

Divorce among more and less divorce-prone populations following unilateral divorce laws

Linus Andersson^{1,2}  | Jan Saarela³  | Caroline Ugglå⁴ 

¹Department of Social Research/Sociology, University of Turku, Turku, Finland

²Swedish Institute for Social Research, Stockholm University, Stockholm, Sweden

³Faculty of Education and Welfare Studies, Åbo Akademi University, Turku, Finland

⁴Department of Sociology, Stockholm University, Stockholm, Sweden

Correspondence

Linus Andersson, Department of Social Research/Sociology, University of Turku, Turku, Finland.

Email: linus.andersson@utu.fi

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Abstract

Objective: This study analyzes heterogeneity in divorce rates after the 1987 transition from mutual consent to unilateral no-fault divorce in Finland.

Background: Marriage and divorce legislation can impact divorce rates. However, some groups may be more responsive to changes in legal context than others. We propose that unilateral no-fault divorce laws either (a) increase divorce more in more or less divorce-prone groups, or (b) increase divorce equally across these groups.

Methods: We use population-wide individual-level register data from Finland to identify salient social groups with different divorce propensity, including ethno-linguistic and religious affiliations with divergent divorce propensity and couples of different parental status, marriage length, and marital history. We use piecewise constant exponential survival models to estimate the association with divorce proneness before and after the introduction of mutual consent divorce laws.

Results: Divorce rates increase in all studied subgroups by about 60% in the years following unilateral divorce. We found no support for the hypothesis that groups that were either more or less divorce-prone prior to the reform would be particularly responsive to divorce liberalization in the short-to-medium term.

Conclusions: The findings speak toward a universal rather than heterogeneous effect of divorce law liberalization.

KEYWORDS

divorce, divorce laws, Finland, marriage, register data

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INTRODUCTION

The process of divorce often entails emotional and financial hardships (Amato, 2001; Leopold, 2018). In contrast, obtaining the legal termination of marriage through divorce is in most contemporary developed countries relatively straightforward. Divorce law and marriage legislation differ greatly across countries and states, as do the procedure and contingencies of divorce, such as a required separation period (e.g., Bracke & Mulier, 2017). Yet, most western countries practice some form of unilateral and no-fault divorce, often considered to be a more liberal legal framework for divorce compared to legislation based on mutual consent and fault divorce laws. However, this has not always been the case (Therborn, 2004). Most nationwide transitions from mutual consent to unilateral and no-fault divorce laws occurred between the 1950s and the late 1980s, with some countries, such as England and Wales, only recently changing their legislation to no-fault divorce (Burgess & Desai, 2022). The legal framework during this transitional period required significant effort to obtain a divorce (Smith, 2002).

While a plethora of empirical research has examined whether the liberalization of divorce laws influences average divorce rates (González & Viitanen, 2009; Kneip & Bauer, 2009; Wolfers, 2006), we know little about whether different groups are differentially affected by changes in divorce laws. The diversity in responses to unilateral divorce has been challenging to study empirically because most data permit only aggregate regional or country-level analyses or come from survey materials that provide limited sub-categorization at the individual level (but see Fallesen, 2021). This lack of knowledge is unfortunate because understanding systematic patterns behind the heterogeneous effects of divorce laws is of both theoretical and practical significance. Heterogeneity in divorce behavior is essential for understanding family dynamics (Sassler & Lichter, 2020). To efficiently complement divorce liberalization with social policies and institutions that mitigate the negative impact of union dissolution for children and parents, it is valuable to know what social groups are influenced by divorce liberalization (Nieuwenhuis & Maldonado, 2018). Illuminating patterns of heterogeneous effects is important for understanding whether divorce laws have a causal impact on average divorce rates in the long term (Fallesen, 2021).

The aim of this study is to contribute to the understanding of the relationship between family legislation and demographic behavior by exploring the heterogeneous effects of divorce law implementation on divorce. In particular, we explore whether more or less divorce-prone groups increase their divorce risk in the years following divorce liberalization. Drawing on the unique features of Finnish administrative registers, we can overcome bottlenecks in the empirical literature and present statistically robust estimates from a full population. In doing so, we use data on both spouses and across variables that are otherwise confined to surveys, including religion and ethno-linguistic groups.

We describe heterogeneity in the divorce response following the 1987 shift in Finland from mutual consent divorce, where both spouses needed to agree, to unilateral divorce law, where a single spouse can initiate divorce. This major policy change (the shift from mutual consent to unilateral divorce law (UDL), presents a useful case study at a critical juncture. The divorce process became considerably easier and entirely independent of the non-initiating spouse, with all clauses requiring a reason for divorce being dropped. While it was technically possible to achieve a divorce against the expressed will of the other spouse before 1987, it required substantial legal work and deliberations between spouses. After UDL implementation, divorce became both legally and practically guaranteed, and divorce initiation became far less time-consuming and required less effort.

We synthesize from the literature on the causal effect of divorce laws (Stevenson & Wolfers, 2007) and on the antecedents of divorce (Lyngstad & Jalovaara, 2010) to identify key groups for which the effects of UDL on divorce may differ. A key feature of UDL is the increased ease of the divorce procedure. With standardized access and predictability of process and outcome,

divorce becomes a more readily available default option in marital affairs. UDL may thus nudge divorce rates across the board. This nudging perspective predicts a homogenous increase in divorce across all social groups after the 1987 divorce law. But it is reasonable to suggest that initially divorce-prone groups should be particularly influenced by the ease of the process provided by UDL, as the prospect of ever divorcing was high in this group. It is equally plausible, however, that low divorce-prone groups should react more strongly to UDL, as UDL will make divorce feasible for many who previously considered it unfeasible. Given that evidence is scarce about the underpinnings of divorce under various divorce law regimes, we take an exploratory approach and examine heterogeneity in change in divorce across more and less divorce-prone groups following UDL.

We use individual-level Finnish register data to identify the full stock of couples who married before the introduction of unilateral divorce laws ($N = 1,203,131$). We then observe the divorce rates before and after the unilateral divorce of these marriage cohorts, covering the period 1983–1993 (105,375 divorces). We explore the divorce proneness perspective using a rich set of information unique to Finnish register data. Divorce propensity is strongly correlated with the level of investment in the marriage (Boertien & Härkönen, 2018), such as the duration of the marriage and whether couples have children or not. Childbearing marriages and long marriages have far lower divorce risk (Lyngstad & Jalovaara, 2010). In Finland, the Swedish-speaking minority has a markedly lower divorce rate than the Finnish-speaking majority, and the population without religious denominational affiliation has a significantly higher divorce rate than those adhering to a denomination (Saarela et al., 2023; Trent & South, 1992). Hence, we compare the response to UDL among (high-risk) Finnish-speaking couples with (low-risk) Swedish-speaking couples, among (high-risk) non-denominational couples with (low-risk) denominational couples, among (high-risk) marriages entered at an early age versus (low-risk) marriages entered at later ages, among (high-risk) childless marriages and (low-risk) parental marriages, among marriages of different durations, and among (low-risk) first and (high-risk) second marriages.

LITERATURE REVIEW

The legal framework of divorce

Most countries had established legal recognition of divorce by the early twentieth century (Goode, 1993). The next significant development was the introduction of no-fault divorce, allowing couples to divorce without specifying a reason. The most recent wave of divorce liberalization, which is the central focus of this study, pertains to the right to divorce without the mutual agreement of both spouses, commonly known as unilateral divorce. Unilateral divorce laws were adopted by most countries before the turn of the millennium (Therborn, 2004). However, these laws were often preceded by doctrines of precedence that enabled courts to grant divorces against a partner's wishes, although this could entail a significant time and effort in the legal process. Therefore, it is important to distinguish between periods of de facto and de jure practice, and the ease of obtaining a unilateral divorce (Kneip & Bauer, 2009).

In a Nordic context, Finland's divorce legislation remained restrictive for a long time, with liberalization occurring at a later stage than in neighboring countries (Rosenbeck, 2018; Sandström & Garðarsdóttir, 2018). The Marriage Act of 1929 was widely considered outdated when Finland adopted mutual consent divorce in 1948 (Savolainen, 2002). Under this system, divorce required both spouses to submit a joint application citing the permanent breakdown of their marriage. Once the divorce application was accepted, the divorce became effective after (and contingent upon) a one-year period of actual separation. The 1988 divorce law introduced several radical changes to this framework. The concept of establishing an "irretrievable

breakdown” or any other fault of the marriage was abandoned, and there were no legal grounds for rejecting a divorce application. The requirement of a separation period was eliminated, and following the principle of divorce on demand, every divorce became effective 6 months after the request was processed upon the signature of the divorcee. The principle of mutual consent was also discarded, with a written document signed by one spouse being sufficient, and this service was provided free of charge without the need for legal representation, such as a lawyer. The law went into effect in January 1988. As the divorce process was finalized by confirming the divorce application 6 months after its filing, the first registered divorces under the new law took place in July 1988. The reform had garnered media attention and public debate in Finland before its enactment, but once enacted, it has remained unchanged and not subjected to commissions.

The dynamics of divorce law and divorce behavior

Early perspectives on unilateral versus consent divorce laws rejected the idea that UDL or most other laws that liberalize the legal divorce processes would increase divorce rates. Divorce was viewed as the outcome of negotiations between two parties (Coase, 2013). If one spouse wishes to divorce and the other does not, they will bargain for their position by means of, for example, alimony, property, access, or restriction to children, and any other conceivable condition that applies to a continued marriage or post-divorce scenario until the decision that fits both parties the most is achieved. UDL only changed the dynamics of bargaining by shifting power to the divorce initiator. However, UDL did not remove the underlying bargaining dynamics and so does not necessarily lead to a different outcome (Becker et al., 1977). This reasoning has nevertheless been criticized for its limited contextual reliability. Many bargaining exchanges or consent to demands, such as those related to financial transactions or infidelity, may simply not be considered feasible by many spouses. Therefore, it is reasonable to hypothesize that under mutual consent or fault divorce laws, several marriages may not end in divorce simply because one party has no feasible means to convince the other to agree to a divorce.

There are several arguments for why divorce law liberalization, such as UDL, can increase divorce rates. Even if divorce is achievable under mutual consent laws, the effort and indirect costs involved in pursuing a joint divorce, rather than an independent one, may hinder divorce. While UDL often requires a re-affirmation of divorce decisions after an incumbent period (often 6–12 months), UDL allows the pursuit of divorce filing instantaneously, shortening the time-span between thought and action. The certainty of outcome provided by UDL allows the potential divorce initiator to plan for life after divorce. Moreover, UDL may shift the default option for legal procedure away from bargaining with a spouse and towards initiating divorce. The role of default options in legal procedure is often overlooked but can be non-negligible. For example, prenuptial agreements are legally available in most countries, but they are rarely set as the default option in the legal process of establishing a marriage. Therefore, in many countries, prenuptial agreements are rarely considered (Alemanno & Sibony, 2015). Post-divorce custody arrangements are impacted by how legislation and legal practice steer, nudge, and influence presumptions about the parents’ default custodian options as part of the divorce process (DiFonzo, 2014). Similarly, UDL presents individuals with an accessible default option to marital strain. A related mechanism is cost reduction. UDL increases the ease of access to divorce by unifying, standardizing, and simplifying the procedure to initiate divorce. The costs of divorce initiation, in terms of time and money, are significantly reduced. Finally, UDL may operate on a macro level by making attitudes towards divorce more lenient (Andersson, 2016; Martin & Parashar, 2006).

These processes can, in principle, be applied to the entire population to explain the increase in divorce rates following UDL universally. However, it is not necessary the case that everyone is equally impacted by UDL. UDL may, for example, affect the more divorce-prone population

differently than the less divorce-prone population. A key objective of policy evaluation and associated methods for causal identification is to identify the groups for which treatment has an effect. Whether it concerns schemas to increase pension savings or uptake of paternal leave, policies that increase access or extend the right to pursue a behavior sometimes end up reinforcing the behavior among those already practicing it (Heckman & Vytlacil, 2007). Alternatively, legal changes expand the behavior to groups who previously did not practice it. Therefore, the distinction based on divorce-propensity—whether UDL spreads divorce to new groups or intensify it among those already commonly practicing divorce—constitutes a core and unanswered question for understanding the role of divorce law liberalization.

What are, then, the salient predictors of divorce? One significant source of group variation is cultural (Wang & Schofer, 2018). Divorce rates tend to differ across ethnicities, religiosity, and degree of religious affiliation within the same country (de Graaf & Kalmijn, 2006; Furtado et al., 2013). A second dimension of group variation involves the characteristics of the marriage itself. Divorce propensity decreases with the effort and joint investments in a marriage and over time as couples have common children and property (Boertien & Härkönen, 2018). A third dimension of divorce is demographic behavior preceding selection into marriage. The two most well-documented factors in this category are age at marriage and previous divorce (Andersson et al., 2022; Lyngstad & Jalovaara, 2010). Finally, socioeconomic characteristics tend to correlate with divorce. In recent decades, the general pattern is that of a higher divorce risk associated with relatively disadvantaged positions and a rather salient negative correlation between divorce and wealth, income, education, and health. A significant portion of the correlation between divorce and these factors is confounded by individual and genetic differences (Salvatore et al., 2018; Wolfinger, 2011), which, for example, affect both educational attainment, age at first marriage, and divorce.

The (heterogeneous) effect of divorce-law liberalization on divorce

The majority of studies to date have focused on trends in population averages following divorce law liberalization. Early correlational studies, all conducted in the United States, showed a discontinuous increase in divorce rates following legislative changes, with some cases even indicating a lingering effect over time (Gallagher, 1973; Glenn, 1997, 1999; Goddard, 1972; Nakonezny et al., 1995; Rodgers et al., 1997, 1999; Schoen et al., 1975; Stetson & Wright, 1975; Wright & Stetson, 1978). Typically, the primary focus has been on the long-term changes and the causal impact of divorce laws. This is because an endogenous relationship between divorce legislation and divorce rates is plausible if periods and regions with increasing divorce rates are more likely to liberalize divorce laws. As a result, most of the evidence relies on difference-in-difference research designs that leverage variations in the adoption of divorce laws across different states and regions.

The first study to apply a causal design to this issue concluded that divorce laws had no significant effect on divorce rates in the US (Peters, 1986). Subsequent to this finding, a methodological debate and a series of conflicting empirical studies emerged, largely based on studies from North America, with the consensus shifting from supporting a causal effect (Allen, 1998; Friedberg, 1998; Hoehn-Velasco & Penglase, 2021; Parkman, 1992) and then returning to the conclusion that divorce laws only had a spurious influence on divorce rates (Wolfers, 2006, p. 200). Likely, a substantial part of the effects of divorce laws on divorce rates is due to changing attitudes and behaviors regarding divorce that preceded legal change (Kneip & Bauer, 2009). Studies from European countries, however, have found that no-fault and unilateral divorce legislation have a long-term impact by increasing divorce rates (Coelho & Garoupa, 2006; Fahey, 2012; González & Viitanen, 2009; Kneip & Bauer, 2009). Additionally, other aspects of divorce liberalization, including expedited processing times and the

abolishment of mandatory separation periods, have also been found to increase divorce rates (Bracke & Mulier, 2017; Fallesen, 2021).

Empirical research that focuses on whether divorce propensity mediates the effect of UDL on actual divorce outcomes is limited. Nakonezny et al. (1995) utilized variation in the implementation of divorce laws across US states to study their effects on divorce rates. They found state religiosity to have a positive mediating effect of divorce laws on divorce. In an individual-level sample of 11 EU countries, the enforcing effect of divorce law liberalization was found to increase with the duration of marriage and with the presence of children (Kneip, Bauer, & Reinholdt, 2014). Among the few studies designed to specifically analyze heterogeneous effects of divorce laws, Fallesen (2021) found that removing the mandatory separation as a condition for divorce in Denmark increased divorce rates most among the less educated. In sum, the bulk of knowledge on heterogeneous effects are auxiliary findings from studies that focus on identifying average effects and are often too under-powered to produce reliable estimates of interaction effects.

This study uses population-wide individual-level data to explore the effects of UDL in Finland across a number of known dimensions of divorce characteristics: religious denomination, ethnicity, marital duration, marriage order, the presence of children in the household, and age at marriage. We set out to study whether there is an increase in divorces following the Divorce Act of 1987 and whether this is present in groups with high and low divorce risk as measured before the Divorce Act of 1987. A divorce-increasing effect might certainly be more pervasive in one of these groups, compared to the other. Therefore, we critically seek to study heterogeneous effects. Our null hypothesis is that, for a given group, there is no systematic correlation between pre-1987 divorce-risk and the change in divorce risk after the 1987 UDL act in Finland. We design the study to evaluate the presence of two potential patterns that would go against this null hypothesis: (i) a divorce-effect that is higher in the divorce-adverse groups compared to the divorce-prone groups; (ii) a divorce-effect that is lower in the divorce-adverse groups compared to the divorce-prone groups.

DATA AND METHODS

Data

Our analyses use individual-level Finnish registers derived from various administrative records, which are linked using anonymized personal identification numbers. Vital events, including marriages, divorces, deaths, and moves abroad are measured in half-year intervals: January–June (*H1*) and July–December (*H2*), respectively. The civic records encompass all recorded marriages and divorces. Our primary unit of analysis is marital couples, and the population of interest comprises all marital unions contracted before 1988.

We are specifically interested in understanding the heterogeneous effects of the introduction of unilateral divorce on the divorce behavior of marriages that were formed before the 1987 divorce law. We, therefore, restrict our analyses to all marriages in place from January 1983 until December 1987, that is, before the implementation of unilateral divorce in 1988. We observe divorce risks in the period 1983–1993, that is, 5 years before the implementation of unilateral divorce and 5 years after the implementation in 1988. These data include 1,203,131 couples and 105,375 divorces. Table 1 shows the inter-quantile range, mean, and median of marriage cohort, birth cohort of the husband and wife, respectively, and marriage duration by the end of 1987. Note that because we cover all marriages amassed up to 1987, the total sample in 1987 contains relatively many long marital durations.

TABLE 1 Descriptive statistics of marriage cohorts, birth cohorts, and marriage duration.

	Marriage cohort	Birth cohort (men)	Birth cohort (women)	Marriage-duration by end-1987
IQR	1953; 1977	1926; 1950	1928; 1952	10.5; 34.5
Mean	1964.5	1937.5	1939.8	23.0
Median	1966	1940	1942	21.5

Analytical strategy

Divorce laws influence not only decisions to divorce but also decisions to marry in the first place. Comprehensive new legislations, including the 1987 UDL law, can thus alter the composition of the marital population who wed after the reform. Therefore, divorce rates after and before the reform are not necessarily directly comparable. Various strategies have been used to deal with this issue, as well as accounting for reverse causality between divorce behavior and divorce laws (Wolfers, 2006). In this study, we use the longitudinal structure of the data to identify pre-reform marital cohorts and examine their divorce risk over time across sub-populations. This is because the study aims to capture the short-to-medium term relationship between divorce law implementation and heterogeneous responses in divorce, rather than estimating the share of the period changes in divorce rates as causally explained by divorce laws in Finland. To study divorce hazards spanning before and after the reform of a population married before the reform, we employ discrete-time survival analysis. This allows us to estimate changes in the conditional probability of divorce before and after the implementation of unilateral divorce law. The main point of this approach is to produce estimates from which we can obtain a total overview across predictors of the divorce risks before and after the UDL reform. We include all pre-reform more and less divorce-prone marriages, while adjusting for marital duration, censoring, and testing robustness across model specifications. If the reform has sizable influences in the short-to-medium term that are contingent on divorce-proneness, our design should capture such patterns, provided that no unobserved trends parallel to this period influence heterogeneity. Although a causally reverse relationship between the divorce law implementation and changing divorce rates is plausible (Friedberg, 1998), there is no a priori ground to suspect heterogeneity in such trends among the more or the less divorce-prone groups. Thus, we would interpret a strong systematic pattern in changes in divorce across divorce-proneness as plausible heterogeneous effects of the divorce law. Similarly, while our estimates are likely influenced by sample truncation bias such that the propensity to divorce changes in the populations that remain after right-censoring (Elwert & Winship, 2014), we mainly have to rely on the assumption that this bias is not heterogeneous across sub-populations and that some of the initial group-specific propensity to divorce remains across the duration of the marriage, as indicated by, for example, Saarela and Finnäs (2018).

Model

Our dependent variable is the time until divorce. Couples who experience the death of a spouse or emigration are right-censored at the time of the event, and so are also those who remain married until the end of the observation period. Our setup, in which couples are observed from entry into the observation window in 1983–1987, implies an overrepresentation of long marriage durations. We have therefore aggregated marital duration into four time intervals: 0–5 years, 6–10 years, 11–15 years, and 16 years and above.

To examine heterogeneity in the response to divorce liberalization, we draw on previous research on divorce predictors to identify characteristics that consistently and significantly have

been found to influence divorce risks. We rank these factors based on the risk of divorce in the pre-UDL period of 1983–1987. We then compare the divorce risk associated with these predictors before and after the introduction of UDL. Specifically, we consider marital duration (referred to as *predictor a* below), presence and age of children in the household (*predictor b*), spouses' religious denomination (*predictor c*), spouses' ethnolinguistic group (*predictor d*), wife's age at marriage (*predictor e*), and spouses' educational level (*predictor f*).

The primary independent variable of interest is calendar time before and after the introduction of unilateral divorce law. This variable, referred to as *period* below, is grouped into six periods in order to fit the data best: 1983H1–1986H2 (preceding the divorce law), 1987H1–1987H2, 1988H1, 1988H2, 1989H1 (adjacent to the divorce law), and 1989H2–1993H2.

We model group heterogeneity in the log hazard of divorce, $\log \lambda_{ij}$, for couple i in period j before and after unilateral divorce as a piece-wise exponential function, where α_j is the intercept and $\delta_{\text{period}_{ij}} \times \text{predictor } x_{ij}$ represent the interaction between period and a predictor variable:

$$\log \lambda_{ij} = \alpha_j + \beta_{\text{period}_{ij}} + \gamma_{\text{predictor } a_{ij}} + \delta_{\text{period}_{ij}} \times \text{predictor } a_{ij} + \theta_{\text{predictors } b \text{ to } f_{ij}} \quad (1) \\ + \vartheta_{\text{education}} + \mu_{\text{urbanization}}.$$

For each predictor variable, the category with the highest pre-UDL divorce risk is set as baseline. The estimates for the effects on the log hazard of divorce are thus allowed to vary over *period*. With regard to each predictor variable *predictor x*, we estimate a model that includes the interaction between the given predictor variable (*a* for the first set, *b* for the second set, etc.) and period, plus main effects of the other predictor variables (*b* to *f* for the first set, *a* and *c* to *f* for the second set, etc.). We adjust also for main effects of couples' educational composition and degree of urbanization, and exponentiate the estimates to present the results as hazard ratios. We present the exponentiated covariates (hazard ratios) of the interaction effects in the results section, and report full output in the supplemental material. The full estimates from models are found in Tables S1–S4.

In alternative specifications, we fit our models without adjusting for educational composition and degree of urbanization, without main effects of the other predictors, and without main effects of the other predictors or control variables (Tables S2–S4) and model subsections of the marriage cohort (Tables S5 and Figure A1).

Predictor variables

The predictor variables are defined as follows. *Marital duration* groups the current marriage into 4 categories based on its length: (i) 0–5, (ii) 6–9, (iii) 10–15, and (iv) 16 years or more. As shown in Table 1, our data by design draw disproportionately on longer-term marriages as we observe marriage cumulatively formed from before the UDL law but not after. The four categories nevertheless capture sizable variance in events across the intervals while keeping a large enough N within each interval. *Children in household* measures whether the spouses have children and the age of the youngest child in the household in five categories: (i) no children, and whether the youngest child is (ii) at most 3 years old, (iii) 4–17, or (iv) 18 years or older. *Marriage history* distinguishes between whether (i) both spouses are in their first marriage or (ii) one or both had been married before. *Wife's age at marriage* is a categorical variable that separates women who married at (i) age 20 years or younger, (ii) 21–23 years, (iii) 24–27 years, and (iv) 28 years or older. *Denomination* measures the religious denomination of both spouses. Some denominations have very few members. We distinguish between five categories: (i) couples where both belong to the Evangelic–Lutheran state church, (ii) couples where neither has a

denomination, (iii) couples of other religious affiliation, and (iv) couples where spouses had discordant religious affiliation (including non-affiliation). *Ethno-linguistic group* is based on each spouse’s unique mother tongue. Finnish and Swedish are the two official languages of Finland. Swedish-speaking Finns form a minority in number. We group couples into four categories: (i) both are Finnish-speaking, (ii) both are Swedish-speaking, (iii) one is Finnish-speaking and the other is Swedish-speaking, and (iv) any other combination (including other mother tongue). Descriptive statistics of all variables can be found in Table A1.

The estimation of interest pertains to whether positive or negative predictors of divorce systematically change towards higher or lower divorce risk following the introduction of unilateral divorce laws. For example, each increase in the wife’s age at marriage may lead to a lower divorce risk, with the youngest marital age as the baseline. In the model, a heterogeneous effect could be demonstrated as an increase or decrease in the divorce risk at each category for age at marriage after the introduction of UDL. Conversely, the absence of an additive effect of age at marriage following the introduction of UDL suggests a universal effect or non-effect.

RESULTS

The main focus of this study concerns how pre-UDL marriage cohorts of different divorce-prone sub-populations differ in their divorce rate change after the implementation of UDL in 1987. Before we turn to this analysis, we describe the overall divorce rate across the years preceding and following the implementation of UDL. Figure 1 displays the divorce rate per half-year for the pre-UDL marriage cohorts. In the 5 years leading up to the implementation of UDL, the divorce rate remained stable at approximately 0.007 divorces per thousand couple-years. Following a minor spike in 1987 (coinciding with the announcement of the impending divorce law change), the divorce rate rapidly surged to 0.017. After the first year of UDL implementation in 1988, the divorce rate decreased but plateaued at around 0.011 for the subsequent 4 years. In real terms, displayed in Figure A1, the number of divorces increased from 4,012 in the second half of 1986 to 5839 in the first half of 1990, with a spike of 9,366 divorces in the second half of 1988. In summary, the short-term change in divorce rates just after the implementation of the UDL law was substantial, corresponding to a 60% increase in divorce rates from the pre-UDL period, for pre-UDL marriage cohorts.

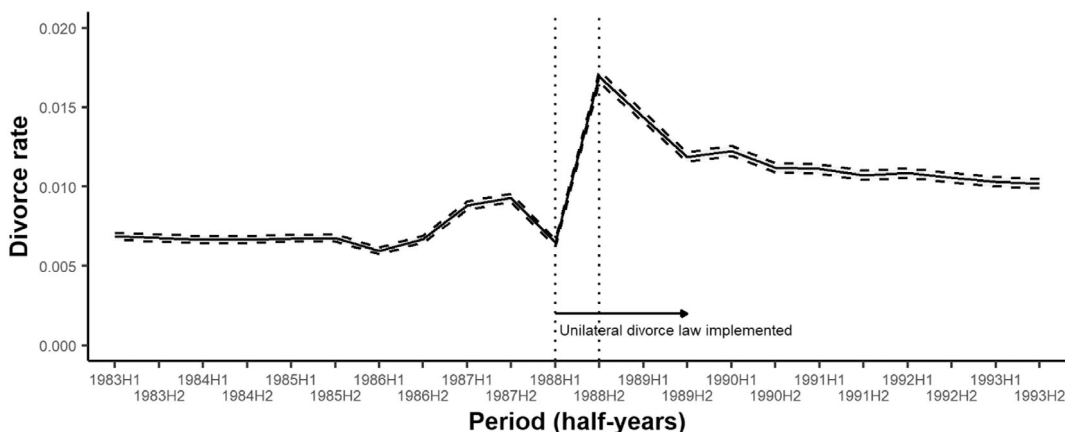


FIGURE 1 Divorce rate per half-year in Finland in 1983–1993 for couples married before 1988.

Next, we take a bird's eye view of period changes in divorce rate changes among our pre-UDL marriage cohorts across sub-populations. Table 2 provides crude divorce rates from the aggregate period before and after UDL, broken down by marriage cohort characteristics. First, there are clear differences in crude divorce rates between sub-populations before the reform, as defined by our variables (Ethno-linguistic group, denomination, marriage order, wife's age at marriage, marriage duration, and children in the household). Second, all groups experienced an increase in divorce rates in the period after the implementation of UDL.

The magnitude is large, spanning a percentage increase of 35%–99% in divorces. Comparable levels of period increase across the years before and after divorce laws are found in many contexts (see Wolfers, 2006; Friedberg, 1998). Such patterns are typically attributed to endogenous trends, dissipating short-to-medium-term reform effects, but also enduring causal effects of reforms. For example, averaging across European countries, Gonzales and Viitanen (2009)

TABLE 2 Crude divorce rates before and after the implementation of universal divorce laws, selected characteristics.

	Divorce rate			
	1983–1987	1988–1993	Difference	% change
Ethno-linguistic group				
Both Finnish	0.0072	0.0116	0.0044	61.1
Both Swedish	0.0033	0.0052	0.0019	57.3
Swedish and Finnish	0.0097	0.0142	0.0044	45.7
Any other combination	0.0144	0.0258	0.0113	78.6
Denomination				
Both Evangelical–Lutheran	0.0064	0.0103	0.0039	61.3
Both no religion	0.0106	0.0164	0.0059	55.8
Both other religion	0.0035	0.0063	0.0028	78.0
Discordant	0.0110	0.0169	0.0059	53.9
Marriage order				
Neither previously married	0.0064	0.0104	0.0039	61.5
One or both previously married	0.0164	0.0242	0.0078	47.2
Age at marriage (wife)				
20 years or less	0.0105	0.0142	0.0037	35.0
21–23 years	0.0069	0.0112	0.0043	62.0
24–27 years	0.0054	0.0100	0.0046	86.7
28 or more years	0.0057	0.0105	0.0048	85.0
Marriage duration				
0–5 years	0.0122	0.0244	0.0122	99.4
6–9 years	0.0134	0.0233	0.0099	74.3
10–15 years	0.0096	0.0176	0.0080	82.5
16 or more years	0.0042	0.0072	0.0030	70.6
Children in household				
No children	0.0081	0.0141	0.0060	74.0
Ages 0–3	0.0080	0.0138	0.0058	71.8
Ages 4–17	0.0101	0.0177	0.0075	74.5
Age 18 or higher	0.0032	0.0052	0.0020	62.2

Note: All differences are statistically significant at the 0.001% level.

suggest a 13% period increase in divorce persisting in the long-term, and attribute 20% of this increase to a causal effect from divorce law reforms (but see Wolfers for a different finding and interpretation in the US case). Our study follows the divorces over time of pre-reform marriage cohorts. Thus, potential additional increases arising from extended marriage duration in the post-1987 period are subsumed in the rates because our marriage cohorts are not replenished after 1987. It is worth noting, however, that period increases occur for all separate marriage duration groups.

Of main concern in this study is not the magnitude but the difference in the change across sub-populations during the years following the reform. Table 2 shows that clear differences between groups exist both in terms of divorce proneness before the reform and in terms of the percentage change of crude divorce rates. However, this heterogeneity can likely reflect underlying differences in age structure, birth cohort, and other factors. Thus, before we analyze any systematic difference in divorce behavior between the more and the less divorce-prone groups,

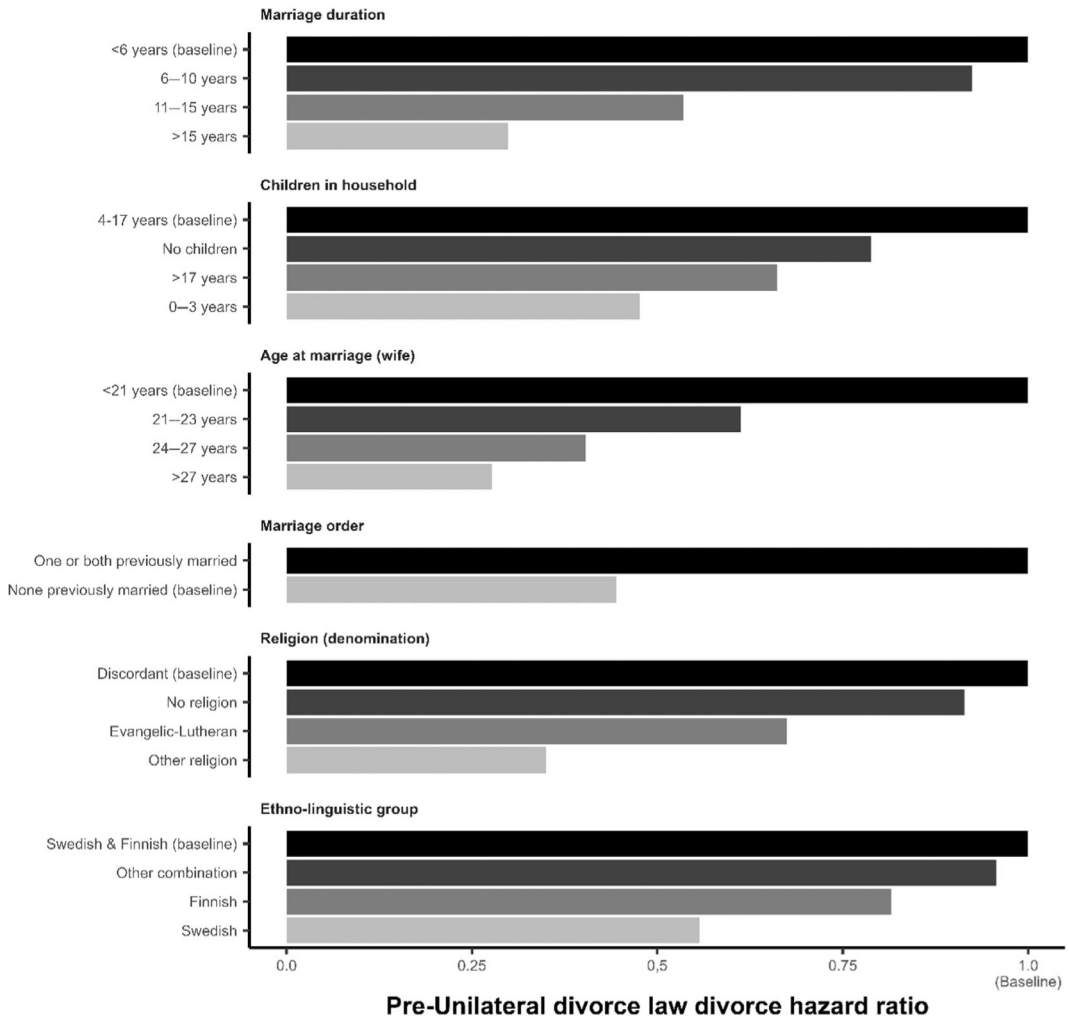


FIGURE 2 Pre-UDL divorce hazards (1983–1987). Adjusted for main effects of all six predictor variables, educational level, and degree of urbanization.

we need to examine whether our predictors actually define pre-UDL high and low divorce-prone sub-populations also after adjusting for key covariates.

Figure 2 shows the conditional pre-UDL hazard ratio of divorce, categorized by each divorce predictor and ordered from the most divorce-prone to the least divorce-prone category for each predictor. Black bars signify the highest risk of divorce among the categories within that predictor variable, and light gray bars signify the lowest risk of divorce. For the ethnolinguistic predictor, the most divorce-prone are mixed marriages of Swedish and Finnish speakers, followed by couples where at least one spouse has a mother tongue other than Finnish or Swedish, then unilingual Finnish couples, and finally unilingual Swedish couples. For religion, couples with discordant religious affiliation are the most divorce-prone, followed by couples in which both spouses have no affiliation. Evangelic-Lutheran couples have lower divorce rate, and the lowest is found for couples in which both have other religion. Couples in which at least one of the spouses had been previously married have much higher divorce risk than those consisting of couples in their first marriage. Age at marriage and divorce are inversely related, and so are also marriage duration and divorce. Couples with children aged 4–17 years are more divorce-prone than those without children, followed by couples with children aged at least 18 years, and those with small children.

In summary, we conclude that raw divorce rates substantially increased during the observed years following the 1987 UDL law for all sub-groups. We also conclude that the divorce risk varied considerably across our sub-groups before the implementation of UDL, adjusting for key covariates. Having established these parameters, we now focus on the main question regarding heterogenous patterns. Did the divorce law impact divorce rates more among the among more divorce-prone or less divorce-prone sub-populations? We turn from analyzing the main effects of sub-populations to analyzing the interaction effect with the critical juncture of the UDL implementation.

Figure 3 presents the exponentiated coefficients from interactions between predictors and calendar periods on the risk of divorce, with the calendar period 1983–1987 serving as the baseline. The main effects, which are presented in Table S1 in the Supporting Information, are consistently positive across groups. Thus, the pattern outlined by divorce rates presented in Table 2 is consistent also when conditioned on covariates. But is it the case that groups that had low divorce risk before the reform experience a larger increase in divorce than the groups which had a high divorce risk before the reform? In all predictor categories, the category with the highest (pre-UDL) divorce risk (as seen in Figure 2) is the baseline. As in Figure 2, black color indicates a high pre-UDL divorce risk, gray color indicates lower divorce risk, and the gradient from black to gray corresponds to a decrease in risk of divorce for the group in question.

If the impact of UDL on divorce behavior was consistent across major sub-populations, we would expect all categories to overlap and hover around $HR = 1$, across the period intervals after the reform. If the effect of UDL on divorce behavior was linked to (pre-UDL) divorce propensity for a given group, we would anticipate a systematically increasing or decreasing coefficient in line with that group's pre-UDL divorce risk. For example, if the reform increased divorce more among the groups who had low divorce risk before the reform, one would expect $HR > 1$, ordered in an increasing pattern from black (high pre-UDL divorce risk) to gray (high pre-UDL divorce risk).

Across all plots in Figure 3, none of the patterns that would suggest systematic heterogeneity in effects of UDL (described above as pattern i–iv) appear as statistically significant interaction effects. A partial exception to this is marital history. First marriages have a higher increase in the divorce risk compared to higher-order marriages across the periods 1986–1988 and 1986–1988, but not for periods after that. Even if we solely focus on point averages and disregard confidence intervals, there is no sign of lasting systematic heterogeneity. Divorce risk increased

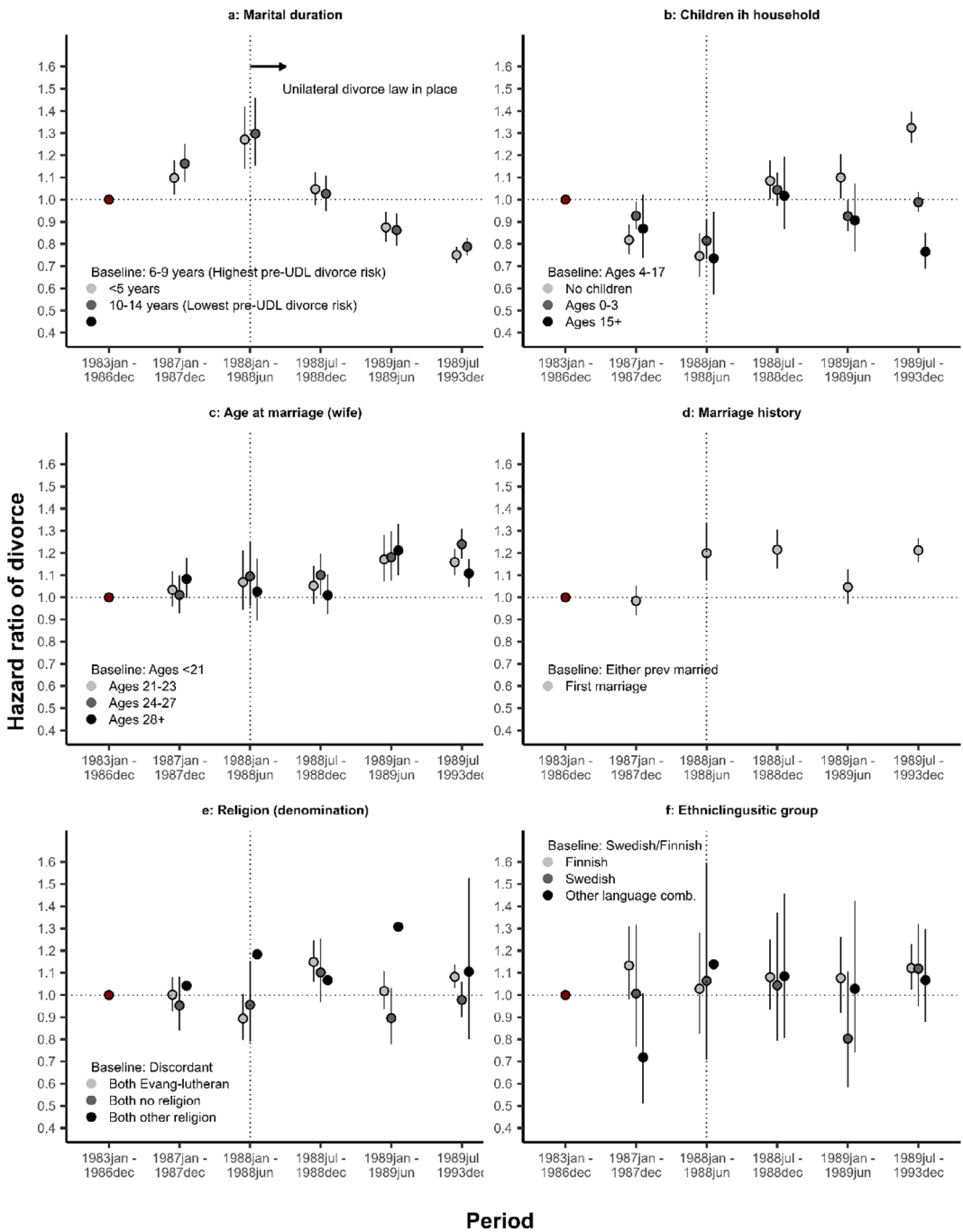


FIGURE 3 Coefficients (hazard ratios) from interactions between divorce predictors and calendar period (baseline = Jan 1983–Dec 1987). $N = 1,203,131$ couples, divorces = 105,375. Adjusted for educational level, degree of urbanization, and main effects of covariates: (A–F) marital duration, children in household, age at marriage, marriage history, religious denomination, and ethnolinguistic group.

with lower marital duration-related risk in 1986–1988 only; divorce risk increased with lower age at marriage in the first half of 1989 only; divorce risk increased with higher denomination-related risk in 1986–1988 only.

In summary, across the six predictors examined for the complete population of marital cohorts in Finland, there was no support for the hypotheses that the effect of UDL would differ by group-average divorce-proneness.

Robustness checks and alternative specifications

Alternative models were specified to inspect the robustness of the results presented in Figure 3. First, the lack of systematic responses to divorce law in terms of divorce proneness were further supported in different model specifications, where the interaction effects were specified either without adjusting for main effects of control variables, without adjusting for adjusting for main effects of other predictors, or without adjusting for main effects of other predictors or control variables (Tables S2–S4). Second, we tested whether the skew toward longer marriages in our data impacted the results by reiterating the models in Figure 3 while restricting the population to those of a marriage duration of 15 years or less. As shown in Figure A2, these models rendered the same pattern of interaction effects seen in Figure 3 (see Table S5 in the Supplementary material for full model).

We have in our analyses focused on dynamic properties of marriages; their duration, their order (first or higher order marriages), age at marriage, and the presence of children. Individual characteristics studied—religious denomination and ethnolinguistic groups—are ascribed rather than attained. This accommodated an analysis of the potential mechanisms of heterogenous effects via differences by high or low divorce-risk groups. Other types of driving forces are most likely at play, although this study cannot analyze all of them. However, educational level in particular, predicted change in divorce behavior in one of the few other studies on heterogenous effects of divorce laws (Fallesen, 2021). A significant interaction between the 1987 divorce law and the level of education would give cues to mechanisms. For example, mutual consent divorce laws might mitigate divorce because divorce under such a regime imposes high fiscal costs or demands extensive knowledge of the legal system, resources associated with high education. We have, therefore, also studied the interaction between calendar time and couple's educational level in Appendix Figure A3. We find no pattern suggestive of the proposed heterogenous effects by educational level.

DISCUSSION

Divorce and marriage laws have liberalized in slow but decisive steps across the twentieth and twenty-first centuries. In parallel, divorce has become salient. It is today generally considered that divorce laws, particularly laws that regulate spousal consent of divorce, indeed result in more divorces in the short term and may also increase divorce intensity in the long run. A common caveat in these studies has been that divorce laws—just as most policy changes—could influence the behavior of some individuals, but not all. The knowledge of the heterogeneity in response to divorce laws is, however, limited. This study has examined the general premise of universal group-level response to divorce law liberalization. In particular, we considered whether divorce behavior following divorce liberalization differed across couple-level characteristics correlated with high or low divorce risk. To examine this, we used the case of Finland, which implemented unilateral no-fault divorce laws later than many of its neighbors.

Informed by previous research on divorce predictors, we used Finnish register data to operationalize group characteristics with markedly different divorce risks for complete population marriage cohorts and observed their divorce risk after the implementation of the 1987 divorce acts, which implemented unilateral divorce in Finland. Our measures of group-level

divorce-proneness included different dimensions, from religious and ethno-linguistic affiliation to couple experiences and household composition.

In agreement with much previous research, we found a strong general increase in divorce after the new law took place (Kneip & Bauer, 2009). However, we did not find any indications that divorce laws would result in systematically higher, or lower risk of divorce for high or low divorce-prone groups. Despite drawing on more than one million marriages and over one hundred thousand divorces, there were rarely any significant differences across groups of different divorce proneness.

The conclusions from our study are informative with respect to policy concerned with the effects of divorce laws. For example, one argument for stricter divorce laws, such as re-introducing mutual consent fault divorce, is that unilateral divorce mainly affects groups in which cultures of divorce prevail or that unilateral divorce mainly affects vulnerable marital unions, which would have benefited from less lenient divorce laws. This is not what we find, however. Rather, the findings suggest that the divorce law caters to a broad tendency of divorce: regardless of religion or length of the marriage, divorces increase when the need for spouses to consent is no longer required.

The same logic can be applied to the opposite situation, such as policy considerations regarding further simplifying or liberalizing the process of divorce. In such cases, actors may have identified a target group for which divorce is comparably rare and where there also is plausible ground to suspect that many individuals remain under severe strain within their marriages but are unable to pursue divorce due to legal hurdles or the nature of due divorce process. Actors may wish to liberalize divorce laws but are hesitant because they do not (necessarily) seek to increase divorce also among the non-target or already divorce-prone groups. Such deliberations might be informed by our study which tentatively indicates that an increase across the board is a plausible outcome.

It is important to note that while our findings do not support the notion that divorces are affected differently across groups, the increased number of divorces may very well have both heterogeneous and substantial implications. For example, even if divorce liberalization would cause a large number of divorces evenly distributed in the population, its causal effect on child poverty would be highly heterogeneous, because couples at risk of poverty are likely to be over-represented among those who surpass the poverty threshold following divorce. It is also possible that legislative changes towards no-fault divorce may produce differential outcomes in other ways. For instance, when one spouse has experienced intimate partner violence within their marriage, fault grounds provide a system in which these experiences may be documented in court files. With no-fault divorce in place, sensitive or stigmatized experiences of coercion or violence may go undocumented to a larger extent (Ogolsky et al., 2023). Other effects that could follow from divorce law liberalization includes known correlates of divorce, such as school performance, health, and wellbeing (cf. Leopold, 2018; Turunen, 2014).

Generalizable claims about the effects of divorce laws based on our study should take into account its scope as well as the limits for inference that follow from the study design. As noted by Gonzales and Viitanen (2009), divorce law liberalization encompasses various dimensions and manifests in multiple forms, some of which may have universal effects, while others might impact only specific groups with varying propensities for divorce. Consequently, our study should be viewed as a case study focused on the specific context of Finland, which necessitates caution in making broad generalizations about the heterogeneous effects of divorce laws.

Even in contexts plausibly comparable to the present one, reliability uncertainties arise from the modeling approach. Our event history design likely exhibits sample truncation bias, where the divorce propensity of the remaining population decreases over time as couples are censored due to divorces over time. However, since our primary interest lies in the differences across predictor variables rather than the overall effect size of divorce, our analysis does not depend on the absence of sample truncation bias. Instead, we need only assume that any such bias is

orthogonal across our predictors. For example, if sample truncation bias were substantially stronger for second marriages than for first marriages, the comparison between these groups would no longer serve as a proxy for high- and low-divorce-prone populations, complicating the interpretation of post-liberalization divorce hazards in terms of heterogeneous effects. Moreover, it should be noted that the event-history approach used to study group differences in response to divorce law implies that the results from this study are not directly comparable to the non-group-specific results found in literature using a quasi-experimental difference-in-difference strategies (Gonzales & Viitanen, 2009). From a causal inference standpoint, our estimates may be less informative about whether the estimated associations are subgroup-specific, as they do not identify causal effects.

We believe it is plausible that the rather steep changes in divorce rates which we observe during the years right after the divorce law represent a response to such laws, and that a lack of systematic differences in this response across the more or the less divorce-prone groups speaks against palpable heterogeneous responses to the divorce law. In keeping with the research goal, we therefore believe the results are a relevant contribution towards exploring the presence of heterogeneous effects of divorce rates following divorce liberalization. However, while this study has successfully identified pre-reform marriage cohorts with varying divorce propensities and demonstrated changes in divorce rates following significant divorce law liberalization, it does not rule out the possibility of parallel trends that differ across the more and less divorce-prone groups. Such trends could obscure heterogeneous effects by introducing noise into the estimates. Therefore, to identify causal effects remains a critical priority in this field. This task also goes hand in hand with considering the heterogeneous consequences of divorce law liberalization in the long run. It may, for example, be that divorce laws propel a culture of divorce, influencing the future context of marital and divorce decisions. These particular effects might leave ripples that are stronger in the long term for, say, those of a religious denomination than those without a religious denomination. Nevertheless, our study provides a first overview of the net effects of heterogeneity in responses to divorce law.

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ORCID

Linus Andersson  <https://orcid.org/0000-0002-0347-3802>

Jan Saarela  <https://orcid.org/0000-0001-8313-4271>

Caroline Ugglå  <https://orcid.org/0000-0003-1639-3307>

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SUPPORTING INFORMATION

Additional supporting information can be found online in the Supporting Information section at the end of this article.

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APPENDIX A

TABLE A1 Descriptive statistics of included variables.

	<i>N</i> % in 1987		Person years
Ethno-linguistic group			
Both Finnish	975,139	91.43	10,272,847
Both Swedish	52,342	4.91	556,582
Swedish and Finnish	34,414	3.23	359,852
Any other combination	4685	0.44	44,594
Denomination			
Both Evangelic–Lutheran	871,995	81.76	9,161,446
Both no religion	53,149	4.98	578,220
Both other religion	8894	0.83	88,334
Discordant	132,542	12.43	1,405,876
Marriage history			
Neither previously married	983,573	92.22	10,402,302
One or both previously married	83,007	7.78	831,574
Age at marriage (wife)			
20 years or less	240,093	22.51	2,555,696
21–23 years	340,443	31.92	3,610,004
24–27 years	276,855	25.96	2,910,578
28 or more years	209,189	19.61	2,157,598
Marriage duration			
0–5 years	132,209	12.40	1,034,933
6–9 years	129,195	12.11	1,388,608
10–15 years	132,267	12.40	1,424,044
16 or more years	672,909	63.09	7,386,291
Age of youngest child in household			
No children	123,503	11.58	1,139,368
Ages 0–3	184,763	17.32	1,775,420
Ages 4–17	362,118	33.95	3,926,959
Age 18 or higher	396,196	37.15	4,392,130
Couples educational level			
Primary/primary	387,701	36.35	4,123,641
Primary/secondary	236,697	22.19	2,487,086
Both secondary	129,455	12.14	1,321,372
Primary/tertiary	85,003	7.97	896,136
Secondary/tertiary	114,327	10.72	1,193,070
Both tertiary	113,397	10.63	1,212,570
Degree of urbanization			
Urban	573,210	53.74	6,053,706
Semi-urban	141,804	13.30	1,592,064
Rural	351,566	32.96	3,588,106

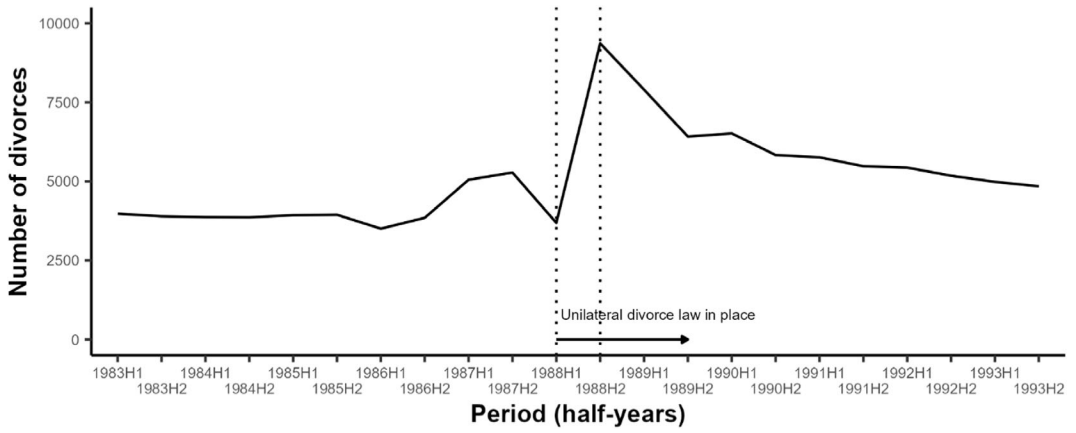


FIGURE A1 Number of divorces per half-year in Finland in 1983–1993 for couples married before 1988.

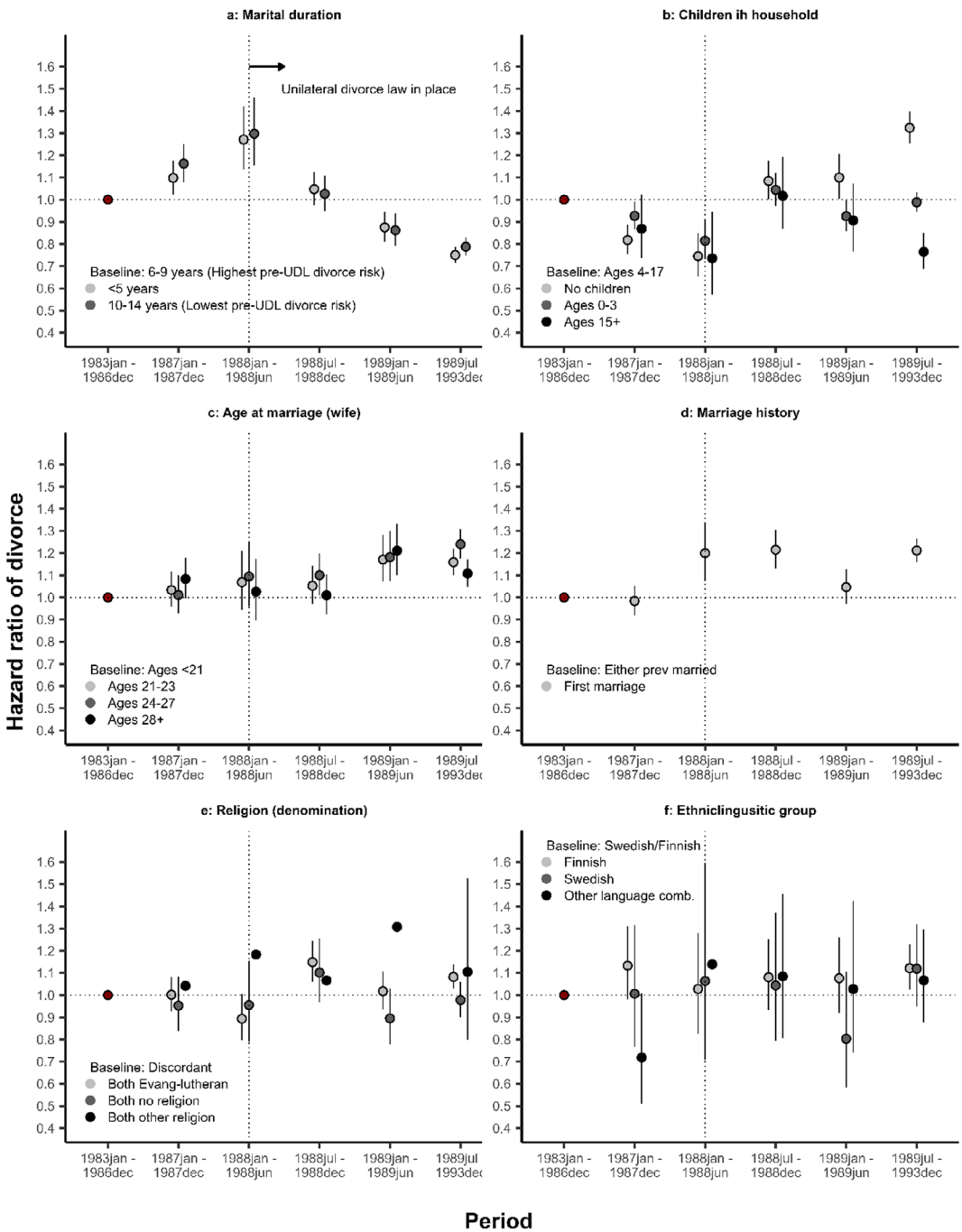


FIGURE A2 Coefficients (hazard ratios) from interactions between divorce predictors and calendar period (baseline = Jan 1983–Dec 1987), restricted to marital durations no longer than 15 years. $N = 566,723$ couples, divorces = 61,976. Adjusted for educational level, degree of urbanization, and main effects of covariates: (A–F) Marital duration, children in household, age at marriage, marriage history, religious denomination, and ethno-linguistic group.

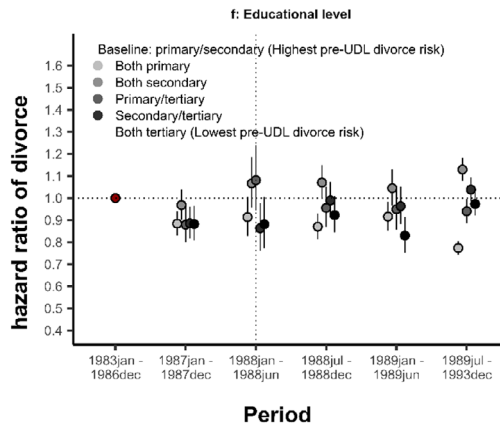


FIGURE A3 Coefficients (hazard ratios) from interactions between spouses' educational level and calendar period (baseline = Jan 1983–Dec 1987). Marriage cohorts of 1971–1987. $N = 1,203,131$ couples, divorces = 105,375. Adjusted for main effects marital duration, children in household, age at marriage, marriage history, religious denomination, and ethno-linguistic group.