled off in 2013. In the Northern regions, instead, the share of couples opting for the community of property was low already in 1995 (e.g. 20.1% in the Northern region of Veneto). Starting from already low values, the decline in the community of property in the Northern regions has been more moderate than in the South. In the Northern (Catholic) regions of Veneto and Trentino-Alto Adige, the share of couples opting for the community of property at marriage registered an increase.

\textsuperscript{3} The matrimonial property regime was introduced with the family law in 1975. However, information on the choice of matrimonial property regime started to be collected in the marriage register only in 1995. In order to see how the choice of matrimonial property regime has changed over time since its introduction, we make use of a sample survey, the multipurpose households survey on Family and Social Subjects conducted by Istat in 2009. The survey collects retrospective information on individuals’ life cycle and, in particular, on first marriages. We reconstruct information on the matrimonial property regime at first marriage by the respondents’ marriage cohort. The question is asked to all married, separated, divorced and widowed women and to widowed men, all aged 15 and over. The question reads as follows: “Did the couple choose the community or the separation of property?” with possible answers: “community”, “separation”, “I don’t know”.

4
between 1995 and 2013. In 2013, the community of property was highest in the North-East where it reached 33.9% of marriages and lowest in the South of Italy (27.4%). The island of Sardinia represents an exception with over 40% of marriages opting for the community of property in 2013, the maximum level in the country.

Figure 1: Community of property by region, Italy. 1995 and 2013 (% of marriages)

Source: Istat, 1997; 2014.

Note: The North-East comprises the regions of Veneto, Trentino-Alto Adige/Sudtirol, Friuli-Venezia Giulia, Emilia-Romagna; the North-West the regions of Valle d’Aosta, Piemonte, Lombardia, Liguria; the Centre the regions of Toscana, Marche, Umbria, Lazio; the South comprises the regions of Abruzzo, Puglia, Basilicata, Campania, Calabria, Molise; the Islands are Sicilia and Sardegna.

3. WHY CHOOSE THE COMMUNITY OF PROPERTY AT MARRIAGE?

The community of property was introduced in Italy in 1975 to foster equality among spouses in marriage and to protect the economically disadvantaged spouse in case of marriage dissolution (Rešetar 2008). As women usually did not have a source of income and, by being homemakers, nor they were investing in human capital, the community of property would act as insurance in case of divorce. This system also wanted to reward the role of non-monetary indirect contribution of women to the household in the form of time spent on housework and childcare activities. Amuedo-Dorantes, Bonke and Grossbard (2011) support the idea that, in general, income pooling acts as a compensation for the home-maker activity.
We speculate that with the decline of the role of men as sole earners and the rise of dual-income families (Oppenheimer 1994), together with worries about loss in an era of increasing divorce, couples have increasingly chosen the separation of property.

The separation of property can also be considered a ‘modern’ family behaviour, which stems from individualism and decreasing importance of the family as an institution (Lesthaeghe and Neels 2002). Like other ‘new’ ideas and behaviours, we expect that such preference originated among the younger, higher-educated, non-religious individuals in urban, more developed areas, then spread among other social groups (Vitali, Aassve and Lappégård 2015, Rosina and Fraboni 2004). Barbagli (1997) shows that between 1976 and 1991, the choice of matrimonial property regime has changed radically within social strata: the change has been driven by the more secularized, more educated, and among couples where the husband was self-employed or the bride was employed.

It may be that the original meaning of the community of property, i.e. a means to protect the economically disadvantaged spouse, could still be useful today to explain why couples choose this form of patrimonial regime. If such interpretation is correct, we would expect couples to choose the community of property when one spouse is perceived to be disadvantaged in some way compared to the other spouse. We identify four sources of disadvantage; 1) educational differences among spouses; 2) age differences; 3) unemployment/inactivity status of one of the spouses; and 4) occurrence of exogamous marriage between an Italian and a foreign spouse. We expect community of property to be more likely among more traditional spouses whom we identify based on their age and religiosity, older and religious individuals being more likely to comply with a traditional vision of marriage hereby opting for the community of property. We do not have information on religion or religiosity from the marriage register, but we use the available information on the religious vs. civil ritual at marriage. We further expect community of property to be more likely when one of the two spouses has a competitive economic advantage. This is the case when there is a difference in terms of age, education or employment among spouses. Age can be considered as a proxy for work experience, stable employment and higher earnings; hence, the older spouse can be considered economically advantaged compared to the younger spouse. Similarly, a high-educated spouse is likely to have higher earnings compared to a lower-educated
spouse and an employed spouse has an economic advantage compared to an unemployed or inactive spouse. The marriage register does not contain information on the couple’s income or wealth, hence we can only observe the relative difference among spouses in measures such as age, education and employment, which can be considered as proxy for relative resources, but we cannot control for the absolute value of such resources.

Also, we expect community of property to be more likely in exogamous marriages (marriages between an Italian and a foreign spouse) than among endogamous marriages (between two Italian spouses). Spouses of migrant origin, in fact, may have an incentive in preferring the communal property regime if they come from a low socio-economic background, as it is often the case in Italy (Davis 1941; Merton 1941; Grossbard-Shechtman and Fu 2002; Fu 2006). Previous research has looked at the characteristics of spouses in exogamous marriages in comparison to endogamous marriages and it has linked the occurrence of exogamous 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; Serret and Vitali 2014, De Rose and Fraboni 2015). 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 in the national marriage market where there is a shortage of equally low-educated women who share their same traditional values (Kalmijn 2013). Not surprisingly, of those Italian men who marry foreign spouses, the majority tend to be low educated (Maffioli, Paterno and Gabrielli 2014; Serret and Vitali 2014). We expect both spouses in this type of couple (low-educated man marrying a foreign bride) to conform to more traditional gender roles and to be more likely to opt for the community of property, i.e. a property regime which evokes a traditional view on marriage and on the distribution of resources among spouses. On the other hand, high-educated women, who hold more gender-egalitarian values than low-educated women, face difficulties in finding an equally high-educated spouse on the national marriage market (Kalmijn 2013). In fact, of those Italian women who marry foreign spouses, the majority tend to be high educated (Maffioli, Paterno and Gabrielli 2014; Serret and Vitali 2014). In 2013 among first marriages 89.1% of

---

4 We refer to the citizenship of the spouses.
Italian brides marrying a foreign groom had at least an upper secondary level of education. We expect both spouses in this type of couple (high-educated woman marrying a foreign groom) to conform to more gender-egalitarian roles and to be more likely to opt for the separation of property regime.

4. DATA AND METHODS
This paper makes use of the 2013 marriage register for Italy. This is an administrative data source provided at the municipal level. The marriage register collects sociodemographic information on the spouses whose marriages were celebrated in Italy in 2013 and on the marriage itself (N. = 194,057). Collected information include the place of birth and residence of both spouses, their age, level of education, current employment status and the choice of matrimonial property regime.

For the analyses, we exclude cases of marriages between two foreign spouses and marriages where at least one of the spouses is self-employed. In this latter case, in fact, the separation of property protects the family assets as an insurance against entrepreneurial risks. Descriptive statistics presented in Table 2 confirm that the community of property is considerably less widespread among couples where at least one of the spouses is self-employed compared to couples where none of the spouse is self-employed. We also exclude cases of marriages where at least one of the spouses has been previously married. The final sample is constituted of 109,676 first marriages (i.e. both spouses are at first marriage).
The paper analyses the probability that a couple chooses the communal vs. separate property regime at marriage and how it varies across couple types using logistic regression models. Our main independent variables are the spouses’ level of education at marriage; the couples citizenship type (both Italian –reference group–, Italian bride and foreign-born groom, Italian groom and foreign-born bride, both foreign-born). We also control for age of the man (both linear and quadratic term) and region of residence. We run separate analyses for first and second marriages.
5. RESULTS

Results from the logistic regression model allow us to identify the characteristics of spouses who opt for the community of property rather than for its separation. We discuss first results based on the sample of first marriages (Table 3).

<table>
<thead>
<tr>
<th></th>
<th>Coef.</th>
<th>Std. Err.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Couple type (Ref. Both Italian)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Man Italian, Woman Foreign</td>
<td>0.182***</td>
<td>0.029</td>
</tr>
<tr>
<td>Man Foreign, Woman Italian</td>
<td>0.095*</td>
<td>0.045</td>
</tr>
<tr>
<td>Age of Man</td>
<td>-0.084***</td>
<td>0.005</td>
</tr>
<tr>
<td>Age of Man(^2)</td>
<td>0.001***</td>
<td>0.000</td>
</tr>
<tr>
<td>Age differential (Ref. Same age)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Man older</td>
<td>0.062***</td>
<td>0.016</td>
</tr>
<tr>
<td>Woman older</td>
<td>-0.053*</td>
<td>0.023</td>
</tr>
<tr>
<td>Education (Ref. Medium-Medium)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low-Low</td>
<td>0.084***</td>
<td>0.019</td>
</tr>
<tr>
<td>High-High</td>
<td>-0.105***</td>
<td>0.023</td>
</tr>
<tr>
<td>Man Low/Med-Woman High</td>
<td>0.034</td>
<td>0.022</td>
</tr>
<tr>
<td>Man High-Woman Low/Med</td>
<td>0.092*</td>
<td>0.037</td>
</tr>
<tr>
<td>Man Low - Woman Med</td>
<td>0.088***</td>
<td>0.023</td>
</tr>
<tr>
<td>Man Med-Woman low</td>
<td>0.225***</td>
<td>0.035</td>
</tr>
<tr>
<td>Employment status (Ref. Both employed)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Man empl-Woman unem/inact</td>
<td>0.039*</td>
<td>0.017</td>
</tr>
<tr>
<td>Man unem/inact-Woman emp</td>
<td>-0.129*</td>
<td>0.050</td>
</tr>
<tr>
<td>Both unem/inact</td>
<td>0.013</td>
<td>0.025</td>
</tr>
<tr>
<td>Civil Marriage (Ref. Religious)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-0.118***</td>
<td>0.015</td>
<td></td>
</tr>
<tr>
<td>Region (Ref. Centre)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>North-West</td>
<td>0.108***</td>
<td>0.021</td>
</tr>
<tr>
<td>North-East</td>
<td>0.220***</td>
<td>0.023</td>
</tr>
<tr>
<td>South</td>
<td>-0.186***</td>
<td>0.020</td>
</tr>
<tr>
<td>Islands</td>
<td>-0.083***</td>
<td>0.024</td>
</tr>
<tr>
<td>Constant</td>
<td>1.059***</td>
<td>0.098</td>
</tr>
</tbody>
</table>

**N.** 109,676

p-value: *** <0.001; ** <0.01; * <0.05.

**Table 3:** Results from logistic regression model on the probability of opting for community of property at marriage, first marriages

**Note:** Marriages among two foreign spouses, marriages with at least one self-employed spouse and marriages where at least one spouse has already been married before are excluded.

The likelihood of choosing the community of property is lowest in endogamous marriages where both spouses are Italian and it is higher in the case of exogamous marriages, all else being equal, independently of the gender of the foreign spouse.
For interpreting the association with the couple’s educational composition, we start by comparing the choice of property regime across homogamous marriages, i.e. when both spouses have the same level of education. We find an educational gradient: homogamous couples with both highly educated spouses are more likely to choose the community of property than couples with both medium-educated spouses, whereas couples with both high-educated spouses are less likely. Comparing medium-educated homogamous with heterogamous couples, we find that the likelihood of choosing the community of property increases as the wife’s educational attainment decreases.

We complement the first two results by showing descriptive statistics of the sample of first marriages by couple typology and level of education of the wife in Figure 2. The figure shows an educational gradient in the choice of the property regime among married couples. The likelihood of choosing the community of property decreases with the level of education of the wife for all couple types. In this table we also include marriages among two foreign spouses to highlight the specificity of such type of union. In this type of union, in fact, if the bride is highly educated, the percentage of marriages with community of property is the lowest.

*Figure 2: Percentage of first marriages with community 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
The spouses’ employment situation also proves to be associated with the property regime. Community of property is significantly more likely when the woman is inactive or unemployed at marriage compared to when both spouses are employed. However, when it is the man who is unemployed or inactive while the woman is employed, the likelihood to opt for the community of property is lower. We acknowledge, however, that the latter group is small and likely to be very selective: only 2% of first marriages are such that the woman is employed and the man is unemployed or inactive and, among such marriages, only one third chooses the community of property. We know, in fact, that marriage is generally associated with a stable employment situation for the man (Smock, Manning and Porter 2005; Kalmijn 2011).

We also find age differences among spouses to be significantly associated with the property regime. The probability of choosing the community of property is significantly higher when the husband is older than the wife compared to when spouses are at the same age, whereas we do not find any statistically significant difference between couples when the wife is older than the husband. The control variable measuring the husband’s age shows a negative and quadratic association with the probability of choosing the community of property: younger men are more likely to opt for resource pooling. This group is likely to be very selective: the mean age at first marriage for Italian men, in fact, equals to 34.2 years in 2013. We may expect men who marry in their early 20s to be especially wealthy.

As expected, we find the community of property to be significantly more likely among religious spouses, i.e. spouses who opted for a religious rather than a civil wedding. We also find regional differences in the choice of property regime, with the community of property being highest in the North East and lowest in the South, as already shown in the descriptive statistics (Figure 1).

6. CONCLUSION
Our empirical analyses of Italian marriage register data have shown that the vast majority of couples today choose the separation of property at marriage. This represents a major shift in the resource pooling strategies of Italian spouses, considering that about
80% of couples who married in the mid-1970s opted for the community of property, as opposed to less than 30% today. Such shift from community to separation of property seems to have happened gradually across marriage cohorts. As the roles of men and women have become increasingly interchangeable both as income providers and family carers (Esping-Andersen and Billari 2015; Golschieder, Bernhardt and Lappegård 2015), we have seen a shift from the community towards the separation of wealth acquired during marriage. In this way, the spouse who contributed toward the acquisition of the wealth will remain its sole owner, should the marriage end in divorce.

On the other hand, the choice of the separation of property can be considered a valuable couple’s strategy when one of the partners is self-employed. In fact, self-employed who opt for the community of property, may compromise, in case of bankruptcy, the assets accumulated during marriage by the other spouse and, as a consequence, jeopardize the family situation as a whole. Therefore the separation of property represents a safer option in terms of couples’ strategy.

The question then arises as to whether the institution of community of property is outdated today and will be replaced entirely by the alternative separation of property (Rešetar 2008). In comparison to other European countries, the family in Italy is still predominantly dependent upon the man’s labour income, female labour force participation is lower and gender-equalitarian attitudes are less widespread. Working women also face a motherhood wage penalty and it is not uncommon for women to leave employment after the birth of a child. These employment interruptions to care for their children clearly hamper women’s ability to re-enter into employment after divorce since it is not easy to find a new job into the labour market after a long spell of inactivity. In a sense, the majority of women still represent the weak economic partner in marriage, especially if they have children.

Our results show that the community of property in marriage maintains its original meaning of protecting the weak economic spouse, however, its role appears to be gendered. In fact, we observe gender differences in behaviours concerning the choice over community or separation of property depending on the gender of the economically stronger spouse.
The only instance when we do not find gender differences is when one of the two spouses is foreign-born i.e., in our interpretation, more economic disadvantaged than a native spouse: in this case, the community of property is the preferred patrimonial system, independently of the gender of the foreign spouse.

Instead, couples where the woman represents the economically weaker spouse in terms of educational attainment, employment status, and age are more likely to choose the community of property, compared to couples where both spouses are equal. When the man is the economically disadvantaged spouse in terms of education, employment status or age, instead, we do not find a similar protection mechanism.

This result contrasts with existing research suggesting that women who have a competitive economic advantage compared to their partners, tend to pool their resources. For example, Yodanis and Lauer (2007) showed that when women earn more than their spouses, they are not more likely to exert power by solo-managing the family assets. Tichenor (1999) found that women with a competitive advantage over their spouses in terms of income or occupation tend not to exercise more power in their relationships, as men with a competitive advantage over their spouses may often do. A wealth of recent literature demonstrated support for the “doing gender” hypothesis, according to which, unconventional couples where women are superior to their partners in some respect (e.g. by earning more) tend to reaffirm their role as wives by e.g. doing more housework and childcare than their partners (Tichenor 1999, 2005; Aassve, Fuochi, and Mencarini 2014).

Our results suggest that, at least in a traditional context such is Italy, men and women may find it difficult to accept the economic superiority of women and to ‘officialise’ it at marriage. Social norms are favourable to protecting women when they are the weak economic spouse, given that patriarchal values are still widespread in society and given the long-lasting practice of protecting economically weak women in marriage via the institution of the community of property. Social norms, however, are not favourable to protecting men when they represent the economically disadvantaged spouse. Men who are economically dependent on their spouses may be unwilling to opt for the community of property as a means to reaffirm their masculinity. Men who hold a traditional gender ideology, in fact, may not be willing to accept a property regime
which aims at fostering economic equality with their higher earning spouse in case of divorce.

Alternatively, we could hypothesise that women tend to be more selfish than men are when they are the economically stronger partner in the relationship. In support of this argument, the experimental economic literature has shown that, if it is true that women tend to be less selfish than men, when monetary incentives are taken into account results are more mixed. The result that women tend to be more generous and selfless than men does not apply when large sums are at stake: in some cases it is the woman who exerts a more selfish behaviour (Eckel and Grossman 1998; Andreoni and Vesterlund 2001). Similarly, the economic literature has demonstrated that as monetary benefits are transferred from the household to the woman, the household expenditure profile changes: when women have command over economic resources, they tend to spend on themselves and on children’s (Thomas 1990; Lundberg, Pollak and Wales 1997).

By choosing the separation of property, women protect themselves and their children against the risk of divorce, disagreement over money, and possible irresponsible behaviours with the management of resources and with the decision over expenses from their lower-status husbands (Tichenor 1999). This interpretation is consistent with the work by Gerson (2010), which demonstrates that in a relationship, albeit both partners ideally support gender equality in breadwinning and caretaking, in practice they behave differently because constrained by barriers to achieve gender equality. Women emphasize their own self-reliance and paid work to avoid becoming dependent on their spouses, whereas men emphasize their role as principal breadwinners, and would prefer women to be the main caretaker, if the circumstances required one of the two partners to cut down on paid work e.g. driven by the economic need imposed by the high cost of childcare.

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). These results further support the idea that income splitting is seen as a form of protection for one’s own individual assets.
REFERENCES


The ESRC Centre for Population Change (CPC) is a joint initiative between the University of Southampton and a consortium of Scottish universities including St Andrews, Edinburgh, Stirling and Strathclyde, in partnership with the Office for National Statistics and National Records of Scotland.