Consensual Union and Marriage in Brazil, 1970–2010. Gender Equality, Legal Issues and Social Context

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SHORT ABSTRACT

In Brazil as elsewhere in Latin America, consensual union has become common over the last decades, in the working class and also in the middle class. However, unlike in most other countries in the region, under current Brazilian law, most of the civil effects of marriage apply to consensual union. We study the choice between marriage and consensual union in the Brazilian context using data from the five Brazilian censuses carried out between 1970 and 2010. Overall, our results suggest that in the Brazilian legal context, where the law imposes by default upon marriage as well as consensual union the statutory matrimonial regime in which all acquisitions are deemed common, and where married couples may opt to organize their economic relations under different legal property regimes, marriage may be almost as effective a framework as consensual union for the economic independence of the partners.

LONG ABSTRACT

In Brazil as elsewhere in Latin America, consensual union has become common over the last decades, in the working class and also in the middle class. However, unlike in most other countries in the region, under current Brazilian law, most of the civil effects of marriage apply to consensual union. This is at odds with consensual union being an alternative form of conjugal union in which a presumably egalitarian couple manage their own affairs without the intervention of the state. We study the choice between marriage and consensual union in the Brazilian context, where both forms of conjugal union are used by the working and middle classes but with different meanings in each stratum, and the effect of gender equality and women's economic independence on this choice. We focus on three aspects of within-couple gender equality: income equality, educational equality and economic equality. We estimate the effects of

these factors on the probability of living in a consensual union rather than being married among couples who live together at the time of the census, using data from the five Brazilian censuses carried out between 1970 and 2010. Results show that income equality increases the probability of living in a consensual union, while income level reduces it – both in a qualified way. This is consistent with and goes beyond previous research which suggested that consensual union and marriage have different meanings for the working and middle classes, with marriage as a marker of upward mobility for the working class, and consensual union as progressive in the middle class. Overall, our results suggest that in the Brazilian legal context, where the law imposes by default upon marriage as well as consensual union the statutory matrimonial regime in which all acquisitions are deemed common, and where married couples may opt to organize their economic relations under different legal property regimes, marriage may be almost as effective a framework as consensual union for the economic independence of the partners.

INTRODUCTION

Brazil is among the Latin American countries where consensual union has become common over the past decades, both in the working class and the middle class. Unlike in most other countries in the region where such an increase took place, the Brazilian authorities amended the law so that most of the civil effects of marriage apply to couples living in a consensual union. Thus, couples living together without being married are bound to mutual support and are assumed to be living under the statutory matrimonial regime of community of acquisitions, especially when they have a common child. Upon separation, each partner is entitled to half the matrimonial property, and the less advantaged spouse may claim support through maintenance payments for a fixed period of time.

Although American academics typically view consensual union as a 'cheap form of marriage' chosen by economically disadvantaged people, their European counterparts usually understand it as an alternative form of conjugal union for couples who prefer to manage their own affairs outside of rules imposed upon them by the state. The European conception of consensual union is an egalitarian relationship between two people who each earn their own living and can provide for any children they might have. For such couples, the economic dependence or interdependence imposed by the civil effects of marriage may feel like an intrusion of the state, a hindrance, or even a liability, rather than a form of protection. This was the line of reasoning used by advocates of consensual union in Sweden when it began to become common among well-educated people before spreading to other European countries.

The nature and meaning of consensual union in Brazil is a somewhat complicated topic because of its long history in the country. Current research suggests that the meaning of both consensual union and marriage differs across social strata, and that there are two different types of consensual union in contemporary Brazil: one typical of the working class in which gender relations are traditional, and one typical of the middle class in which gender relations are more egalitarian.

In this chapter, we aim to understand the choice between marriage and consensual union in the Brazilian context, where consensual union legally has the civil effects of marriage, and where both forms of conjugal union are used by the working and middle classes but with different meanings in each stratum. We are interested in the effect of gender equality and women's economic independence on this choice, focusing on three aspects of within-couple gender equality: income equality, educational equality and economic equality. We estimate the effects of these factors on the probability of living in a consensual union rather than being married among couples who live together at the time of the census, using data from the five Brazilian censuses carried out between 1970 and 2010. We begin by reviewing the literature on consensual union in Latin America; social and cultural aspects of consensual union and marriage in Brazil; legal aspects of consensual union in Brazil; and gender equality, independence and the choice between consensual union and marriage.

BACKGROUND

Consensual Union in Latin America

Cohabitation between unmarried people emerged as a research topic during the early 1970s in the United States from studies on the sexual activity of college students and on trial marriage. Using the word cohabitation with the specific meaning of 'unmarried cohabitation' seems to go back to Macklin (1972), an article on cohabitation among unmarried college students. After conducting interviews, the author concluded, "cohabitation has become an increasingly common aspect of courtship on the campus studied and one could predict that the trend will proliferate. Although the phenomenon of unmarried persons living together is obviously not a new one […], it has certainly not been a common phenomenon among unmarried middle class youth in the United States until quite recently" (Macklin 1972:470). At that point, unmarried cohabitation in the United States could be seen as an innovative behavior among the well-educated.

In the following decades, much of American research came to view unmarried cohabitation as either a trial marriage that ended quickly through separation or marriage, or a 'cheap' form of marriage for disadvantaged individuals. From the latter perspective, the rise in cohabitation is explained by the deterioration of the economic prospects of unskilled young men – especially within the African-American population – that came with the cessation of the 30-year period of sustained economic growth that followed the end of World War II (Manning and Smock 1995; Oppenheimer, Kalmijn and Lim 1997; Oppenheimer 2003; Hill 2009; Fry 2010).

In contrast, European research never associated cohabitation with deprivation in the same way, likely because the rise of cohabitation was first observed among the middle class of affluent countries. Early descriptive research found that unmarried cohabitation was typical of the young, or of younger generations, more common among secular people and more common among people who experienced the separation of their parents when they were young (Kiernan 1999, 2001). More theoretically oriented European research tends to view the rise of cohabitation as part of a large-scale change in values. In demography, the most prominent theory is that of the Second Demographic Transition, in which unmarried cohabitation is interpreted as one consequence of ideational change related to low fertility, low mortality and high immigration (Van de Kaa 1987; Lesthaeghe 2010). Over time, it became clear that in Europe more so than in the United States, unmarried cohabitation had a diversity of meanings and, in some societies, was becoming an alternative to marriage (Heuveline and Timberlake 2004). Marriage, then, was being completely forfeited or was turning into a marker of the completion rather than the start of the family formation process (Cherlin 2004).

In the 1990s, as unmarried cohabitation began to spread in Latin America, researchers were uncertain of what exactly was underpinning this new trend. Three competing interpretations of the rise of cohabitation prevailed: first, it was driven by ideational change as in Europe; second, it was somehow related with the peculiar history of marriage in Latin America; or third, it was a consequence of the deterioration of the economic conditions – quite a likely explanation considering the dire circumstances in many Latin American countries since the early 1990s.

By the 1970s, Western Europe had moved from a traditional pattern of late and 'rare' marriage in which 10 to 20 per cent of women never married to a pattern in which marriage was almost universal and occurred at younger ages (Festy 1980). Thus, in Europe as well as in the United States, unmarried cohabitation emerged just as marriage had become ubiquitous. In Latin America as a whole, marriage never became universal in the same sense, and the rise in unmarried cohabitation occurred in a context where living together without being married had a long history. Thus, in the context of Latin America,

living together without being married should be referred to correctly as living in a consensual union (Castro-Martín 2002).

According to the most common view among academics, consensual union developed in Latin America as the result of a series of different factors. Before the European colonization, native peoples had their own varied customs that may have included practices such as divorce, polygamy or wife-lending. As these had no equivalent in European family law, these customs made it difficult to enforce European law. Colonization had already begun when in 1563, the Council of Trent made the solemnization of marriage mandatory in most Catholic countries, contributing to the inability of the Church to impose its rules on native peoples. Slave owners were reluctant to let their slaves marry because attached individuals were harder to sell. Some colonists married in the metropolis lived with another woman in the colony and were either legally unable to marry her or were unwilling to marry her because of differences in race or social class (Quilodrán 1999; Esteve et al. 2016). Thus, consensual union was a marker of social and economic marginality since it was historically associated with native people, people of color, or the lower class. Witnessing what seemed like a resurgence in the 1990s led some researchers to interpret the phenomenon as a consequence of harsh economic conditions (e. g. Arriagada 2002).

However, examining the case of Venezuela, Parrado and Tienda (1997) observed that the 20th century rise in consensual union was not confined to the social groups with which it had historically been associated – essentially, women from rural origins with low levels of education – but was also seen among well-educated women of urban origins. The authors concluded that there were actually two different forms of consensual unions simultaneously on the rise, which they labeled 'traditional' and 'modern', respectively. Studying Argentina, Chile and Uruguay, Binstock and Cabella (2011) found that consensual union has become the preferred mode of entrance into conjugal life in all social strata as well as the most common context for couples to live together and have children. Nonetheless, they also found that the timing of union formation and parenthood differs by social strata. Examining 13 Latin American countries, Esteve, Lesthaeghe and López-Gay (2012) found that between the 1970s and the 2000s, consensual union had become more common among young women of all levels of education, although it remained more prevalent among the less educated than among the well-educated.

Recent research on eight Latin American countries by Covre-Sussai et al. (2015) corroborates the finding that there are currently two types of consensual union in Latin America. The first is the 'traditional' type, characterized by less educated young women who begin cohabiting during adolescence and have children at younger ages. The second type is the 'modern' consensual union, which they further divide in two subtypes, both of which are characterized by well-educated women. The first subtype is the

'innovative' union, which involves women from all age groups who have fewer children at later ages and never without a partner or a husband. The second subtype is the 'blended' union, which involves older women who begin cohabiting during adulthood after having a child when living alone. The 'traditional' consensual union prevails in Central American and Caribbean countries and is related to socioeconomic deprivation, whereas the 'modern' consensual union is concentrated in the southern parts of Latin America and is related to women's independence.

Social and Cultural Aspects of Consensual Union and Marriage in Brazil

The assertion that consensual union has deep roots in Brazilian history is not debated, but evaluating its full historical extent across the entirety of the country is a difficult endeavor. Until the late mid-20th century, living together without being married was essentially limited to disadvantaged groups: the less educated, the poor and non-whites. As elsewhere in Latin America, despite its spread in all social groups in the late 20th century, consensual union in Brazil remains more common among the disadvantaged.

Since the 1980s, there has been a spirited debate in Brazilian historiography between two perspectives on the extent of marriage and consensual union during the colonial and imperial period between the 15th to 19th centuries. Part of the argument focuses on the prevalence of marriage for slave families as well as their stability. The classical perspective, which emerged in the 1930s, concentrated on the impact of colonization and slavery on marriage and the family in Latin America, and supported the view that the system of beliefs and the family organization that had developed in Europe had proven very difficult to replicate in Brazil. Influential authors such as Florestan Fernandes (1965) and Gilberto Freyre (1980) described slaves' families and conjugal unions as very unstable. In their vision, being married was the exception rather than the rule among slaves due to a number of reasons. First, the law allowed the slave family to be broken apart by the sale of its members or their distribution as chattel after the death of their owner. Second, there were large sex imbalances among slaves as men and women were concentrated in different areas and activities. Finally, while slave owners had some interest in their slaves having children they could use or sell, they had no interest in fostering the development of family ties among their slaves.

This classical view was reconsidered in the 1980s, especially as historiography and historical demography got closer. Slenes (1988; 1999) contributed to the development of the demography of slavery by using empirical data to show that marriage was more common among slaves than traditional historiography had assumed. For Slenes, the larger the number of slaves living on an estate, the more likely they were to get married and form stable families. Sex imbalances were less common at large estates. Additionally, owners might see a wedding between two of their slaves as a 'natural' way of expanding

their estate through reproduction. The motivations of slave owners were not limited to simple economic benefit. According to Slenes, the owners, especially in the state of São Paulo, approved of marriage among their slaves because they believed marriage – a deeply religious institution at the time – could instill moral values. They also used marriage as a means of pacification: an individual who possesses publicly recognized family ties should be more integrated into local society and thus less prone to rebellion.

The debate surrounding the slave family is important for our purpose because slavery is used to explain the high prevalence of consensual union among the black population. However, there were historical barriers to marriage other than being a slave. Some authors explain the prevalence of consensual union as well as that of illegitimate children during the colonial and imperial period through structural factors including the insufficient number of Catholic priests; the large physical distances forcing the same priest to officiate in a huge area; and the high geographic mobility of the population, which made it difficult to prove whether or not someone was already married. In sum, in many historical times and places, getting married was not easy even for free people, as it required the presence of a Catholic priest and access to the secular administration, neither of which were universally available. From that perspective, the 19th-century São Paulo studied by Slenes was privileged as it was populated with a large number of priests and the continued presence of the colonial administration.

Other authors – for instance Vainfas (1989), Florentino and Góes (2013) and Cunha (2017) – claim that poverty, precarious living conditions and the distance of religious and secular authorities led to the circumvention of formal rules in various aspects of everyday life, including family formation. However, these authors emphasize that marriage was held up as an ideal even among the disadvantaged, and so was used as the model for consensual union, at least in its original context. While, until the 19th century, European chroniclers traveling through Brazil viewed the extent of consensual union as proof that 'there is no sin south of the equator' and thus that the people living there were amoral, disadvantaged individuals believed that living in a consensual union was morally justified given their conditions. This opinion is reflected in a popular saying, '*juntado com fé, casado é*', which roughly translates to 'to live together in faith is being married' (Vainfas 1989). Interestingly, this saying is true to the Catholic doctrine of marriage as it existed in early years of colonization. Until the late 16th century when the Decree on the Reformation of Marriage of the Council of Trent made the solemnization of marriage a condition for its validity, the marriage bond was created by the sole exchange of consent between the spouses who were the ministers of the sacrament of marriage according to the Catholic doctrine (Coontz 2005).

The argument between proponents of classic historiography and authors of more recent studies has taught academics that there are no answers relevant for Brazil as a nation, because the country is not and

has never been homogenous. This is mainly because the settlement process was not the same in all parts of the country, and because some areas maintained or preserved their historical records better than others. As such, there is no reliable data about the family of the past for Brazil as a whole. Current empirical historical research provides an incomplete picture of the past based on subnational data, mainly from the Northeast for classical historiography and from the Southeast for more recent studies.

The abolition of slavery in 1888 and the establishment of the First Brazilian Republic the following year stimulated immigration. Between 1872 and 1972, almost 5.3 million people moved to Brazil, most of them from Portugal, Italy, Spain, Japan and Germany (Bassanezi 1995). Over the same period, the Brazilian population increased from 9.9 million to 94 million. Although it is true that immigrants and their descendants changed the composition of the population, immigration alone cannot explain the decrease in the prevalence of consensual union during this period. The first modern census conducted in 1940 found that 13.2 per cent of Brazilian couples lived in a consensual union; by 1970, this had dropped to about 7 per cent. Since then, the prevalence of consensual union has been steadily increasing. In 2010, 36.4 per cent of Brazilian couples were living in a consensual union.

Consensual union reached its lowest recorded prevalence in Brazil in the 1960s and 1970s, with proportions of 6.4 and 6.9 per cent, respectively. Some potential explanations for this temporary decline include economic development, industrialization, urbanization, higher employment, and the establishment of a minimum wage as well as a social security system whose advantages could be extended to the worker's wife and children if they were married (Vieira 2016).

Quinteiro (1990) compared consensual union for both working- and middle-class individuals using interviews conducted in 1987, and concluded that both groups embraced marriage as the norm for their conjugal unions. For working-class individuals, consensual union mimicked the conceptions of gender and standards of relationships drawn from traditional marriage. Consensual union was not an innovation but a family formation strategy in a context of economic hardship. Working-class couples living in a consensual union did not hesitate to classify themselves as 'married without papers' or 'living as married'. Similarly, living apart together was not a choice but a temporary adaptation until living together in a consensual union or marriage was possible. Quinteiro found two different perspectives on consensual union held by middle-class individuals: the first was similar to views of the working class, while the second was critical of traditional marriage and gender roles. Nonetheless, both of these middle-class views saw consensual union as equal to marriage in terms of commitment, seriousness, fidelity and potential stability. Middle-class people living apart together did not complain about their situation but rather considered their relationship more modern and free; they were skeptical about marriage and usually did not want

children. Couples living in a consensual union from either class did not reject the possibility of eventually getting married, despite the fact that the desire to get married was stronger for the working class. Although the couples were not actively taking steps to get married, they believed that getting married was the best thing to do. Both working- and middle-class people believed that having children contributed to making marriage and consensual union indistinguishable as it made breaking up harder for any couple, married or not. Additionally, middle-class people considered getting married when they were planning on having children.

According to Berquó and Loyola (1984), economic hardship was not the only factor that contributed to the spread of consensual union: the fact that divorce did not exist in Brazilian law until 1977 encouraged the popularity of consensual union in all social strata. Until divorce became available, separated people could not get married to a new partner before the death of their former one; consensual union was their sole option. Using data from the *Pcsquisa Nacional sobre Rcproduçaõ Humana* (National Survey on Human Reproduction), a life history survey supplemented with qualitative interviews carried out between 1975 and 1977, the authors found that people considered marriage more advantageous for women than men because of the economic security. Consensual union was considered more advantageous for men because it freed them from the economic liabilities of marriage. They also found that areas with a low sex ratio were associated with a larger prevalence of consensual union, and that the young were more open to consensual union. Women's liberation, the economic independence of women and the lessening of traditional controls on young women – especially in the Brazilian metropolis – enabled the rise of consensual union. At the same time, pregnancy remained a strong spur for marriage in the middle and upper classes. Among the more educated, marriage was clearly preferred over consensual union.

The sixth wave of the World Value Survey (2015) allows the comparison of recent beliefs and opinions about gender and the family between nine American countries. Figure 1 reports that comparison.

[Insert Figure 1 Here]

Brazil is among the countries where participation in the labor market is most valued as a way for women to become independent. In Brazil as well as in Uruguay and Argentina, the population has the greatest tolerance towards unmarried cohabitation – greater than in Mexico, Peru or the United States.

Covre-Sussai (2016) focused on the socioeconomic and cultural features of consensual union in Brazil in 2010. She found that the probability of living in a consensual union rather than being married decreases as the education of the woman increases. She also interpreted the fact that consensual union is common in the middle and upper classes despite its negative association with education as further

evidence of the coexistence of different types of consensual union in Brazil. Couples from different religious groups are more likely to live in a consensual union than to be married, while couples sharing the same religion (particularly Evangelicals) are less likely to live in a consensual union. Some of Covre-Sussai's results suggest that the probability of living in a consensual union is associated with race, with whites being less likely to do so. Finally, she found that the presence of children reduces the probability of living in a consensual union. Esteve et al. (2016) looked at the period between 1960 and 1980 using a different methodology and obtained similar results.

López Ruiz et al. (2008) looked at educational homogamy and its relationship with race in six Latin American countries including Brazil, although they did not distinguish consensual union and marriage. In line with European and American research (Kalmijn 1998), the authors found that homogamy was the dominant pattern in all countries. In Brazil, the rates of female hypogamy and hypergamy are the same, although women with a completed university education are especially prone to homogamy. The tendency to form educationally homogamous unions varies more according to race and ethnicity in Brazil than in other countries.

Telles (2004) found that racial intermarriage is more common in Brazil than in the United States and South Africa, and is more common among less educated people. Although it increased in all social strata during the second half of the 20th century, it is uncommon when the partners have very different levels of education. Consensual union is more common among interracial couples than couples where the partners are the same race (Telles 2003; Longo 2011).

Legal Aspects of Consensual Union in Brazil

Until the end of the 19th century, the only way to enter into a legally recognized marriage in Brazil was to get married according to the rules and rites of the Catholic Church, and certified copies of the parish register were the only means to legally prove the existence of a marriage. Non-Catholic marriage – *casamento acatólico*, which was a marriage solemnized within a Protestant denomination or a non-Christian faith, or a marriage contracted between agnostic spouses – as well as mixed marriage – that is, a marriage where only one of the spouses was Catholic – were not granted the same status and were not treated in the same way by the state (Lordello 2002). The situation of Protestant immigrant women abandoned by their husband and subsequently treated by Brazilian authorities as mere concubines prompted the intervention of ambassadors from their countries of origin, and ultimately contributed to the secularization of marriage (Lordello 2002). In 1863, marriages solemnized by ministers from a limited number of other faiths were granted the civil effects that were until then restricted to those solemnized

by Catholic priests, on the condition that their solemnization could be established using documents similar to certified copies of the Catholic parish registers. The civil registry was established in 1874. The separation of church and state, freedom of worship and the secularization of the state were introduced in 1889 when Brazil became a republic. The civil solemnization of marriage, in notary offices or elsewhere, was established in 1890.

Since their establishment in 1874, civil registry offices have operated as a concession. As a consequence, civil marriage is a public service provided by private organizations licensed and regulated by the state. According to the law, the civil solemnization of marriage is free of charge, but the licensee is allowed to charge fees for the registration of the marriage as well as the issuance of marriage certificates, and so can make a profit from its activity as a registrar. Gomes (2010) argues that the economic crisis of the 1980s contributed to the rise of consensual union in Brazil and points to 1983 as a critical moment. Vieira (2016) shows that the proportion of couples living in a consensual union rather than being married is related to the spatial distribution of civil registry offices: the closer people live to an office, the more likely they are to be married. The offices are for-profit businesses concentrated in densely populated or affluent areas, thus strengthening the positive association between income level and marriage. Figure 2 illustrates the decrease in the crude marriage rate in the 1980s, particularly the steep decrease following 1988.

[Insert Figure 2 Here]

The gradual assimilation of consensual union with marriage was a long process that began with social security, then proceeded to tax law and finally dealt with inheritance (Costa, 1999; Levy, 2012). In the 1940s, several social security benefits were extended to the dependent unmarried partner, such as compensation rights granted to the spouse in cases of labor accidents. Two decades later, the Federal Supreme Court similarly extended the compensation rights granted to the spouse in cases of transport accidents.

In civil law jurisdictions, the core of marriage as an institution is the set of economic relations between husband and wife established by the Civil Code, the most important of which are mutual support, matrimonial property and inheritance rights. By law, spouses are bound to mutual economic assistance; this obligation was historically the conceptual basis for maintenance payments to the wife after legal separation. Matrimonial property from the moment of the wedding to that of legal separation, divorce or death and the inheritance rights of the surviving spouse are settled according to a matrimonial regime.

The Brazilian Civil Code defines four different matrimonial property regimes from which married couples may choose: community of acquisitions (*regime de comunhão parcial*), community of property (*regime de comunhão universal*), separation of property (*regime de separação de bens*) and participation in acquisitions (*regime de participação final nos aqüestos*)[1]. The statutory or default regime is community of acquisitions. Data since the 1970s show that most Brazilian married couples live under the community of acquisitions regime. Under this regime, property acquired by either spouse during the union is considered common property of the couple. Under the community of property regime, any property that belongs to one of the spouses – including what each owned before they were married – is considered common property of the couple. Under the separation of property regime, there is no common property; each spouse remains the sole owner of his or her property. Under this regime, spouses may own some property jointly if they choose to do so (for instance, their family home), but this joint property comes under the provisions of contract law rather than family law. Under the participation in acquisitions regime, each spouse remains the sole owner of their property while they are married, but upon separation or divorce any property is shared as in the community of acquisitions regime.

In the 1960s, the Federal Supreme Court, considering that the property acquired by each unmarried partner while they were living together resulted from the effort of both, imposed that any property acquired by either partner while living together be shared upon separation as if it were common. At first, 'effort of both' was understood as involving only monetary contributions, which implied that the partner living in a consensual union without a source of income was not entitled to part of the acquisitions made by the other partner. The fear that this limited meaning might lead to a partner's destitution after separation or the death of the other partner led to an enlargement of scope. In the late 1970s and the 1980s, the court extended the meaning of 'effort of both' so that it also included contributions in kind, such as housework, care and any paid or unpaid work (Costa, 1999). With these decisions, the rules governing the property of couples living in a consensual union became similar to those of the community of acquisitions regime, which serves as the statutory regime for married couples.

The current Brazilian constitution was enacted in 1988. It recognizes couples living in a consensual union and their children as family units entitled to the protection of the state. Nowadays, the rules governing maintenance between unmarried partners after separation and the rights of the children of

[1] There is no official vocabulary of civil law in the English language. There is not even a commonly used vocabulary of civil law terms in the English language. Each civil law jurisdiction seems to invent its own translations in isolation. Civil law jurisdictions that happen to use English as an official language or on a legal basis, such as Louisiana and Quebec, do not use the same English terms and have little influence on other jurisdictions. Here we use as much as possible the terminology developed by the Commission on European Family Law for the English version of its principles regarding property relations between spouses (Boele-Woelki et al. 2013).

unmarried parents are the same as they are for married couples and their children. The constitutional recognition of consensual unions as family units was an important step in the gradual assimilation of consensual union with marriage. Given the long history of consensual union in the country, this recognition was seen by many as a late yet important victory in a long and arduous battle.

Until 1988, the Civil Code dealt only indirectly with consensual union; changes in family law that protected couples living in a consensual union and their children had come from *decretos-leis* (executive orders) and court decisions rather than legislation. Traditionally, family law applied only to married couples and their children, whereas unmarried couples and their children were subject to the provisions of contract law. The 1916 Civil Code defined family as a unit based on marriage that included a husband, a wife and their children. It did not recognize consensual unions and even penalized them (Barros Monteiro 2004).

Children's rights to inheritance and maintenance were based on the circumstances of their birth. Children born as a result of adultery or incest were illegitimate and could not be legitimized, while natural children – children born to unmarried parents who could legally get married – could be legitimized by their parents' marriage, by a public deed or in a will (Lewin 1992). Until 1949, the rights to inheritance and maintenance were restricted to legitimate children. Two important changes took place in 1977: first, parents were allowed to recognize their illegitimate children by will, even if still married and living with their spouse at the time of their death (Lucchese 2013); and second, divorce became available. The 1988 Constitution abolished the remnants of the distinction between legitimate and illegitimate children. The 2002 Civil Code granted the same rights to the family name, inheritance and maintenance to all children regardless of the circumstances of their birth.

The 2002 Civil Code states that two people are considered to be living in a consensual union if they are living in a public, continuous and lasting relationship established with the purpose of family formation. As with spouses, partners living in a consensual union are bound to be faithful, to respect and to economically assist one another, as well as to equally share parental responsibilities. These provisions were extended to same-sex couples by the Federal Supreme Court in 2011, two years before the introduction of same-sex marriage. As we noted above, unless they specify otherwise in a written contract, couples living in a consensual union are assumed to have chosen to live under the community of acquisitions matrimonial regime. Given that most married couples live under this regime, the legal situation of couples living in a consensual union is now very close to that of married couples both in the provisions of the Civil Code and in practice (see Figure 3).

[Insert Figure 3 Here]

The assimilation of consensual union with marriage was framed as a battle for equality. However, the imposition of the economic dependence typical of traditional marriage – specifically, the rules of the statutory matrimonial regime and the right to maintenance after separation – is still debated. Advocates argue that imposing this form of economic solidarity is necessary because without it, separation could lead to unclear or unfair situations, as one of the partners might become destitute or deprived of a fair share of the assets to which he or she contributed (Costa 1999).

Opponents argue that those who live in a consensual union usually wish to avoid the full civil effects of marriage (Dias 2002; Delgado 2016). From this perspective, the state should not impose the full legal responsibilities of marriage upon people who do not choose to turn their relationship into a system of mutual economic dependence. This argument dovetails with the critical view of traditional marriage and gender roles held by many middle-class couples living in a consensual union (Quinteiro 1990). As we explain in the next section, this argument is also similar to those used by advocates of consensual union in Sweden, which eventually led to the practical disappearance of maintenance payments for ex-spouses in that country as well (Sandström 2016).

Advocates of the full assimilation of consensual union with marriage believe in a traditional form of conjugal relationship, where the couple is an economic unit in which resources are generated by the sum of efforts of both partners and so should be equally shared. Opponents envision consensual union as a modern form of conjugal relationship in which both partners are economically independent, rejecting the idea of economic interdependence assumed by the law.

Gender Equality, Independence, Consensual Union and Marriage

The idea that women's labor force participation and their subsequent economic independence is related to changes in family dynamics is not new. Research has especially focused on the effect of women's economic independence on union stability (see Killewald 2016 for a recent review). This association stems from the foundations of traditional Western marriage as a legal institution: the economic dependence of the wife was combined with obligations imposed on the husband to provide her with the necessities of life, even after legal separation or divorce. This concept of marriage was enforced in the private law of all Western countries, and more strictly in the doctrine of coverture of English law than in the many variants of continental law. This same concept of marriage underpins Becker's specialization model: from a given set of assumptions, this model explains that the gains from marriage depend on the relative difference in the potential or actual wage rates of each spouse (Becker 1973; Becker, Landes and

Michael 1977). It is also the view that guided the advocates of the assimilation of consensual union with marriage in Brazil. However, as women become more educated and enter the labor force, the difference in wage rates decreases. Women can support themselves and can walk away from an unsatisfying marriage, and married couples look less and less like the asymmetrical pair imagined by the traditional view of marriage.

The traditional view of marriage still prevails in the private law of many countries, but it is not as hegemonic as it once was. Nowadays, some jurisdictions have even taken the opposite view of marriage and have amended their family law so that the institution of marriage is based on the explicit assumption that spouses are equal and independent people. This trend has taken place in the Nordic countries more than anywhere else, especially in Sweden, where spouses may have as few mutual economic obligations as partners living in a consensual union. Looking at the evolution of family law in the Nordic countries is instructive: in many respects, the debate that is still ongoing in Brazil is similar to debates that occurred there in the past. The arguments of opponents of the assimilation of consensual with marriage in Brazil bear striking similarities the arguments of proponents of the transformation of family law in the Nordic countries.

To our knowledge, there is no comprehensive history of the emergence of consensual union in the Nordic countries. In place of this, published research points to several important contributing factors in this context: the transformation of family law, the development of the welfare state by social democratic governments, and the role played by the feminist movement in the development and implementation of these changes in law and social policy. Many of the changes implemented over the course of the 20th century have been motivated, at least in part, by the desire to transform gender relations and the status of women in society, so that both are grounded in equality and independence. The freedom given to couples regarding property relations, the introduction of no-fault unilateral divorce, and the legalization and provision of abortion are examples of such changes. The single most important reform for the development of consensual union as an alternative to marriage was the reform that aimed to ease the circumstances of unmarried mothers and their children. This reform was implemented in Norway in 1915, at a time when about 7 per cent of children were born to unmarried mothers. The reform abolished in large part the distinction between legitimate and illegitimate children and implemented protections for the latter, including equal responsibility between mothers and fathers for the child's maintenance; the indefeasible right of children born out of wedlock to a share of their father's estate; and the father's obligation to provide maintenance to the unmarried mother of his child (Catsberg 1916; Bradley 2000).

Along with the public provision of health services, these changes greatly reduced the gains to marriage regardless of the difference between the wage rates of the potential spouses.

The impetus for the 1915 Norwegian reform was in large part the desire to impose gender equality in family law. Later reforms of family law in the Nordic countries have also aimed to promote the economic independence of women. Currently, maintenance of the former spouse is a rarity; the economic relationship between former spouses ends with the sharing of any matrimonial property. The combination of a full employment policy, active support of women's labor force participation and policies that encourage the sharing of domestic chores and parental roles promotes the economic independence of the spouses (Bradley 1989; Jänterä-Jareborg et al. 2008; Sverdrup 2008).

Sandström (2016) stresses that the security provided by the expansion of the Swedish welfare state – its social programs as well as its full-employment and gender equality policies – made it possible to translate post-materialistic values into marriage, transforming it from a protective institution comprised of a set of economic rights and obligations between the spouses. As he points out, this role of the Nordic welfare state in these changes has been notably researched by Esping-Andersen (1999) and Lesthaeghe (2010). This logic also applies directly to the diffusion of consensual union as the most complete form of rights- and obligations-free conjugal union. Somehow, it seems that this has been overlooked in most research as if it were a given for researchers from the Nordic countries and irrelevant for other researchers.

Few if any Western countries still maintain the distinction between legitimate and illegitimate children, which means that most if not all provide the basic legal framework that allows for the development of consensual union as an alternative to marriage. Consensual union has now also spread in countries that provide little of the protection of the Nordic countries' welfare states. Consensual union is becoming common or has become common in Latin America (Esteve, Lesthaeghe and López-Gay 2012), Spain (Dominguez-Folgueras and Castro-Martin 2013), Italy (Gabrielli and Hoem 2010; Guetto et al. 2016) and in some parts of Africa. It is spreading in a way that cannot be solely attributed to economic circumstances but also ideational change and the economic independence of women (Calvès 2016). Brazil is among the countries where consensual union has become common without the economic security of a well-developed welfare state. The shape of the Brazilian debate can be explained in two parts: first, the historical legacy of consensual union as a form of conjugal union based on traditional gender relations – that is, between unequal partners where the woman is usually dependent on the man; and second, the emergence of a modern form of consensual union based on more egalitarian gender relations between well-educated partners, both of whom may be economically independent and contribute to the maintenance of their children.

Despite the logical connection between consensual union and gender equality and economic independence, and despite the fact that the reform of family law and the development of social policies that make consensual union a workable alternative to marriage also promote more equal gender relations, we find little if any empirical research on the relationship between equality and independence and the choice of consensual union over marriage. What little research does exist seems to frame this relationship in an interpretive fashion rather than deriving and testing hypotheses.

OBJECTIVES AND HYPOTHESES

Previous research suggests that there are two markedly different types of consensual union in contemporary Brazil: a traditional type, typical of the working class, in which gender relations are traditional and the woman is economically dependent on the man; and a modern type, typical of the middle class, in which gender relations are more egalitarian and both partners are economically independent. Previous research also suggests that although marriage serves as a reference for most couples in a consensual union, many middle-class couples who live in a consensual union adopt a critical view of marriage. In this view, marriage is ill-adapted to modern couples who are both economically independent, as it is still an institution that limits the freedom of the couple in order to protect the least privileged spouse.

Recent research on marriage and consensual union in Brazil has focused on the formulation of a typology of consensual union as well as on the differences in the views of marriage and consensual union across social strata. Here, we seek to understand the choice between marriage and consensual union in the Brazilian context, where both forms of conjugal union are used by the working and middle classes but with different meanings in each stratum. We are especially interested in the effect of gender equality and women's economic independence on this choice, as – according to the critical view of marriage typical of the middle class – marriage would be ill-adapted to egalitarian conjugal unions in which both the man and the woman are economically independent. As we detail below, we focus on three aspects of within-couple gender equality: income equality, educational equality and economic equality. The model we use allows the estimation of the effects of these variables net of other factors.

We limit the analysis to different-sex couples in which the woman is in her reproductive years and the man has an income. As demographers, we are chiefly interested in family formation, and particularly aware of the differences between couples where the woman is in her reproductive years and those where neither partner has to face the constraints induced by the presence of current or potential children. Being married or living in a consensual union later in the life course, couples in which the man has no income

and same-sex couples are all different topics that require further investigation, and so are not addressed in this study.

Age and Education

Whatever the effect of the other factors we are interested in, the relationship between age and education and the probability of being married or living together in a consensual union has to be modeled. The effects of age and education are likely intertwined, and failure to model them appropriately might impair the estimation of our measures of within-couple gender equality.

Although there is a lot of variation across societies, unmarried cohabitation is generally more prevalent among the young than the old and more commonplace among the less educated than the more educated. There are reasons to believe that the relationship between age and the probability of living in a consensual union is nonlinear and would best be approximated using a curvilinear relationship. Previous research suggests that the age at which people start living in a conjugal union increases with the level of education. All of this indicates that the relationship between age and the probability of living in a consensual union rather than being married should be modeled as a different curvilinear function for each level of education. Comparing the curves allows us to compare the couples according to their educational structure (see below) and also their social position.

Period

We expect the probability of living in a consensual union rather than being married to increase across censuses. We suspect that the effect of our measures of within-couple gender equality might increase across censuses.

Within-Couple Gender Equality

We are interested in three aspects of within-couple gender equality: income equality, educational equality and economic equality. These three measures are not independent of each other and so we model them accordingly.

We measure the direction and level of income equality within the couple using the share of the woman's income in the total income of the couple. *Cæteris paribus*, the probability of living in a consensual union rather than being married should increase with the share of the woman's income in the couple's income.

However, things might not be that simple. The effect of within-couple income equality may vary according to the educational structure of the couple. Income and education are two components or

markers of the position of the individual in the social structure, and while they are usually correlated, they are not the same. Income equality might very well have a different meaning and a different effect for a couple where the two partners have the same level of education, compared to a couple where the woman has more education than her partner or a couple where the man has more education than his partner. In other words, the effect of the share of the woman's income in the couple's income may vary according to the level of education of each of the partners. Thus, we estimate the effect of the share of the woman's income in the couple's income for every combination of each partner's level of education.

The educational structure of the couple comprises two different pieces of information: the level of education and the homogamy or heterogamy. *Cæteris paribus*, among couples in which both partners have the same level of education, we expect the probability of living in a consensual union to decrease as the level of education increases. Among couples in which both partners do not have the same level of education, we expect the probability of living in a consensual union to be greater among couples in which the woman is more educated than the man. The effect of this variable is assessed by comparing the results from different equations.

There is economic equality in the couple if both spouses or partners are economically independent; we operationalize this as earning a market income that, at least in theory, allows them to care for themselves and for any children they might have. Economic equality is measured through the labor force participation of the woman. Participation in the labor force is a binary measurement: women are either in or out of the labor force. We do not use this measurement as an independent variable because it defines two qualitatively different situations. Rather, we estimate separate equations for couples in which the woman is in the labor force and couples in which she is not. Again, the effect of this variable is assessed by comparing the results from different equations. By definition, women out of the labor force are economically dependent on their partner's income and benefit from marriage as a protective institution. *Cæteris paribus*, we expect couples of a given educational structure to be less likely to live in a consensual union if the woman is in the labor force. Understandably, economic equality is defined only for couples in which the woman is in the labor force and gets an income from paid work.

Similarity and Difference

Recent research suggests that homogamy has become an important feature of marriage and possibly of unmarried cohabitation as well. Women have gained access to education and are likely to be in the labor force, leading to increased educational homogamy as well as a higher proportion of double-income couples. This creates potentially marked differences between couples that are homogamous in labor

participation and education level and those that are not. Our modeling of education and economic equality deals with these potential sources of heterogeneity.

We consider three other sources of similarity and difference: age difference, race and religion. The effect of age difference between partners is straightforward: the probability of living in a consensual union rather than being married should increase as the age difference moves away from the modal pattern in which the man is slightly older than the woman.

In the Brazilian context, race and religion as elements of similarity or difference are likely to be important factors for the choice of a partner but also for the choice between marriage and consensual union. Two dimensions must be considered. First, some ethnic and religious groups are more likely to avoid consensual union than others. Second, couples who are dissimilar on either of these two characteristics might be more likely to live together without being married because they have already distanced themselves from their group by choosing a partner from outside of the group. We are thus interested in the combination of the racial and religious groups of the two members of the couple, rather the characteristics of just one of them or the partners' characteristics taken separately.

Based on previous research, Asian people should be least likely to live in a consensual union followed by white (*branco*) people; on the contrary, brown (*pardo*), black (*negro*) and indigenous people should be more likely. Evangelicals should be least likely to live in a consensual union followed by Catholics; while Spiritists and people who do not belong to a religious group should be more likely. Couples in which both partners belong to the same racial or religious group should be less likely to live in a consensual union than dissimilar couples.

Other Factors to Be Controlled

Income is a social indicator related to but nonetheless different from education. Although there is not as much research on income as a factor of unmarried cohabitation as there is on education, the probability of living together without being married is expected to decrease as income level increases. We expect similar results.

Previous research indicates that the probability of living in a consensual union rather than being married varies depending on the presence of children. Owning rather than renting the family home should also be related to this probability, since becoming a homeowner is an important step in the family formation process. Accordingly, homeowners should have a higher probability of being married than living in a consensual union. The inclusion of these characteristics in our equations allows us to estimate

the effects of our measures of within-couple equality, net of the effects of other well-known predictors of union type.

DATA AND MODEL

We use microdata from five censuses of Brazil conducted by the *Instituto Brasileiro de Geografia e Estatstica* (IBGE, Brazilian Institute of Geography and Statistics), the Brazilian official statistics agency, in 1970, 1980, 1991, 2000 and 2010. We limit our analyses to couples where the woman was aged between 15 and 49 years old at the time of the census, and where the man was in the labor force and reported having an income.

Model

We extend a model first proposed by Laplante and Fostik (2017) and use logistic regression to estimate the effect of a series of characteristics on the probability of living in a consensual union rather than being married among women aged between 15 and 49 years old who live in a conjugal relationship. We estimate one equation for each census. Because the share of the woman's income in the couple's income is defined only for couples where the woman is in the labor force, we estimate different equations for couples where the woman is in the labor force and those where she is not. We thus estimate 10 equations.

The equation we estimate may be written as follows,

$$\ln\left(\frac{\pi}{1-\pi}\right)=\sum_{i=1}^{4}\left(\alpha_{i1}W_i+\alpha_{i2}W_iA+\alpha_{i2}W_iA^2\right)+\sum_{i=1}^{4}\sum_{j=1}^{4}\beta_{1ij}W_iM_jS+\sum_{i=1}^{4}\sum_{j=1}^{4}\beta_{2ij}W_iM_jI+\sum_{i=1}^{k}\gamma_iX_i,$$

where π is the probability of living in a consensual union rather than being married for a woman; W_i stands for a series of binary variables representing the education level of the woman; A is the age of the woman; a_{1i}, a_{2i} and a_{3i} are the three parameters of the curvilinear relationship between the age of the woman and the probability of living in a consensual union rather than being married for women having level of education i; M_j stands for a series of binary variables representing the education level of the man; S is the share of the woman's income in the total income of the couple; β_{1ij}, is the effect of the share of the woman's income in the total income of the couple on the probability of living in a consensual union for women who have education level i and whose partners have level of education j; I is the logarithm of the income of the couple; β_{2ij} is the effect of the logarithm of the income of the couple for women who have education level i and whose partners have level of education j; X represents variables where the effect is linear and unconditional; and γ stands for the effects of each of these variables.

The curvilinear relationship is parametrized using the degree of freedom ordinarily used for the intercept. In this equation, the curvilinear relationship between age and the probability of living in a consensual union rather than being married is akin to the baseline hazard function in a hazard model; estimating it separately for four different levels of education makes the equation akin to a stratified hazard model. The term of the equation that estimates the variation of the probability of living in a consensual union as a function of the share of the woman's income in the couple's income according to the level of education of both partners — $\beta_{ij}W_iM_jS$ — also allows the estimates of the variation of this probability as a function of the age of the woman according to the level of education of each partner. In the equations where the woman is out of the labor force, this term is replaced with the level of education of her partner.

[Insert Tables 1 and 2 about here]

RESULTS

Descriptive

Tables 1 and 2 describe the couples in which the woman is in the labor force and those in which she is not, respectively. From the oldest to the most recent census, the proportion of couples who live in a consensual union rose sharply. This proportion increased from 8.1 per cent to 39.1 per cent among the couples in which the woman is in the labor force, and from 6.9 per cent to 47.2 per cent among the couples in which the woman is not in the labor force. These two groups also have different patterns of increase. The proportion of consensual union was higher in 1970 and 1980 among couples where the woman was in the labor force, but from 1991 onwards it was higher among couples where the woman is not in the labor force.

The distribution of the level of education changed profoundly. The proportion of women not in the labor force who had not completed primary education decreased from 92.0 per cent to 46.0 per cent, while it decreased from 67.1 per cent to 28.5 per cent among women who are in the labor force. There are similar changes among men. Interestingly, in all censuses, the proportion of couples with lower levels of education is higher among those where the woman is not in the labor force, compared to those where she is. Correspondingly, the proportion of couples in which the woman is in the labor force are more educated. This suggests that on average, men are less educated in couples where the woman is not in the labor force than in couples where she is in the labor force.

As explained in a note to Table 1, income is grouped in quintiles for each census for all couples, showing the difference between couples in which the woman contributes to the couple's income and those

in which she does not, as well as the impact of the rise of the double-income couples on the income distribution. In all censuses, the proportion of the double-income couples is greater than that of the single-income couples in the two highest quintiles and smaller in the two lowest quintiles. It is smaller in the middle quintile in all censuses except the most recent. Double-income couples have a higher income than single-income couples, but their proportion increased so much that they are now more common than other types of couples, even in the middle quintile. Despite these income differences, home ownership was high in both single- and double-income couples in 1970 and increased in both groups until 2000, when it slightly decreased from 2000 to 2010.

In both single- and dual-income couples and in all censuses, the man is typically older than the woman, usually by less than 10 years. That said, the proportion of couples in which the woman is of the same age or older than the man as well as the proportion of couples in which the man is less than 5 years older than the woman is higher among the couples in which the woman is in the labor force. In both groups of couples, the proportion of Catholics decreases from the oldest to the most recent census, while the proportion of Evangelicals and people without a religious affiliation increase. Not having a religious affiliation is more common among men than among women. For both single- and dual-income couples, the proportion of white people decreased from the oldest to the most recent census, whereas the proportion of brown and black people increased. However, the proportion of white women and of white men is higher among the couples in which the woman is the labor force than in couples in which she is not.

[Insert Figures 4 and 5 and Tables 3 and 4 about here]

Models

The results from the estimations are reported in Figures 4 and 5 and in Tables 3 and 4. Table 3 displays the coefficients for couples in which the woman is in the labor force and Table 4 for those in which she is not.

Age and education. Figure 4 reports the baseline probability of living in a consensual union rather than being married at the time of the census for women living in a couple in which both partners have the same level of education. Figure 5 reports the same for women who live in a couple in which partners have different levels of education. For purposes of legibility, not all combinations are reported in Figure 5. Two results stand out. First, the probability of living in a consensual union increased from the oldest to the most recent census for all education levels. Second, the baseline function increases as the level of education decreases, with the distance between the curves increasing as the probability of living in a

consensual union increased. There is little difference between couples in which the woman is in the labor force and those in which she is not. Figure 5 reveals something more: the probability of living in a consensual union is lower in couples where the woman is more educated than the man, and even more so in couples where the woman has completed a university education and is in the labor force.

Share of the income of the woman in the couple's income (Table 3 only). The coefficients in Tables 3 and 4 are reported as odd ratios. They take values from 0 to infinity; values between 0 and 1 decrease the odds and thus the probability, values greater than 1 increase the odds and the probability, and a value of 1 means that the variable has no effect. In all censuses except the oldest one, all of the coefficients associated with the share of the woman's income in the couple's income are greater than 1 and most are statistically significant. Note 2 of Table 3 provides a detailed example of the interpretation of the effect of the share.

Overall, in most censuses, the probability of living in a consensual union increases with the share of the woman's income in the couple's income. Things are different in the 1970 Census. In the 1970 Census, most coefficients are not statistically significant. The probability of living in a consensual union increases as the share of the woman's income increases for all couples in which the woman has secondary education and for couples in which both partners did not complete primary education. The probability decreases as income increases for couples in which the woman did not complete primary education and the man has either primary or secondary education.

Income (Tables 3 and 4). The effect of income on the probability of living in a consensual union varies according to the educational structure of the couple; this relation also changes across censuses. As we discuss in the next section, this variation is related to the differences in the meaning of marriage and consensual union for the working and middle classes.

There are noticeable differences between couples in which the woman is in the labor force and those in which she is not. Among the former, in 1970, the probability of living in a consensual union decreases as income level increases for all couples, except for those in which the woman has not completed primary education, while the man has completed either primary or secondary education; in these cases, the relationship is reversed. In 1980, 1990 and 2000, most coefficients are statistically significant and describe a relationship in which the probability of living in a consensual union increases as income level increases. The 2010 pattern is similar to the 1970 pattern, except that it contrasts couples in which the woman has one of the three lowest levels of education to those where the woman has completed a university education. In the first group, that of less educated women, the probability of living in a consensual union decreases as income level increases. In the second group, that of women with a completed university

education, income level either has no effect or increases the probability of living in a consensual union. More precisely, the probability of living in a consensual union increases as income level increases in couples where the woman has completed a university education and the man has not completed at least secondary education. One combination does not follow the pattern: among couples in which the woman has secondary education and the man did not complete primary education, the probability of living in a consensual union increases as income level increases.

Among couples where the woman is not in the labor force, the pattern of the effect of income is different between low- and high-educated women, and changes from the oldest to the most recent census. In 1970, the probability of living in a consensual union decreases as income level increases for couples in which the woman has little education. This relationship goes the other way in three cases where the woman has completed at least secondary education and is more educated than the man. In 1980, the probability of living in a consensual union increases as income level increases for all couples in which the woman has completed at least secondary education. It decreases as income level increases or does not change with income level in most cases where the woman has less than secondary education, with one exception: couples where the man but not the woman has completed primary education. In 1991, the probability of living in a consensual union increases as income level increases for couples in which the woman has completed a university education and is more educated than the man. In all other cases, the probability of living in a consensual union decreases as income level increases or does not vary. In 2000, the probability of living in a consensual union decreases as income level increases for all couples, except for the two cases: in 1991, if the probability increased as income level increased, in 2000, it does not vary with income level. In 2010, the probability of living in a consensual union decreases as income increases for all couples without any exception.

Age difference between the woman and the man (Tables 3 and 4). In all censuses, the probability of living in a consensual union is lowest for couples where the man is less than five years older than the woman. From that point, the probability increases as the absolute value of the age difference increases.

Religious group of the woman and the man (Tables 3 and 4). In all five censuses, couples comprised of two Evangelicals are the least likely to live in a consensual union, usually, but not always, followed by couples consisting of two Catholics. Couples in which the partners belong to different religious groups are more likely to live in a consensual union than those in which both partners belong to the same. Although there is much variation, the coefficients that measure the difference between Catholic couples and every other combination tend to decrease from the oldest to the most recent census.

Racial group of the woman and of the man (Tables 3 and 4). In all censuses but the most recent, couples made up of two Asian people are the least prone to live in a consensual union; however, in the 2010 Census, their probability is indistinguishable from that of couples comprised of two white people. Racial homogamy and heterogamy do not seem to have the systematic effect that religious homogamy and heterogamy have. Despite large variation, the coefficients that measure the difference between couples comprised of two white people and every other combination tend to decrease from the oldest to the most recent census.

Presence of children (Tables 3 and 4). The presence of children less than 18 years old reduces the probability of living in a consensual union, but this effect decreases from the oldest to the most recent census. Interestingly, among couples where the woman is not in the labor force, the presence of children less than five years old increases the probability of living in a consensual union in the two most recent censuses.

Owning the home (Tables 3 and 4). Owning the family home reduces the probability of living in a consensual union.

DISCUSSION

We expected the probability of living in a consensual union rather than being married to increase with the share of the woman's income in the couple's income. Our findings confirmed this expectation, with the exception of the 1970 Census where, among a few groups in which one or both partners are less educated, the effect is reversed. However, the effect of income itself is more intricate than anticipated. We included income in our equation as a control variable and expected the probability of living in a consensual union to increase as income level increased, regardless of the educational structure of the couple and whether the woman was in the labor force or not. A finding that the probability of marriage increased as income level increased, and decreased as the share of the woman's income increased, would have been enough to discuss our results within the framework of the differential meanings of marriage and consensual union for the working and middle classes. The additional finding that the effect of income varies across educational groups furthers the case for interpreting our results using this framework.

The variation of the effect of income level is structured more clearly among the couples in which the woman is not in the labor force. Among these couples, from 1970 to 1991, living in a consensual union rather than being married is associated with situations in which women are highly educated or more educated than their partner; this association no longer exists after 2000.

Among the couples in which the woman is in the labor force, changes in the effect of income occurred in steps. In 1970, the probability of living in a consensual union increases with income level for women who are highly educated at the time. In 1980, 1991 and 2000, this probability increases with income level for most educational structures; there are no situations where it decreases with income level. The pattern in 2010 is similar to that in 1970, except that the probability increases with income level only for women who have completed a university education living with a man who has no more than secondary education.

As we established in the literature review, there is a large body of research on the dual nuptiality system in Latin America and, more recently, on the difference between the 'traditional' and the 'modern' consensual union. The 'traditional' union is typical of people with little education or a low income, whereas the 'modern' union is typical of well-educated and higher income people as well as economically independent women. The negative effect of the share of the woman's income in the couple's income among some groups of low-educated people and the basic structure of the net effect of income can be interpreted as a consequence of the coexistence of these two types of consensual union.

The coefficients that show that the probability of living in a consensual union decreases as income level increases are concentrated among couples with relatively low education, while the coefficients that show that the probability of living in a consensual union increases as income level increases are concentrated among couples with relatively high education or couples in which the woman is highly educated. Thus, among groups of people in which the 'traditional' consensual union would theoretically prevail, having a high income actually pushes a couple away from this 'traditional' type of union. The more these people earn and probably the more they have, the more they seek to move away from something associated with poverty or marginality, or the more women, presumably, insist on the protection provided by marriage. Conversely, among groups of people in which the 'modern' form of consensual union prevails, having a high income actually pushes a couple away from marriage and towards this 'modern' type of union. The more they earn, the more they can be economically independent, and the less they want to be constrained by the liabilities that accompany marriage. The same can be said about the less educated couples of the 1970 census, for whom the probability of living in a consensual union increases as the share of the woman's income in the couple's income increases.

As expected, from the 1970 to the 2010 censuses, the probability of living in a consensual union increased among all educational groups; however, this probability decreases as the level of education increases. This is straightforward among couples in which the partners have the same education level. In the most recent census, we would have expected couples in which the woman is more educated than the

man to be more prone to live in a consensual union than couples in which the man is more educated than the woman. Despite this, we found the reverse. Apparently, unlike the share of the woman's income in the couple's income – which can be interpreted as a measurement of the level of economic independence of the woman – the level of education of the woman and the fact that she is more educated than her partner has a different meaning. In the Brazilian context where consensual union is still associated with marginality, one likely interpretation is that a well-educated woman living with a low-educated man would prefer to avoid being perceived as a marginal or low-class couple. In other words, two highly educated people living together without being married would look 'modern' and be so perceived by their peers, while a highly educated woman living with a less educated man without being married might be perceived as living in a 'traditional' consensual union, something the woman would be keen to avoid.

The age difference between the partners has the expected effect. The farther the couple is from the modal couple (where the man is slightly older than the woman), the more likely they are to live in a consensual union. Religious homogamy and heterogamy also have the expected effect. The prevalence of consensual union is less in some religious groups than in others, but couples comprised of people of different religions are systematically more prone to live in a consensual union than people belonging to the same religion. Racial homogamy and heterogamy have a more qualified effect. In the oldest census, Asian couples and white couples were less prone than all others to live together without being married, but these differences have become smaller over time – likely a consequence of consensual union becoming more common across all racial groups. Thus, similarity and difference related to religion seem to have a more stable effect than similarity and difference related to race.

The decreasing effect of the presence of children from the oldest to the most recent census is an indication that consensual union is becoming a more common setting for family formation. The positive effect of the presence of a child less than 5 years old increases among couples where the woman is not in the labor force in the two most recent censuses – an intriguing finding. Taken literally, it would suggest that among women out of the labor force, consensual union is becoming the preferred setting for childbearing and childrearing.

CONCLUSION

In the traditional view of marriage, the husband is the head of the household and exerts his authority over the other members of the family; depending on the legal system, he is either the sole owner of or has control over the family wealth. The husband is expected to provide the other members of the family with the necessities of life, whereas the wife is expected to be in charge of domestic life and childrearing.

Marriage as a legal institution reinforces this framework: it ensures that the wife will not become destitute by imposing maintenance duties on the husband and, in many cases, enforces the sharing of wealth upon legal separation, divorce or death. The influential theory of marriage by Gary Becker is, to a large extent, an economic model of this traditional view. In Becker's model, the family is an economic unit that benefits from the specialization of the spouses, with the husband as the provider and the wife as the caregiver and homemaker. The benefits of this specialization derive largely from differences in the earnings capacity of men and women, which rest upon – for the most part, and using Becker's terminology – the differences in human capital between men and women. However, once women get access to secondary, vocational and higher education, they can have access to well-paying jobs, provide for themselves and their children, and become economically independent. Once this difference in human capital disappears, the need for marriage as a protective legal institution for women is no longer an obvious fact.

For couples that have similar levels of education, are both in the labor force and both earn similar incomes, managing their own economic relationship might look like the obvious thing to do, and marriage might seem irrelevant as a protective institution. The need to get the permission of a judge to put an end to conjugal life as well as the prospect of having a court of justice decide the details of the separation might be perceived as more of a hindrance than a protection. Thus, gender equality might be among the factors that drive the rise of consensual union among well-educated couples. This line of reasoning is similar to the arguments that were used by advocates of consensual union in Sweden, and similar to the family law reform in that country that allowed easy divorce and limited maintenance obligations among kin to parental support for their minor children.

However, Brazil is not Sweden; in Brazil, unlike Sweden, consensual union did not emerge in the late 20th century primarily as an innovative behavior among egalitarian middle-class couples. On the contrary, consensual union has a long history in Brazil, and until recently it was associated with disadvantaged social strata. Recent research on marriage and consensual union has shown that there are two different types of consensual union in Brazil: the 'traditional' type, common among the working class, where the gender relations are similar to those of traditional marriage; and the 'modern' type, common among the middle class, where gender relations are egalitarian. The meanings of marriage and consensual union vary across social strata. Consensual union is seen as something normal within the working class, while marriage is seen as an ideal or a goal likely out of reach. While marriage is still highly valued within the middle class, some middle-class couples view it negatively and prefer consensual union for the freedom it gives the partners to manage their own affairs.

The meaning of marriage and consensual union for the couples and their use by the state are two different things. From this perspective, Brazil is not Sweden, but it is not England either. The assimilation of consensual union with marriage in private law is a matter of policy related to the principles that drive the provision of social protection in the jurisdiction. In Sweden, there are few differences between marriage and consensual union, but marriage imposes little responsibility on the spouses that cannot be altered by contract. Marriage is not primarily an institution designed to provide protection to the family or the least advantaged spouse. Protection is socialized rather than privatized at the level of the family. On the contrary, in England and Wales, marriage is designed to provide protection in a society where protection is, at least in theory, primarily privatized at the level of the family. England and Wales impose a lot of legal responsibility on spouses, and the limitations they may set in a contract are uncertain as the courts are not bound by such agreements. However, unmarried partners are free to manage their economic relations as they wish. The current situation in Brazil is that marriage and consensual union are both used by the state as privatized institutions to provide protection, with some freedom for the spouses to limit their sharing of property. This freedom does not extend to maintenance payments, which can always be requested and granted, and so cannot be dealt with in a contract. Overall, there is as much variety in Latin America as there is in the rest of the Western world. In general, Latin American countries recognize consensual unions in their civil code or their constitution or have at least some legislation on the topic. As a rule, children have the same rights relative to parental support whether they were born to married or unmarried parents. However, rules regarding maintenance rights, the sharing of assets, and inheritance rights, as well as the legal recognition of same-sex conjugal unions vary across countries.

Our objective was to understand the choice between marriage and consensual union in the Brazilian context where both forms of conjugal union are used by the working and middle classes, with different meanings in each stratum. We were interested in the effect of three aspects of within-couple gender equality: income equality, educational equality, and economic equality. Results show a complex interplay between these different dimensions of gender equality.

The share of the woman's income in the couple's income, our measure of income equality, has the effect we anticipated, although with some qualifications. With few exceptions, net of the effects of other factors, the probability that a couple lives in consensual union increases with the share of the woman's income in the couple's income. The exceptions are found among couples where the woman has little education in the 1970 census.

The proportion of couples living in a consensual union has increased markedly from 1970 to 2010 in all social strata, but this increase has also led to the development of a hierarchical pattern. As an

indicator of social position, education has the anticipated effect: the probability of living in a consensual union decreases as the level of education increases. As an indicator of within-couple educational equality, the main effect of education is that, net of the effects of other factors, couples in which the woman is more educated than the man have a higher probability of being married. We suggest that in the Brazilian context, rather than an effect of education as such, this is a strategy used by this type of unequal couple to avoid being associated with the marginality of consensual union.

There are few differences in the baseline probability of living in a consensual union between couples in which the woman is in the labor force and couples in which she is not. Rather, participation in the labor force modifies the effects of other variables, especially that of income. The main pattern is a transformation over time. In the earlier censuses when consensual union was rarer, the probability of living in a consensual union increased with income level among the well-educated but decreased with income level among the less educated. In the 2010 census, although consensual union is more common in all social strata than in the past, the probability of living in a consensual union decreases with income level for almost all combinations of educational levels; this negative effect is stronger among couples in which the woman is not in the labor force.

The net effect of the most direct measure of gender equality, the share of the woman's income in the couple's income, increases the probability of consensual union. Other results point to an increase in the use of marriage either as a protective institution among couples in which the woman is out of the labor force, or as a managerial tool by the well-to-do who are likely to have more wealth. Somewhat paradoxically, at least from the perspective of a reader accustomed to what is prevalent in most common law jurisdictions, the introduction of divorce, the clean-break doctrine that limits maintenance payments to the former spouse and the availability of a variety of matrimonial regimes for the sharing of property make marriage an efficient tool for spouses to organize and manage their economic relations during and after their life together in a predictable way unlikely to be disrupted by the discretionary power of the divorce court.

In Brazil, gender equality increases the probability of living in a consensual union rather than being married, but not as much as one would have expected. Interestingly, two particular aspects of Brazilian law turn consensual union into a matter of preference (at least for the middle class) and instead make marriage a practical framework for the implementation of economic independence. First, Brazilian law imposes upon couples living in a consensual union the statutory matrimonial regime, in which all acquisitions are deemed common. Second, the choice between various property regimes opens up the

possibility for married couples to organize their economic relations as they see fit. How this might influence the choice between marriage and consensual union in the future remains to be seen.

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Table 1 Description of the variables used in the model reported in Table 3. Couples in which the woman is aged 15 to 49 and in the labor force. Percentages. Censuses of Brazil 1970, 1980, 1991, 2000 and 2010. Weighted estimation

	1970	1980	1991	2000	2010
Type of union					
Marriage	91.9	85.7	80.4	71.4	60.9
Consensual union	8.1	14.3	19.6	28.6	39.1
Age of the woman					
15 to 19	2.4	3.1	2.7	2.3	2.1
20 to 24	12.8	14.2	11.8	10.9	10.1
25 to 29	19.7	21.3	20.0	17.5	17.9
30 to 34	21.3	21.2	21.9	20.9	20.6
35 to 39	19.5	17.7	20.1	20.7	19.0
40 to 44	15.1	13.7	14.7	16.5	16.8
45 to 49	9.3	8.8	8.8	11.2	13.6
Level of education of the woman					
Less than primary completed	67.1	64.2	52.1	45.8	28.5
Primary completed	10.1	9.4	13.2	16.3	17.6
Secondary completed	18.1	17.0	22.3	26.2	36.1
University completed	4.7	9.5	12.4	11.7	17.9
Level of education of the man					
Less than primary completed	71.9	69.9	58.3	52.4	36.4
Primary completed	12.0	10.3	13.8	16.6	18.4
Secondary completed	8.6	11.6	17.4	21.5	32.6
University completed	7.5	8.3	10.4	9.5	12.7
Share of the woman's income in the couple's income					
From 0% to less than 20%	27.4	26.1	20.3	21.1	10.6
From 20% to less than 40%	39.1	41.5	38.2	37.1	35.4
From 40% to less than 60%	28.5	27.3	33.0	32.6	44.6
From 60% to less than 80%	4.6	4.3	7.4	8.0	8.2
From 80% to 100%	0.4	0.7	1.0	1.2	1.2
Income of the couple in quintiles[1]					
Lower quintile	7.5	7.6	5.2	7.6	5.3
2nd quintile	8.0	11.7	11.2	12.4	9.3
3rd quintile	14.5	17.8	19.2	20.1	24.6
4th quintile	25.2	27.9	26.6	26.2	28.3
Upper quintile	44.8	35.0	37.9	33.7	32.5
Presence of children of different age groups (logical variables)					
0 to 5 years old	51.4	51.8	43.8	36.1	29.4
6 to 14 years old	59.6	51.4	55.6	52.7	43.8
15 to 17 years old	20.8	20.8	19.2	20.6	16.8
18 years old or more	12.3	12.3	11.8	14.4	15.5
Owning the home	55.8	58.6	68.0	73.3	71.0

Age difference between the woman and the man					
Woman at least 10 years older	0.9	1.0	1.2	1.3	1.6
Woman 5 to 10 years older	3.8	4.2	5.1	5.1	5.7
Woman less than 5 year older	11.5	12.5	13.7	13.7	14.2
Same age	7.3	7.5	7.6	7.4	7.4
Man less than 5 years older	35.5	35.6	35.9	35.3	34.3
Man 5 to 10 years older	29.5	28.4	27.5	27.6	26.5
Man at least 10 years older	11.6	10.8	9.1	9.6	10.3
Religious group of the woman					
Catholic	89.8	87.7	82.6	74.0	62.5
Evangelical	6.1	7.1	9.9	17.4	25.9
Spiritist	2.0	2.1	2.7	2.6	3.2
Other	1.3	1.6	1.4	1.4	2.7
None	0.9	1.7	3.5	4.6	5.8
Religious group of the man					
Catholic	89.2	87.8	83.1	75.5	64.7
Evangelical	5.5	5.8	7.5	13.1	20.9
Spiritist	2.0	1.8	2.2	2.0	2.6
Other	1.4	1.5	1.0	1.1	2.3
None	1.9	3.1	6.2	8.4	9.5
Racial group of the woman					
White		62.3	61.5	62.4	54.2
Brown		31.2	33.4	31.7	37.6
Black		5.7	4.4	5.2	6.7
Asian		0.8	0.6	0.5	1.2
Indigenous		—	0.1	0.4	0.3
Racial group of the man					
White		60.4	58.7	59.6	52.4
Brown		32.7	35.4	33.0	37.8
Black		6.1	5.2	6.4	8.6
Asian		0.8	0.6	0.5	1.1
Indigenous		—	0.1	0.4	0.3
Number of couples	314,831	860,829	724,109	1,134,939	1,552,277

[1] Over the 40-year period we study, Brazil underwent several episodes of high- or hyperinflation and used seven (sic) different currencies. Thus, there is no satisfactory way of comparing income distributions over censuses. We use one that provides relevant information for our purposes. We compute income quintiles for all couples in each census and report separately the distribution of the income of the couples in which the woman is in the labor force and the income of the couples in which the woman is in the labor force. This shows the emergence of the double-income couple over the period and its effect on the income distribution.

Table 2 Description of the variables used in the model reported in Table 4. Couples in which the woman is aged 15 to 49 and not in the labor force. Percentages. Censuses of Brazil 1970, 1980, 1991, 2000 and 2010. Weighted estimation.

	1970	1980	1991	2000	2010
Type of union					
Marriage	93.1	88.2	79.5	64.9	52.8
Consensual union	6.9	11.8	20.6	35.1	47.2
Age of the woman					
15 to 19	5.5	6.6	6.5	7.3	6.8
20 to 24	17.1	18.5	16.7	16.7	15.0
25 to 29	19.3	20.7	20.5	18.6	18.4
30 to 34	18.4	17.6	18.7	17.9	17.7
35 to 39	16.6	14.6	15.7	16.1	15.6
40 to 44	13.4	12.5	12.4	13.0	14.0
45 to 49	9.7	9.6	9.6	10.4	12.6
Level of education of the woman					
Less than primary completed	92.0	87.2	76.3	64.8	46.0
Primary completed	5.4	7.3	12.7	18.1	22.2
Secondary completed	2.3	4.7	9.3	15.1	27.9
University completed	0.3	0.8	1.6	2.1	3.9
Level of education of the man					
Less than primary completed	88.8	84.1	73.9	64.3	50.2
Primary completed	6.2	7.2	12.0	16.0	18.7
Secondary completed	2.9	5.6	10.2	15.3	25.1
University completed	2.1	3.1	3.9	4.4	6.1
Income of the couple in quintiles[1]					
Lower quintile	19.4	22.6	23.4	25.2	31.8
2nd quintile	16.2	22.8	19.4	22.8	29.2
3rd quintile	27.2	19.1	24.0	21.9	16.3
4th quintile	19.6	19.5	18.7	15.2	11.4
Upper quintile	17.6	16.1	14.5	14.9	11.4
Presence of children of different age groups (logical variables)					
0 to 5 years old	63.2	64.8	57.1	50.1	43.0
6 to 14 years old	64.5	53.4	55.5	50.8	45.5
15 to 17 years old	22.6	21.0	18.5	17.5	15.5
18 years old or more	14.4	13.8	12.9	13.5	14.8
Owning the home	55.9	59.1	67.2	70.6	68.0
Age difference between the woman and the man					
Woman at least 10 years older	0.6	0.6	0.7	0.9	1.2
Woman 5 to 10 years older	2.5	2.7	3.3	3.9	4.7
Woman less than 5 year older	8.8	9.7	10.9	11.6	12.3
Same age	6.2	6.6	6.8	6.7	6.5
Man less than 5 years older	34.3	35.4	35.5	34.5	33.1
Man 5 to 10 years older	33.0	32.0	31.0	30.1	28.9
Man at least 10 years older	14.6	13.0	11.9	12.4	13.2

Religious group of the woman					
Catholic	91.7	89.1	83.6	72.3	61.1
Evangelical	5.5	7.3	10.5	19.3	27.6
Spiritist	1.2	1.3	1.5	1.4	1.7
Other	1.1	1.3	1.1	1.2	2.5
None	0.5	1.2	3.3	5.8	7.2
Religious group of the man					
Catholic	91.5	89.4	84.3	73.9	63.6
Evangelical	5.0	6.0	8.1	14.4	21.9
Spiritist	1.3	1.2	1.3	1.2	1.5
Other	1.1	1.2	0.9	0.9	2.1
None	1.1	2.2	5.5	9.6	10.9
Racial group of the woman					
White		58.1	54.1	55.1	43.1
Brown		36.5	41.4	38.8	48.1
Black		4.9	4.1	5.4	7.2
Asian		0.6	0.3	0.3	1.2
Indigenous		0.0	0.2	0.4	0.4
Racial group of the man					
White		55.3	50.6	52.3	43.2
Brown		38.4	43.6	40.0	46.3
Black		5.7	5.2	6.9	9.3
Asian		0.7	0.4	0.4	1.0
Indigenous		—	0.2	0.4	0.3
Number of couples	2,759,165	3,125,547	1,621,688	1,447,381	1,123,331

[1] See note 1 of Table 1.

Table 3 Effects of chosen independent variables on the probability of living in a consensual union rather than being married among women in a conjugal relationship at the time of census. Women aged 15 to 49 in the labor force. Logistic regression. Coefficients displayed as odd ratios. Censuses of Brazil 1970, 1980, 1991, 2000 and 2010. Weighted estimation[1]

	1970	1980	1991	2000	2010
Share of the woman's income in the couple's income by combined level of education[2]					
W LT Primary and M LT Primary	1.005***	1.008***	1.010***	1.012***	1.005***
W LT Primary and M Primary	0.995*	1.004***	1.010***	1.013***	1.009***
W LT Primary and M Secondary	0.989**	1.004*	1.006***	1.012***	1.010***
W LT Primary and M University	0.994	1.002	1.004	1.003	0.999
W Primary and M LT Primary	0.997	1.004***	1.006***	1.008***	1.006***
W Primary and M Primary	1.002	1.004**	1.009***	1.011***	1.008***
W Primary and M Secondary	0.992	1.001	1.007***	1.010***	1.009***
W Primary and M University	0.994	1.002	1.007*	1.003	1.001
W Secondary and M LT Primary	1.009**	1.005***	1.003***	1.004***	1.004***
W Secondary and M Primary	1.009*	1.006***	1.009***	1.009***	1.007***
W Secondary and M Secondary	1.013***	1.008***	1.008***	1.009***	1.007***
W Secondary and M University	1.016***	1.010***	1.008***	1.007***	1.004***
W University and M LT Primary	1.010	1.007**	1.002	1.005***	1.002*
W University and M Primary	0.995	1.004	1.012***	1.010***	1.005***
W University and M Secondary	0.998	1.009***	1.009***	1.010***	1.007***
W University and M University	1.007	1.010***	1.013***	1.011***	1.006***
Logarithm of the couple's income by combined level of education					
W LT Primary and M LT Primary	0.806***	0.993	1.030***	1.033***	0.897***
W LT Primary and M Primary	0.848***	1.021***	1.035***	1.035***	0.884***
W LT Primary and M Secondary	0.857***	1.018**	1.045***	1.034***	0.871***
W LT Primary and M University	0.908***	1.047***	1.053***	1.062***	0.888***
W Primary and M LT Primary	1.262***	1.127***	1.015	1.021*	0.893***
W Primary and M Primary	1.227***	1.125***	0.998	0.989	0.867***
W Primary and M Secondary	1.259***	1.134***	1.001	0.995	0.859***
W Primary and M University	1.295***	1.157***	1.018	1.032**	0.880***
W Secondary and M LT Primary	2.531***	1.383***	1.240***	1.139***	1.014*
W Secondary and M Primary	2.535***	1.388***	1.207***	1.092***	0.990
W Secondary and M Secondary	2.413***	1.371***	1.195***	1.072***	0.958***
W Secondary and M University	2.426***	1.386***	1.209***	1.088***	0.960***
W University and M LT Primary	1.994***	1.626***	1.526***	1.390***	1.075***
W University and M Primary	2.057***	1.652***	1.455***	1.334***	1.043***
W University and M Secondary	1.924***	1.600***	1.465***	1.301***	1.014
W University and M University	1.790***	1.594***	1.436***	1.270***	0.984
Age difference between the woman and the man [Same age]					
Woman at least 10 years older	6.940***	7.150***	11.252***	10.214***	7.547***
Woman 5 to 10 years older	3.669***	3.253***	3.931***	3.709***	3.029***
Woman less than 5 years older	1.582***	1.472***	1.571***	1.495***	1.404***
Man less than 5 years older	0.834***	0.787***	0.756***	0.750***	0.788***
Man 5 to 10 years older	1.037	0.965*	0.881***	0.830***	0.845***
Man at least 10 years older	2.527***	2.604***	2.565***	2.218***	1.807***

	1970	1980	1991	2000	2010
Religious group of the woman and of the man [W Catholic and M Catholic]					
W Catholic and M Evangelical	1.578***	1.439***	1.482***	1.688***	1.660***
W Catholic and M Spiritist	2.014***	2.060***	1.800***	1.861***	1.805***
W Catholic and M Other	1.633***	1.838***	1.886***	1.696***	1.591***
W Catholic and M None	2.316***	2.372***	2.043***	2.110***	1.988***
W Evangelical and M Catholic	1.224**	1.099***	1.167***	1.307***	1.288***
W Evangelical and M Evangelical	0.309***	0.393***	0.351***	0.370***	0.331***
W Evangelical and M Spiritist	2.000*	2.076***	2.656***	2.017***	2.062***
W Evangelical and M Other	1.545	2.088***	1.573*	1.644***	0.894
W Evangelical and M None	1.033	1.096	1.081*	1.195***	1.060***
W Spiritist and M Catholic	2.504***	2.181***	1.869***	1.824***	1.934***
W Spiritist and M Evangelical	1.307	2.052***	2.328***	1.890***	2.239***
W Spiritist and M Spiritist	1.829***	1.759***	1.608***	1.484***	1.619***
W Spiritist and M Other	2.404*	1.659*	2.357**	2.329***	2.621***
W Spiritist and M None	2.723***	2.858***	2.861***	2.561***	2.620***
W Other and M Catholic	1.533**	1.344***	1.294***	1.094*	0.980
W Other and M Evangelical	1.036	1.656*	1.187	1.242	0.615***
W Other and M Spiritist	1.213	2.174**	2.344**	1.917**	1.993***
W Other and M Other	0.784**	0.971	0.592***	0.321***	0.350***
W Other and M None	2.166**	1.307*	1.285**	0.830**	0.721***
W None and M Catholic	4.666***	2.757***	2.712***	2.552***	2.455***
W None and M Evangelical	1.928	1.042	1.169	1.231***	1.197***
W None and M Spiritist	5.048***	3.874***	3.981***	2.909***	3.159***
W None and M Other	6.719***	1.806**	1.677*	1.469**	1.031
W None and M None	3.813***	3.168***	2.576***	2.299***	2.273***

	1970	1980	1991	2000	2010
Racial group of the woman and of the man [W White and M White]					
W White and M Brown		1.687***	1.547***	1.470***	1.243***
W White and M Black		3.421***	2.729***	2.074***	1.578***
W White and M Asian		1.129	0.887	1.026	1.034
W Brown and M White		2.072***	1.750***	1.630***	1.326***
W Brown and M Brown		2.117***	1.923***	1.795***	1.430***
W Brown and M Black		3.550***	2.948***	2.551***	1.776***
W Brown and M Asian		1.564**	1.277	1.391**	1.369***
W Black and M White		4.052***	2.813***	2.274***	1.619***
W Black and M Brown		4.354***	3.269***	2.626***	1.837***
W Black and M Black		2.809***	2.284***	2.014***	1.704***
W Black and M Asian		1.543	1.583	2.477***	1.451***
W Asian and M White		1.274*	1.187	1.200**	1.200***
W Asian and M Brown		2.479***	1.901***	1.554***	1.392***
W Asian and M Black		4.478***	1.519	2.669***	1.522***
W Asian and M Asian		0.262***	0.186***	0.424***	0.959
W White and M Indigenous			1.655**	2.077***	1.538***
W Brown and M Indigenous			2.671***	2.155***	1.941***
W Black and M Indigenous			4.288**	2.432***	2.512***
W Asian and M Indigenous			3.245	3.275*	2.160*
W Indigenous and M White			2.490***	2.236***	1.655***
W Indigenous and M Brown			2.479***	2.769***	2.409***
W Indigenous and M Black			3.834**	2.819***	1.945**
W Indigenous and M Asian			—	2.551	1.101
W Indigenous and M Indigenous			4.342***	3.363***	1.977***
Presence of children of different age groups (Logical variables)					
0 to 5 years old	0.638***	0.760***	0.833***	0.981***	0.927***
6 to 14 years old	0.659***	0.752***	0.735***	0.805***	0.909***
15 to 17 years old	0.742***	0.710***	0.798***	0.775***	0.866***
18 years old or more	0.711***	0.763***	0.776***	0.700***	0.670***
Owning the home	0.675***	0.636***	0.715***	0.665***	0.647***

[1] The coefficients of the relationship between the probability of living in a consensual union rather than being married and the age of the woman by level of education are not reported is this table. Their effects are displayed as graphs in Figures 1 and 2.

[2] *Interpreting the coefficients*. The share is expressed as a percentage. If the coefficient is 1.005, an increase of 1 "percentage point" moves "up" the baseline "odds" function (better understood as a probability ratio function) of living in a consensual union rather than being married by 0.005. The baseline functions are in Figure 4. They are drawn for the case of a woman whose share is 50%. Let's consider the most-right graph (2010) of the figure for women who are in a homogamous couple and are in the labor force. According to this graph, the probability of living in a consensual union for a 20-year old woman whose share of the couple's income is 50% is about 0.35. The corresponding probability ratio is .35/.65 or .5385. Thus the probability ratio for the same woman whose share would be 70% rather than 50% would be .5385(1.005^{20}) or .5521 and the corresponding probability of living in a consensual union would be .5521/(1+.5521) or about 37%. The probability for a woman whose share is 30% would be slightly less than 33%. So moving from a share of 30% to a share of 70% increases the probability of living in a consensual union by roughly 4/33 or 12%.

* $p<0.05$; ** $p<0.01$; *** $p<0.001$

Table 4 Effects of chosen independent variables on the probability of living in a consensual union rather than being married among women in a conjugal relationship at the time of census. Women aged 15 to 49 not in the labor force. Logistic regression. Coefficients displayed as odd ratios. Censuses of Brazil 1970, 1980, 1991, 2000 and 2010. Weighted estimation[1]

	1970	1980	1991	2000	2010
Log of couple's income					
W LT Primary and M LT Primary	0.870***	1.003	0.992*	0.956***	0.894***
W LT Primary and M Primary	0.849***	1.006**	0.986***	0.947***	0.886***
W LT Primary and M Secondary	0.826***	0.989***	0.978***	0.935***	0.866***
W LT Primary and M University	0.864***	1.004	0.984***	0.945***	0.851***
W Primary and M LT Primary	0.896***	0.964**	0.901***	0.902***	0.902***
W Primary and M Primary	0.831***	0.943***	0.884***	0.878***	0.876***
W Primary and M Secondary	0.822***	0.929***	0.878***	0.864***	0.862***
W Primary and M University	0.861***	0.943***	0.889***	0.879***	0.843***
W Secondary and M LT Primary	1.221***	1.152***	0.980	0.959***	0.928***
W Secondary and M Primary	1.139*	1.125***	0.954***	0.929***	0.914***
W Secondary and M Secondary	1.097	1.102***	0.941***	0.905***	0.878***
W Secondary and M University	1.091	1.084***	0.945***	0.897***	0.852***
W University and M LT Primary	1.412*	1.197***	1.147**	1.028	0.933**
W University and M Primary	1.231	1.199***	1.109*	1.017	0.923***
W University and M Secondary	1.209	1.149**	1.069	0.956	0.891***
W University and M University	1.144	1.117*	1.047	0.920***	0.848***
Age difference between the woman and the man [Same age]					
Woman at least 10 years older	7.202***	6.527***	10.429***	10.063***	7.429***
Woman 5 to 10 years older	3.435***	3.141***	3.623***	3.495***	2.977***
Woman less than 5 years older	1.537***	1.433***	1.491***	1.452***	1.420***
Man less than 5 years older	0.799***	0.789***	0.760***	0.743***	0.805***
Man 5 to 10 years older	0.987	0.927***	0.825***	0.769***	0.819***
Man at least 10 years older	2.709***	2.565***	2.294***	1.869***	1.688***

	1970	1980	1991	2000	2010
Religious group of the woman and of the man [W Catholic and M Catholic]					
W Catholic and M Evangelical	1.573***	1.587***	1.396***	1.492***	1.472***
W Catholic and M Spiritist	2.064***	2.178***	2.055***	1.918***	1.752***
W Catholic and M Other	1.719***	1.812***	1.687***	1.679***	1.465***
W Catholic and M None	2.699***	2.329***	2.014***	2.003***	1.991***
W Evangelical and M Catholic	1.271***	1.073***	1.079***	1.266***	1.257***
W Evangelical and M Evangelical	0.490***	0.466***	0.383***	0.351***	0.311***
W Evangelical and M Spiritist	1.533**	2.450***	2.592***	1.808***	2.124***
W Evangelical and M Other	0.942	1.334*	1.169	1.582**	0.894
W Evangelical and M None	1.141*	1.078*	1.074**	1.222***	1.089***
W Spiritist and M Catholic	2.554***	2.298***	1.952***	1.776***	1.914***
W Spiritist and M Evangelical	2.766***	2.117***	2.521***	1.854***	2.255***
W Spiritist and M Spiritist	1.657***	1.774***	1.497***	1.473***	1.637***
W Spiritist and M Other	2.091**	2.498***	2.356**	2.613**	2.147**
W Spiritist and M None	3.165***	3.093***	2.305***	2.413***	2.371***
W Other and M Catholic	1.506***	1.293***	1.186***	1.078	0.973
W Other and M Evangelical	1.432	1.527**	1.093	0.835	0.513***
W Other and M Spiritist	2.376**	2.515***	3.171***	2.720***	2.785***
W Other and M Other	0.770***	1.030	0.497***	0.308***	0.277***
W Other and M None	1.874***	1.287***	0.954	0.865**	0.726***
W None and M Catholic	4.738***	2.617***	2.561***	2.356***	2.418***
W None and M Evangelical	2.228***	1.509***	1.223**	1.216***	1.117*
W None and M Spiritist	3.161***	3.821***	3.082***	2.522***	2.914***
W None and M Other	2.831***	1.658***	1.693***	1.185	0.984
W None and M None	3.876***	3.002***	2.470***	2.189***	2.186***

	1970	1980	1991	2000	2010
Racial group of the woman and of the man [W White and M White]					
W White and M Brown		1.697***	1.529***	1.394***	1.269***
W White and M Black		3.015***	2.425***	1.963***	1.633***
W White and M Asian		1.333***	1.120	0.901	0.971
W Brown and M White		2.154***	1.856***	1.590***	1.370***
W Brown and M Brown		2.232***	1.975***	1.726***	1.499***
W Brown and M Black		3.555***	2.995***	2.418***	1.803***
W Brown and M Asian		2.171***	2.087***	1.516***	1.470***
W Black and M White		4.071***	3.004***	2.049***	1.722***
W Black and M Brown		4.287***	3.503***	2.562***	1.961***
W Black and M Black		3.027***	2.514***	2.003***	1.800***
W Black and M Asian		3.473***	4.548***	1.751**	1.881***
W Asian and M White		1.350***	1.044	1.003	1.227***
W Asian and M Brown		2.015***	1.650***	1.590***	1.440***
W Asian and M Black		3.325***	1.823*	2.540***	1.802***
W Asian and M Asian		0.335***	0.339***	0.507***	1.012
W White and M Indigenous			1.639***	1.944***	1.630***
W Brown and M Indigenous			3.073***	2.353***	2.139***
W Black and M Indigenous			8.082***	2.983***	1.837*
W Asian and M Indigenous			0.331	1.764	1.196
W Indigenous and M White			2.591***	2.330***	1.885***
W Indigenous and M Brown			4.751***	2.439***	2.476***
W Indigenous and M Black			8.181***	3.163***	3.131***
W Indigenous and M Asian			—	3.173	1.714
W Indigenous and M Indigenous			8.572***	2.615***	2.080***
Presence of children of different age groups (Logical variables)					
0 to 5 years old	0.687***	0.816***	0.909***	1.100***	1.056***
6 to 14 years old	0.733***	0.834***	0.824***	0.905***	0.980***
15 to 17 years old	0.710***	0.720***	0.809***	0.811***	0.907***
18 years old or more	0.642***	0.721***	0.776***	0.680***	0.668***
Owning the home	0.760***	0.722***	0.814***	0.757***	0.729***

[1] See note to Table 3.

* $p<0.05$; ** $p<0.01$; *** $p<0.001$

Figure 1 Visions of gender and the family: Nine American countries, 2010–2014 (%). World Value Survey, Wave 6, 2010–2014.

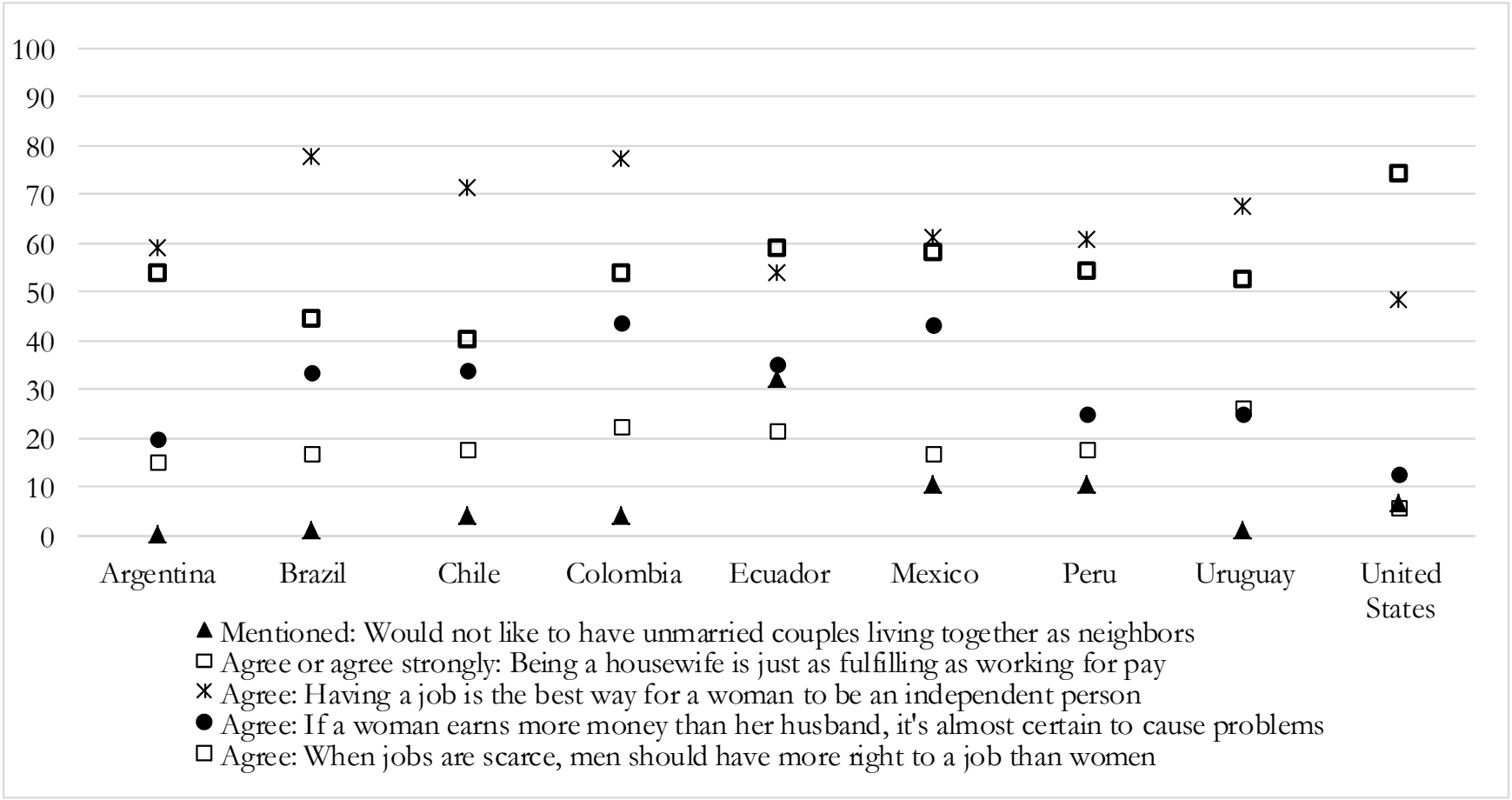
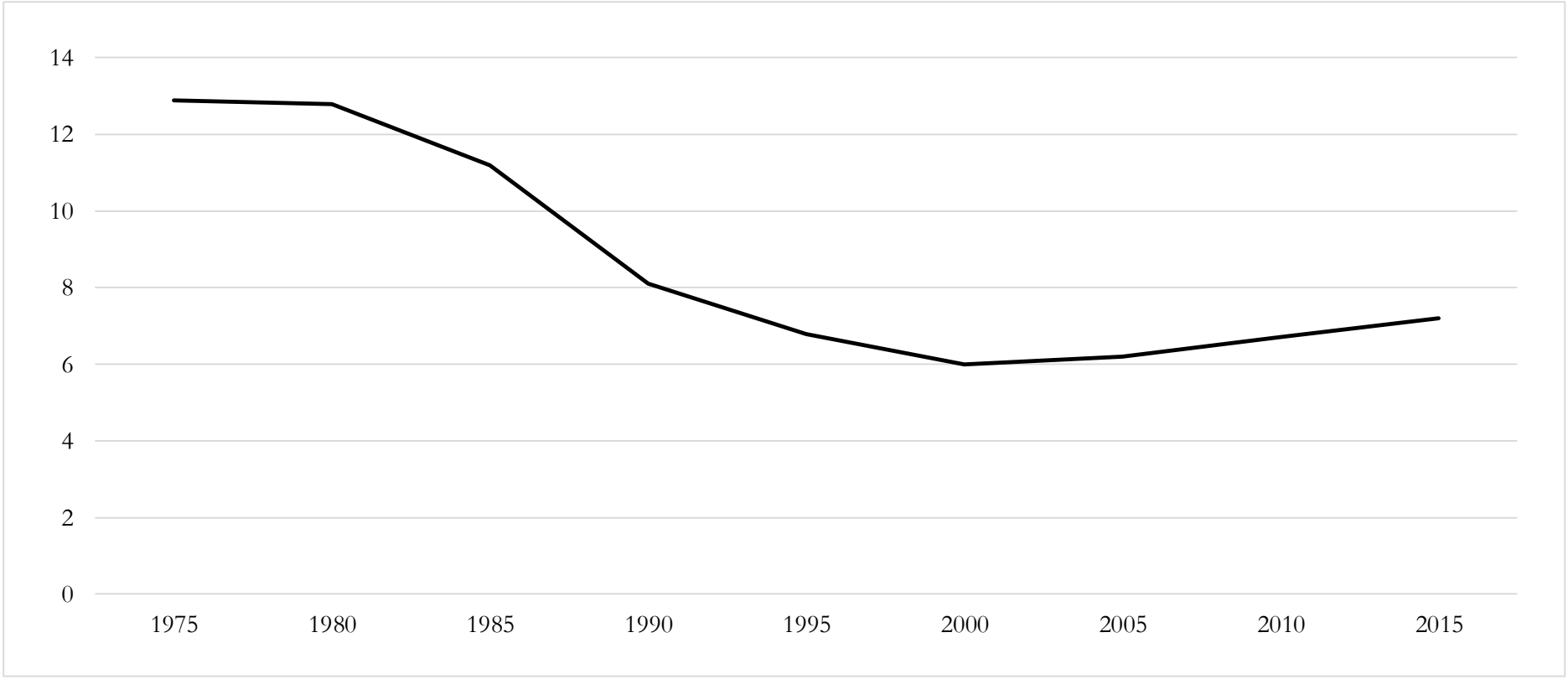


Figure 2 Crude marriage rate (number of marriages per 1,000 population), Brazil, 1974–2016. Data from IBGE/DPE/COPIS, Vital Statistics



Note. The crude marriage rate is the number of marriages occurring within the population of a given geographical area during a given year, per 1,000 mid-year population aged at least 15 years.

Figure 3 Matrimonial property regimes of couples involved in divorce procedures, Brazil 1997–2016. Data from IBGE/SIDRA, Vital Statistics

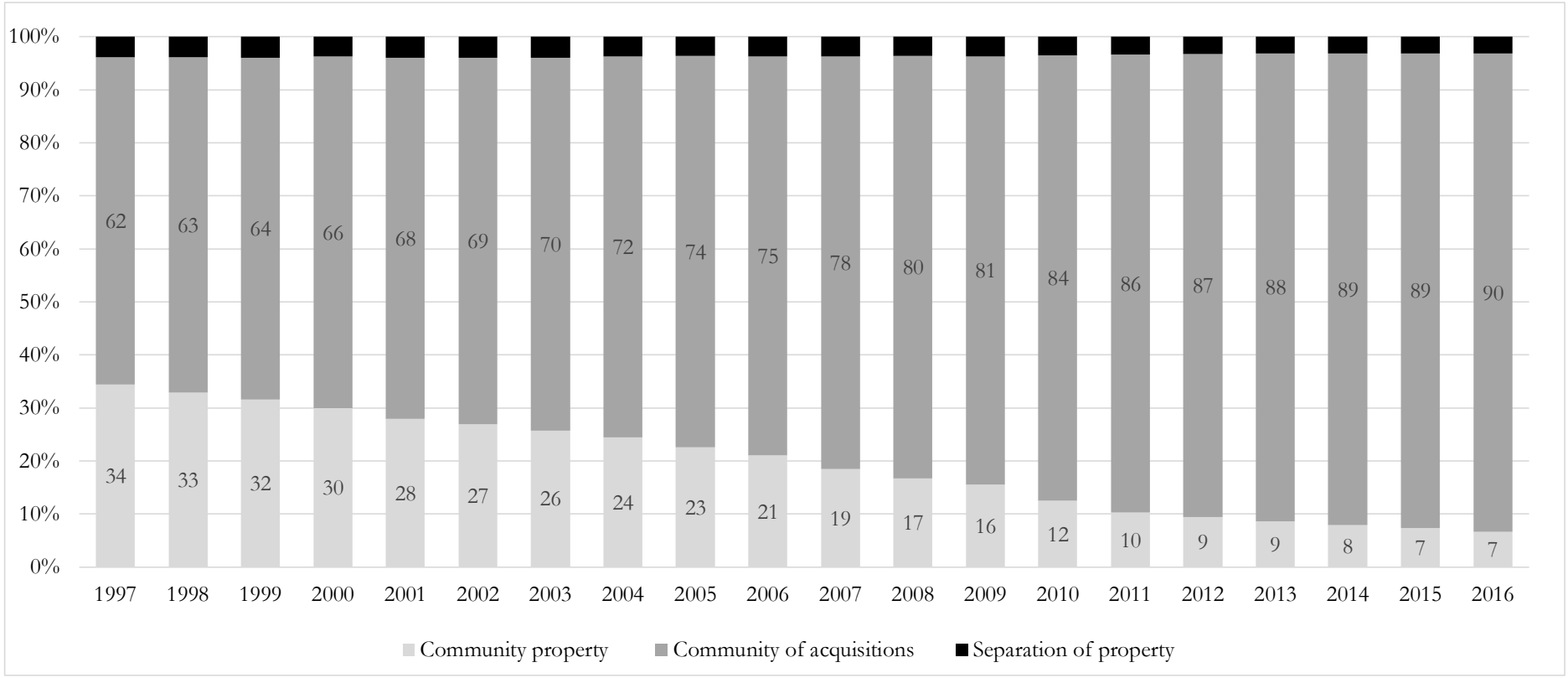


Figure 4 Baseline probability of living in a consensual union rather than being married among women in a conjugal relationship at the time of census. Women aged 15 to 49 living in a couple in which both partners have the same level of education. Logistic regression. For women in the labor force, the function is estimated for women's whose income is 50% of the couple income. Censuses of Brazil 1970, 1991 and 2010. Weighted estimation

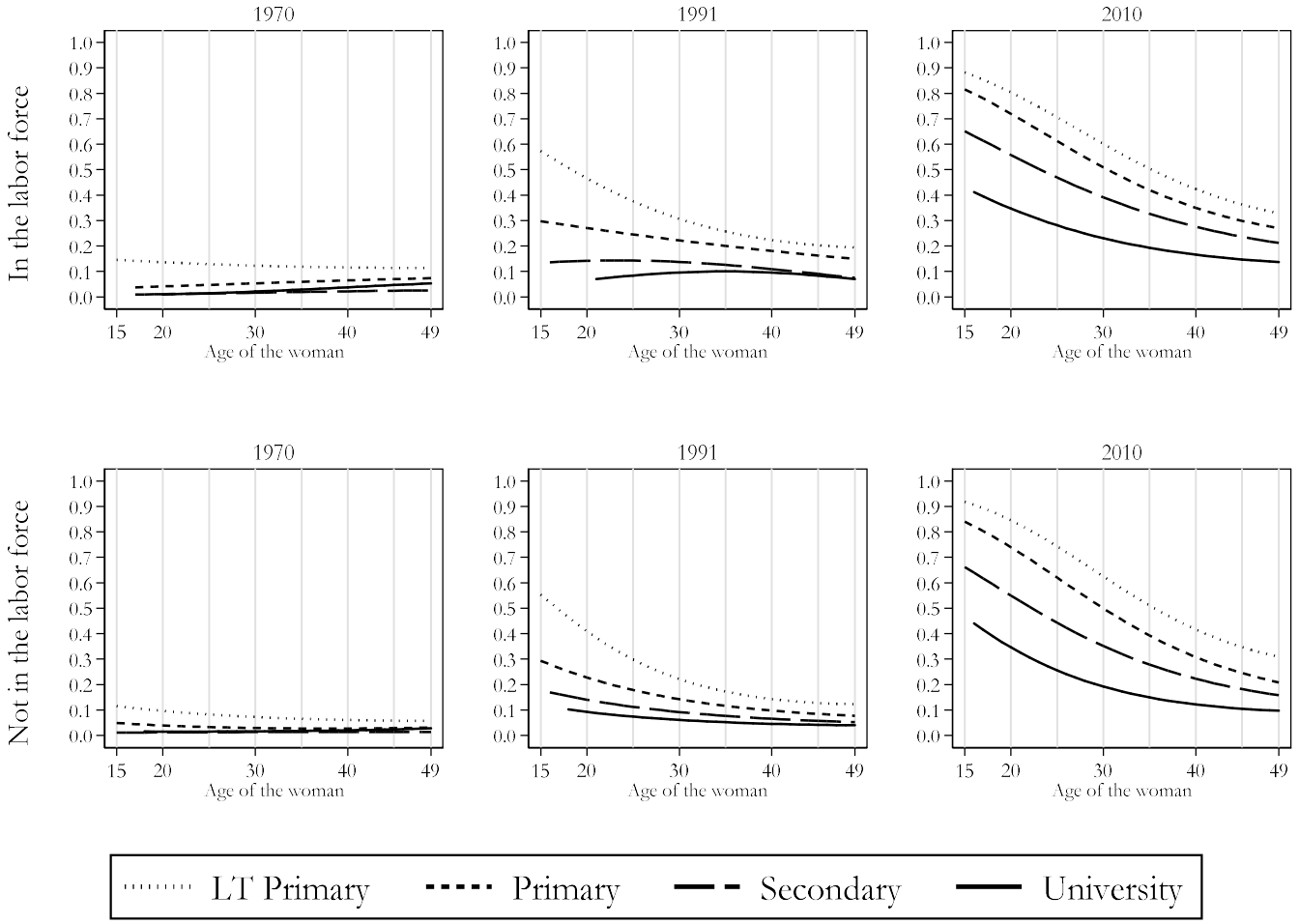
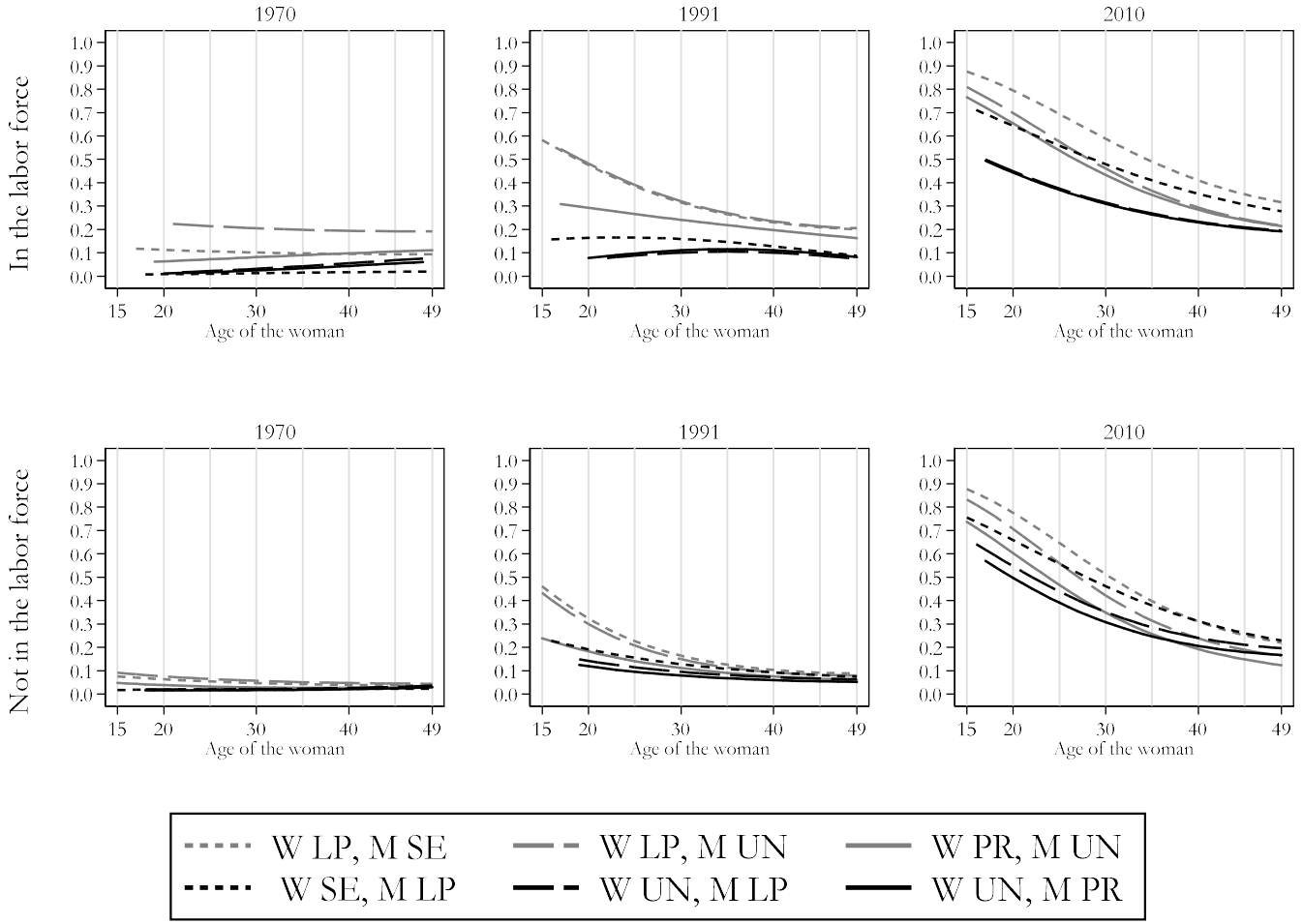



Figure 5 Baseline probability of living in a consensual union rather than being married among women in a conjugal relationship at the time of census. Women aged 15 to 49 living in a couple in which partners have different levels of education. Logistic regression. For women in the labor force, the function is estimated for women's whose income is 50% of the couple income. Censuses of Brazil 1970, 1991 and 2010. Weighted estimation