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Chapter 2 Contexts of cohabiting relationships & breakdown

Chapter intro – what chapter contains and in what order

- Describes profile of sample of ex-cohabiting couples (check how want to refer to sample – ‘ex-cohabitants’, ‘separated couples’, etc.)
- Provides context for proceeding chapters
- The nature of commitment within cohabiting relationships, including how and why people got together
- And the nature of their financial arrangements within those relationships before they ended

2.1 Cohabitation

Understanding cohabitation made up of description of characteristics of cohabitation, dynamics of how cohabitation came to be in place, why people cohabited, and how they themselves defined it. Final feature is the varying levels of commitment within different types of cohabitation.

2.1.1 Characteristics of the cohabiting relationship

- Length of relationship and period of cohabitation
- Any children within or close to the relationship, whose children, parenting involvement of different partners in cohabiting relationship, where children live
- Couples’ previous relationship history and current status
- Couples’ understanding of what it means to ‘cohabit’

2.1.2 The dynamics of cohabitation

Made up of features that relate to one another:

- when in relationship started to live together
- Level of thought & discussion involved in decision to cohabit
- Reasons for cohabitation

When in relationship started living together

- early/straight away – within weeks or months
- Waited significant period before cohabitation (up to 7 years)
- Unable to pinpoint – cohabitation not an event but a gradual evolution (QUOTE? FRS076 about when do you actually count as living together, at what point?)

Level of thought and discussion

- Relatively little
- A good deal
- Evolution

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The level of thought given to the decision people report can be related to the length of time they were together before they cohabited (i.e. people who moved in without

much consideration were often those who moved in soon after beginning relationship) but not necessarily – are other triggers to cohabitation that can occur later in relationship.

2.1.3 *Reasons for cohabiting*

There appear to be a range of prompts leading to people's decision to cohabit

- People generally give more than one reason
- may be that with hindsight, people more critical/honest about their reasons for moving in together, can recognise the complexity of such a situation
- may also be that people don't want to appear foolish, by giving what they perceive to be 'emotional' or 'superficial' reasons, nor do they wish to appear cold or unfeeling by giving only practical reasons

4 key 'reasons':

- 'love at first sight'
- Reaction to a particular event,
- 'life-stage' decision
- Something less tangible, 'evolution'

2.1.4 *Defining cohabitation*

But what exactly is cohabitation? Clear from above brief discussion of characteristics of cohabiting relationships that circumstances of cohabiting relationships can vary greatly

- **the 'standard'** - moved in together, living under same roof every day of the year – even if this was a gradual thing (from staying over a couple of nights a week or on holiday to living together full-time)
- to **less traditional definitions** where couples not physically living together all the time
 - people who had their own houses and stayed over at each other's at weekends or several times per week
 - e.g. one couple where one partner in the forces so only really live together at weekends and during leave (but this would be same for married couples?)
- This variation seems to suggest that people's definitions of cohabitation are wider than that posited by the literature generally
- So, whilst there seems to be a general consensus that living together permanently and on a daily basis implies a cohabiting relationship, is not the only definition that exists. Other situations are genuinely perceived to be cohabitations.

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Note that the above is useful context when come on to looking at the circumstances of people's cohabiting relationships...

2.1.5 Levels of commitment

- The level or nature of commitment within any one relationship seemed to sit somewhere on a continuum of commitment
- at one end people saw themselves as being demonstrably very committed from the start of the relationship (high level of commitment)
- at the other, people did not have a strong sense of commitment, often giving apparently clear reasons as to why (low level)
- in the middle, were people whose sense of commitment was much less well-defined or certain. (medium)

2.2 Views on marriage

- main difference was in extent to which decided one way or the other about marriage
- For some, feelings about marriage within the cohabiting relationship were very clear cut included those definitely did want to get married and those who had definitely dismissed idea
- Others were rather less clear about whether they would ever marry and their reasons either way
- People's feelings about marriage were not necessarily related to the level of commitment within the relationship

2.3 Living arrangements within cohabiting relationships

Section will deal with the way people organise their affairs within cohabiting relationships with particular focus on sign-posting where these arrangements tell us something about:

- a) people's beliefs about what it means to cohabit and, in particular, the nature of commitment within cohabiting relationships;
- b) how the way in which finances are held within a cohabiting relationship impacts upon people's (legal) rights when they separate.

2.3.1 Overview of finances

Home-ownership and tenancies

- Homeowner situations:
 - Home in sole name, Home in joint names, changing ownership patterns
 - Payment of mortgage- When not owned jointly, both still sometimes contributing, whether directly through a joint bank account or indirectly by giving the partner who owns the house some money
- Rented situations:
 - Tenancy in one name or joint tenancy – couple got rented place together when decided to move in together so tenancy in joint names
- 'Other situations' e.g. living with parents (*check: are there others?*)

Earnings from work

- People tended to be working. Where not working, either temporary whilst changed jobs or longer-term to have/look after children
- Some wide discrepancies in levels of earnings between individuals in same couple and others earning similar amounts
- Wages variously received in cash, via individual current account or into joint bank account

Savings

- Savings tended to be limited – up to around £500 or
- Some short-term, for holidays and larger purchases, some longer-term for homes or weddings
- Held jointly and individually – where for couple's future, tended to be held jointly e.g. if for deposit for house or holidays or wedding
- Contributions to savings held jointly may be from one partner or both and, where both, may be equal or unequal

Policies, pensions and wills

- As for savings, tended to be limited
- Wills either not held or made some time ago – tended not to specifically reflect cohabiting relationship
- Some did reflect cohab relationship –
 - E.g. FRS419, ONS41, ONS32 leaving money to each other
 - Also reflected cohab relationship in so far as children of that relationship were named as beneficiaries in will

Other assets

- For example, cars, furniture, electrical equipment, jewellery
- Some brought to relationship by individuals, others bought within cohabiting relationship by individuals or together

Non-financial contributions (short section)

- Brief overview of non-financial contributions – primarily child-care responsibilities, housework and home-improvement.
- How responsibilities for these established & traded-off with financial responsibilities and roles

2.3.2 How assets held in cohabitations

- Can identify **four** models which distinguish the way in which people perceive their finances within a cohabiting relationship – describe each in turn below

Mention that are 2 key dimensions which using to illustrate these models

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Jointness (joint – individual)

Equality of contribution (equal – unequal)

Joint-equal

- An approach to financial management within the cohabiting relationship based on the premise that both parties have an equal role in and responsibility for the couple's finances, regardless of relative earnings and division of childcare responsibilities.
- Approach tends to be formalised
- Approach typically adopted by people who earn a similar amount, perhaps don't have children (so no trade-offs regarding relative earnings, working patterns and child-care necessary)

CASE STUDY – FRS096?

USE MORE THAN ONE CASE STUDY WHERE NECESSARY E.G. TO DIFFERENTIATE BETWEEN WITH AND WITHOUT KIDS

Joint-unequal

- Approach which is based on premise of equal rights within the relationship but not necessarily equal, or the same, responsibilities
- This approach takes into account/gives weight to non-financial contributions to relationship such as child-care. For example, reason for earnings not being equal may be because one party works fewer hours to accommodate childcare responsibilities – this is reflected in the relative contributions to 'the pot' made by each party.
- Tends not to be formalised in same way as the 'equality' approach i.e. records of various payments not necessarily kept and referred to – system based on trust and partnership approach.
- This approach is typically adopted where there is some difference in the relative earnings of the couple and they are likely to have children which has affected the working patterns of one partner

CASE STUDY – FRS113 OR ONS41 OR FRS574?

Individual-unequal

- Similar approach to finances as above 'Proportionate equality' in sense that financial contributions to relationship are not equal but based on an inequality in home ownership. Contributions based on ability to pay and some evidence of protection of interests by financially stronger party. Non-financial contributions, e.g. child-care, not taken into account in same way as above.
- Tends to indicate partners with very different levels of earnings, possibly where one partner does not work

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- Not necessarily borne out of need for financial dependence by one party but evidence that can cause it – see section on financial dependence below...

CASE STUDY – ONS36 OR FRS079 OR ONS02?

Individual-equal

- Approach based on premise the each party handles own finances individually, finances are not a joint resource, almost like two households in one, each party has responsibility to cover own share of household and housing expenses
- Tends to be within the more 'non-traditional' cohabiting relationships where each partner keep their own home throughout relationship
- Influence of past experiences of relationships evident here, especially for older people and/or people who have been married before – desire to protect selves from financial 'fall-out' of broken relationship. Also where people have children from a previous relationship and want to ensure break-up of researched cohabiting relationship would not affect them.

CASE STUDY – ONS56 OR PE TEACHER?

high levels of commitment to the relationship noted in model of equality and jointness - which probably isn't massively surprising – no such pattern discernible within other models and indeed can see cases where have higher and lower levels of commitment within each of these groups

2.3.3 'Jointness'

Why relevant - are talking about how and whether people saw things as joint and about what they understood joint as meaning

- Tells us about values within relationships
- Relevant to how people divide things up in practical terms when they separate
- Relevant to the legal aspects of dividing things up when people separate

The meaning of 'joint'

- When people talked about the concept of 'jointness' and how they understood it, they referred to several different components of 'joint' and pointed to different ways in which they saw jointness as being evidenced in their financial situations
- Note that in unpacking these components, is clear that these components are blurry and complex

Seem to be **four** elements to jointness / four strands

- the nature and balance of contributions to financial assets the title under which assets are held in joint names or individually but seen / talked about as joint (e.g. FRS071)

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- the nature of access, control or entitlement to financial assets
- whether both parties are permitted equal access to assets (i.e. even where assets held in joint names, may be 'rule' or accepted that one partner deals with all finances
- the perceived divisibility of financial assets
 - relates to the way financial assets held and pooled e.g. where earnings from both partners paid into one current account, divisibility of finances less clear than where each party retains some of their own money

For some people, jointness seems to be about all these things whereas for others, the presence of one or some symbolises jointness to them

These different ways of conceptualising jointness were then played out in various ways in the various ways in which people held and arranged their finances

'Jointness' was evidenced, to some extent, in the way financial assets were held within the cohabiting relationship:

- These differences in the meaning of jointness and differences in how jointness is recognised is played out in the way people talk about how joint their finances were – 'theoretical jointness' as opposed to 'actual jointness'
- Point is that 'jointness' is not a clear concept and both what it means to people and how it is demonstrated are not always immediately apparent from the way people talk about their assets.

2.3.4 Economic dependence

Dependence important because

points towards how disadvantage arises upon separation

points towards how separation affects both partners, whether equally or unequally

- is always an element of economic **inter**-dependence in cohabiting relationship by very nature that is cheaper to run one household than two so end of cohabiting relationship can mean change of life-style for one or both partners because of this
 - in this sense, the joint-equal and individual-equal could be said to be inter-dependent
- but **dependence**, in sense in which using it here, is evidenced by one partner taking more out of relationship (in financial terms) than they are contributing
- there are different grades of dependence, is on a continuum

In this research, the joint-unequals and individual-unequals would be seen as dependent

2.4 Understanding of the legal situation

- As described in Section 2.2.2, the extent to which people thought about or discussed their intentions to cohabit or the implications of cohabitation was varied
- People demonstrated very patchy awareness or consideration of legal situation when initially moved in together though hindsight has allowed people to consider it more carefully in context of their last cohabiting relationship in more detail – see later chapter for discussion of this
- Implication of lack of data on perceptions of legal situation is that people hadn't given it much thought.
- Understanding of legal implications of cohabitation seems to indicate two schools of thought/two sets of beliefs
 - Belief that cohabitation **confers rights**
 - Belief that cohabitation **confers no rights**
 - There is also another school of '**non-thought**' - Didn't seem relevant because didn't think they would split up

Implication is that people didn't make any positive decisions about finances based on understanding of legal situation given that they either didn't give it much thought or thought that they were protected in the same way married people are (seems to be an assumption that married rights are good or sufficient since people believed having these was a good thing even though they didn't know exactly what this meant).

Understanding of legal situation important backdrop to how establish financial arrangements.

2.5 Establishment of financial arrangements within cohabiting relationships

- Whilst there are some distinguishable approaches to financial management, not the case that everyone described discussion or deep thought about this
- Extent to which these arrangements were consciously made varied. For some, quite deliberately based on value system e.g. of equal partnership approach to relationship or on basis of wanting to provide for partner.
- Or deliberately based on circumstances, such as experiences in previous relationships or wanting to retain some level of financial control or independence

- However, overall unusual to say talked about their finances together, either at the outset or during the course of the cohabitation, and found it difficult to verbalise how things came to be arranged as they were.

2.6 Circumstances of separation

Important context to understanding how people go about decisions & arrangements

Decision to separate based on:

- Lack of communication & drift
- Particular event – infidelity or particular period of stress e.g. at work
- Financial reasons
- Children’s welfare

Other key components were:

- speed of separation
 - amount of discussion and active decision making.
 - Mutuality (or lack of)
 - Feelings about separation afterward
- Related to one another – e.g. fast separations without good deal of discussion – reaction to event. More likely to be acrimonious. Slower, more discussed – lack of communication or children’s welfare & more likely to be amicable.

leads into next chapter (3) which deals with the process by which people make arrangements when they separate and their use of advice and information sources