



Changing Laws, Changing Lives: Family Law Reform as a Catalyst for Economic Prosperity

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Family law has witnessed significant global progress over the past 50 years: Since 1970, 600 million women have gained access to economic opportunities through family law reforms. While in 1970, only 37 economies had equal family laws for both men and women, this number increased to 85 in 2024. Yet, family laws across the world continue to reinforce inequality, shaping power dynamics within households. In 105 economies, legal frameworks that lay out rights and responsibilities between household members, still deny women equal rights in marriage, divorce, inheritance, or decision-making about family and household matters. Rooted in social norms and often dismissed as a private issue, discriminatory family laws limit women's financial independence and access to jobs and markets, thereby reinforcing systemic disadvantages. The Brief underscores that family law is not solely a private domain, but a critical public concern with profound implications for women's labor force participation and global economic growth. It provides an overview on five decades of family law reform drawing on data from the *Women, Business and the Law* project, showcasing how legal changes have strengthened women's rights, economic opportunities, and autonomy.

Why is family law the foundation for women's access to economic opportunities?

In 2024, the world marked the thirtieth anniversary of the United Nations (UN) International Year of the Family while gearing up to celebrate the thirtieth anniversary of the Beijing Platform for Action in 2025, a landmark global framework outlining strategies for achieving gender equality adopted at the Fourth World Conference on Women in 1995. These anniversaries offer a critical occasion to reflect on the role family law plays in shaping the status of women in society and what progress has been achieved over the past three decades. While much of the discourse around women's economic equality focuses on the gender pay and financing gaps, less attention is given to family laws, which govern personal relationships and rights regarding marriage, divorce, and decision-making within the household, and inheritance. This oversight is often rooted in the perception of family law as a "private" matter, determined by social norms and beliefs about women's role in society (Huntington 2018). Issues like marriage and domestic violence are frequently framed as personal or cultural concerns, rather than policy priorities. Attempts to achieve progress or reform these areas are often met with resistance in the name of protecting national or cultural identity. However, family law extends far beyond private matters; it is a cornerstone of economic stability and empowerment. Research demonstrates the profound role of family law in shaping public outcomes, influencing women's labor force participation, financial independence, and economic security (see, for example, Gonzales et al. 2015; Htun and Weldon 2015; Htun, Jensenius, and Nelson-Nuñez 2019; Islam,

Muzi, and Amin 2019). Family law reform is thus essential for advancing gender equality and creating a foundation for sustainable economic growth.

Family law governs women's mobility, their right to work, and the allocation of household resources, permeating the life of every woman within a given economy. By contrast, labor law primarily affects women employed in the formal sector (which in many economies employs only a minority of women compared to the informal sector). Family law shapes the fundamental dynamics of gender relations; indeed, family laws, which define the rights and responsibilities of household members, are strong predictors for increased labor force participation (Fruttero, Gomes, and Sharma 2023). Gender inequalities entrenched within the family structure often transmit across generations and can reinforce gender inequalities in societies (Farré and Vella 2013). In many countries, family law continues to perpetuate gender inequality by denying women and girls the same rights afforded to men and boys, effectively restricting their access to vital economic resources (World Bank 2024).

While international law and most constitutions broadly affirm equal rights for men and women, these guarantees are often undermined by statutory laws or through weak enforcement, particularly in the area of family law, where traditional gender norms and disparities are entrenched and perpetuated (Fruttero, Gomes, and Sharma 2023; Law and Versteeg 2013). At its core, family law defines responsibilities between spouses, cohabitants, and parents. Family law also regulates control over resources and

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Objective and disclaimer: This series of Global Indicators Briefs synthesizes existing research and data to shed light on a useful and interesting question for policy debate. Data for this Brief are extracted from the Women, Business and the Law (WBL) database and supplemented by desk research. This Brief carries the names of the authors and should be cited accordingly. The findings, interpretations, and conclusions are entirely those of the authors. They do not necessarily represent the views of the World Bank Group, its Executive Directors, or the governments they represent. All Briefs in the series can be accessed via: <https://www.worldbank.org/en/research/brief/global-indicators-briefs-series>.

decision making, which directly shapes women’s financial independence (Perrin and Hyland 2023) and access to economic opportunities (Christopherson et al. 2022; Doepke, Tertilt, and Voena 2012; Tertilt et al. 2022). In European continental and other civil law systems, these rules are often codified within civil codes; in common law systems, they are typically outlined in specific statutes like Matrimonial Causes Acts and Married Women’s Property Acts; and in Islamic legal systems, when codified, they are found in Personal Status Acts (see discussion in the next section). By defining and regulating personal relationships, family law plays a pivotal role in shaping women’s economic opportunities and their overall status within society. This is why legislators have long recognized the need to establish rules governing these aspects of life, understanding that the impact of family law is both personal and profoundly public. Historically, concluding a marriage or union has had immense influence on the legal capacity and property rights of the spouses, especially for women (Goldin 2006). Consequences can be as drastic as under the traditional common law concept of coverture in the Anglo-American legal tradition or *puissance maritale* in the Napoleonic Code, according to which a married woman’s legal existence was subsumed by her husband, depriving her of any independent right to sue in court and control property (see, for example, Cott 2000; Landes 1988).

On the international level, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which has been ratified by 189 countries, obliges states to eliminate discrimination against women in all matters relating to marriage and family relations. In its General Recommendations, the CEDAW Committee has stated that laws reflecting patriarchal family structures that discriminate against women based on norms, customs, and sociocultural prejudice contravene the Convention (CEDAW Committee 1994) and has emphasized the need for gender-sensitive reforms in family law to address economic disparities (CEDAW Committee 2013). A new commitment to reform has been made in the 2024 Pact for the Future, where the world’s Heads of State and governments have reaffirmed that gender equality and the empowerment of all women and girls is an essential prerequisite for sustainable development—and this requires the removal of legal barriers and the undertaking of reforms to give women equal rights to economic resources and access to assets (Action 8, UN 2024).

This Brief provides an overview of the state of family law around the world, as measured by the World Bank’s *Women, Business and the Law* (WBL) project. First, it presents an overview of distinct reform efforts and progress achieved in the three areas of the law measured by WBL: Family, Labor and Nondiscrimination, and Violence against Women. It then outlines the pathways between women’s rights and women’s access to economic opportunities as discussed in literature. The focus is on three interrelated elements: (1) women’s intrahousehold bargaining power; (2) women’s control over economic and financial resources; and (3) social norms and perceptions. The Brief concludes by providing insights from five decades of reform in family law, drawing on evidence and examples from the WBL database and by highlighting regional advancements that can guide stakeholders interested in driving job creation, productivity, and economic growth.

How do family laws affect women’s access to jobs and markets today, according to *Women, Business and the Law* data?

The World Bank’s *Women, Business and the Law* project measures laws—or the absence thereof—that affect women’s economic opportunity with the goal of enhancing the evidence base on the importance of legal and policy reform. The *Women, Business and the Law* database, which spans 53 years, examines laws in 190

economies across 35 key areas that are based on internationally agreed standards (such as CEDAW and International Labour Organization (ILO) Conventions) and that have been shown to significantly correlate with women’s economic participation (Fruttero, Gomes, and Sharma 2023; Hyland, Djankov and Goldberg 2020; Roy 2019).

The *Women, Business and the Law* index shows how on the one hand, laws can explicitly hinder women’s access to economic opportunities through job restrictions, male prerogatives, or additional procedures or requirements imposed on women but not men. These legal barriers are often based on paternalistic views of women’s roles in society and can perpetuate outdated perceptions of what constitutes acceptable behavior for women. On the other hand, laws often fail to acknowledge the unique challenges that women encounter throughout their professional lives. Women face different attitudes and responsibilities than men that affect their opportunities to join the labor force or run a business. This includes the heightened risk of violence and harassment that women face, as well as the disproportionate burden of unpaid domestic work and childcare that is predominantly borne by women.

The *Women, Business and the Law* index comprises 35 binary questions, 16 of which specifically address aspects of Family Law, as stipulated in and regulated by countries’ personal status laws, civil codes, or marital acts (box 1).¹

Examples from the *Women, Business and the Law* data illustrate how family laws shape the economic opportunities of every woman within an economy. Equitable family laws can provide women with the necessary resources and autonomy to pursue employment and entrepreneurship, contributing to their countries’ economic growth and development. Conversely, if the husband is legally entitled to control spousal property or to decide about his wife’s movements, her access to networks and markets can be restricted. If the law does not allow a woman to inherit property in the same way as a man, her ability to invest in education or business is limited. As of 2024, *Women, Business and the Law* finds that Family Law restrictions persist in 105 out of 190 economies measured (map 1).

Since 1970, over 600 million women have gained access to economic opportunities through family law reforms

Since 1970, the number of economies with equal family laws has more than doubled, increasing from 37 to 85 in 2024. As a result, approximately 600 million additional women gained access to better economic opportunities through Family Law reforms that granted them greater autonomy in marriage, divorce, inheritance, and household decision-making (figure 1). As such, the share of women living in economies with equal Family Laws has seen an impressive increase over the past five decades. In 1970, only 34 percent of women lived in economies where Family Laws granted them equal rights. By 2023, this figure had risen to 46 percent, marking a 12-percentage-point increase.

This expansion of women’s rights has been fueled by key reforms in Family Law since 1970 in 48 economies. While millions of women have gained equal rights under Family Law alone, progress has not been uniform across all legal areas covered by *Women, Business and the Law* (figure 2). As the figure shows, trends have differed in the legal areas covered by these reforms (panel a). Economies have reformed Labor and Nondiscrimination laws the most, enacting 1,220 reforms overall. By contrast, reform efforts have been comparatively lower in Family Law with 533 reforms, followed by 452 reforms in Violence against Women Law. Yet, it is important to note that the 35 reform areas measured are not evenly distributed across these three categories: 16 data points fall within both the Family Law and Labor and Nondiscrimination

Box 1 Family law in focus: 16 data points in the *Women, Business and the Law 1.0* index

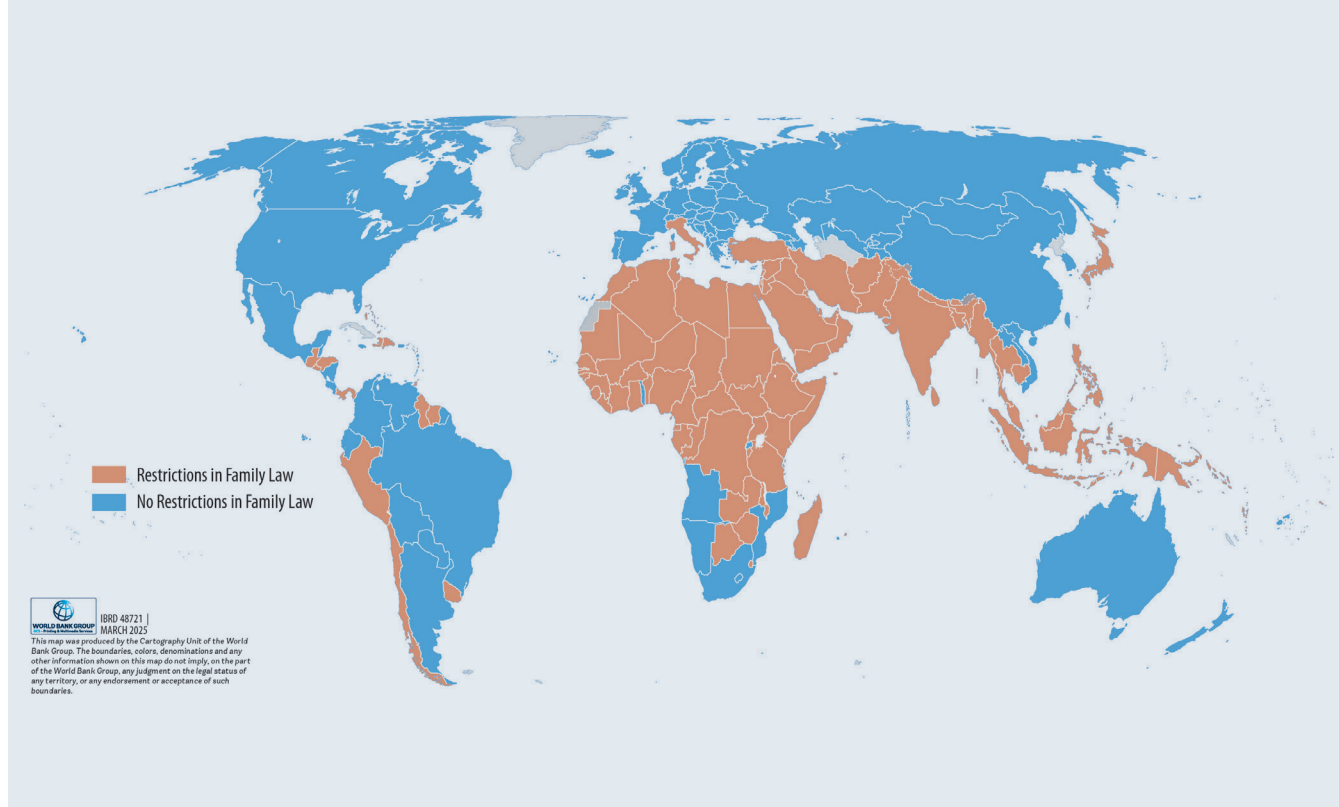
Sixteen Family Law questions in the *Women, Business and the Law 1.0* index

1. Can a woman choose where to live in the same way as a man?
2. Can a woman travel outside her home in the same way as a man?
3. Can a woman travel outside the country in the same way as a man?
4. Can a woman get a job in the same way as a man?
5. Is the law free of legal provisions that require a married woman to obey her husband?
6. Can a woman be head of household in the same way as a man?
7. Can a woman obtain a judgment of divorce in the same way as a man?
8. Does a woman have the same rights to remarry as a man?
9. Can a woman sign a contract in the same way as a man?
10. Can a woman register a business in the same way as a man?
11. Can a woman open a bank account in the same way as a man?
12. Do women and men have equal ownership rights to immovable property?
13. Do sons and daughters have equal rights to inherit assets from their parents?
14. Do male and female surviving spouses have equal rights to inherit assets?
15. Does the law grant spouses equal administrative authority over assets during marriage?
16. Does the law provide for the valuation of nonmonetary contributions?

Source: *Women, Business and the Law* database.

Note: The *Women, Business and the Law* data are currently expanding to include new areas such as child marriage (Safety indicator) and the availability of childcare (Childcare indicator). Further, moving beyond women's legal rights, the *Women, Business and the Law* database now also includes data on mechanisms to support implementation of the law (WBL 2.0 Index). This Brief draws on the existing WBL 1.0 data, which offers a panel data set spanning from 1970 to 2023 for 35 questions which allows for an assessment of the evolution of Family Law over time.

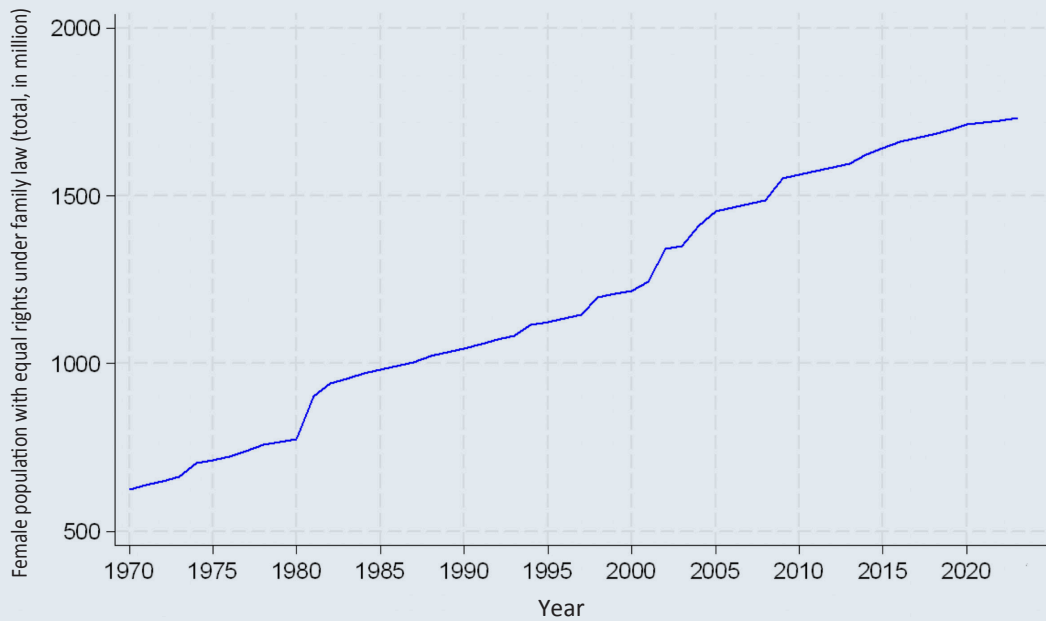
Map 1 Family Law restrictions persist in 105 economies



Source: *Women, Business and the Law* database.

Figure 1

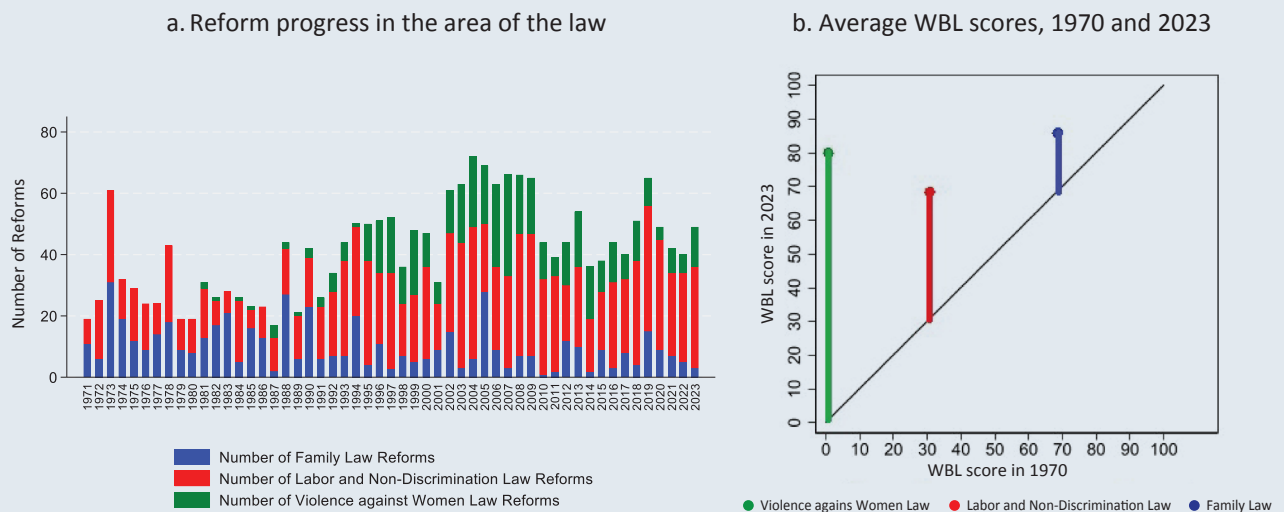
Since 1970, over 600 million women gained access to better economic opportunities following Family Law reforms



Source: *Women, Business and the Law* and World Development Indicators database.

Figure 2

Family Law reforms lag other areas, starting from a more equal baseline



Source: *Women, Business and the Law* reform database.

Note: Panel a shows the number of reforms, by year, that have removed legal gender barriers for the 190 economies in the *Women, Business and the Law* (WBL) data set. A reform is counted if, within any of the 35 areas of measurement, an answer changes from “no” to “yes” because of the adoption of a new law or the amendment of an existing law. The different colors account for the number of data points captured under the Family Law (16); Labor and Non-Discrimination Law (16); and Violence against Women Law (3) categories. Panel b shows the average scores in the area of the law as denoted by *Women, Business and the Law* in 1970, the first year in the panel, and 2023, the last year in the panel.

Law categories, while only 3 data points are in the Violence against Women Law category. In relative terms, economies reformed their violence against women laws about 4.5 times more than their family laws. Likewise, over the 53 years covered, economies carried out labor and non-discrimination reforms about 2.3 more often than family law reforms. The variation in the number of reforms across different areas of the *Women, Business and the Law* index reflects the starting disparities in scores, highlighting distinct levels of legal progress at the outset of the data set (panel b).

Provisions subsumed under Family Law, on average, scored 68.7 in 1970, suggesting that many economies already had some foundational legal provisions addressing family-related issues, even if significant gaps remained. In contrast, in 1970, labor and non-discrimination laws averaged a much lower score of 30.7, and violence-related legal protections were virtually nonexistent in 1970, with an average score of just 0.7. Eritrea and Ethiopia stand out as early exceptions, with legal provisions protecting women from sexual harassment enshrined in the 1957 Penal Code, which

applied to both economies before their separation in 1991.

Reform efforts on Labor and Nondiscrimination Law as well as on Violence against Women Law were in their infancy globally until the mid-1980s (panel a), Family Law reforms were prevalent early onward. The 1970s saw the most significant reforms in the Family Law category, likely driven by broader social movements advocating for civil rights and gender equality during that era. In contrast, the 2000s marked the peak of reforms for Labor and Nondiscrimination Law as well as reforms for the prevention of Violence against Women. Over time, the number of Family Law-related reforms has gradually decreased, primarily due to two key factors. On the one hand, over time, there were fewer gaps left to address in this area. On the other hand, the remaining disparities can be considered as particularly “sticky” and difficult to reform. This stickiness means that even small advancements in Family Law reform represent significant achievements, as they challenge entrenched norms and power structures. For instance, reforms in inheritance or marital obedience laws often require overcoming substantial sociopolitical concern. In many economies, these issues are deeply connected to religious, cultural, and societal norms, which can lead to debate and contestation when reforms are proposed. Additionally, the limited number of reforms in Family Law may stem from its perception as a “private” domain, where legal changes are approached with greater caution and sensitivity. Recent findings also suggest that reforms to laws governing a woman’s right to marry, divorce, and inherit do not typically follow changes in other legal areas. This implies that progress in these areas requires a concerted effort by the government rather than occurring as a natural extension of broader legal reforms (Boyce, Nan Jiang, and Loayza 2023). These factors highlight the need for sustained advocacy, culturally sensitive approaches, and strong political will to drive meaningful reforms in family law, which remains a critical area for advancing gender equality.

Pathways to increased economic opportunities for women under family law

Literature identifies three primary pathways through which the reform of family law may enhance women’s access to economic opportunities. First, by increasing women’s intrahousehold bargaining power, reforms can shift power dynamics within families, allowing women to have a greater say in financial and decision-making matters (Deininger, Goyal, and Nagarajan 2013;

Doss 2013; Goldstein and Udry 2008). Second, by ensuring that women have control over economic and financial resources—such as through equal property and inheritance rights—reforms improve women’s financial independence (Booyesen and Guvurio 2021; Mookerjee 2019). Third, changes in family law can lead to shifts in societal perceptions and social norms, gradually altering the traditional roles and expectations placed on women (Deininger, Goyal, and Nagarajan 2013).

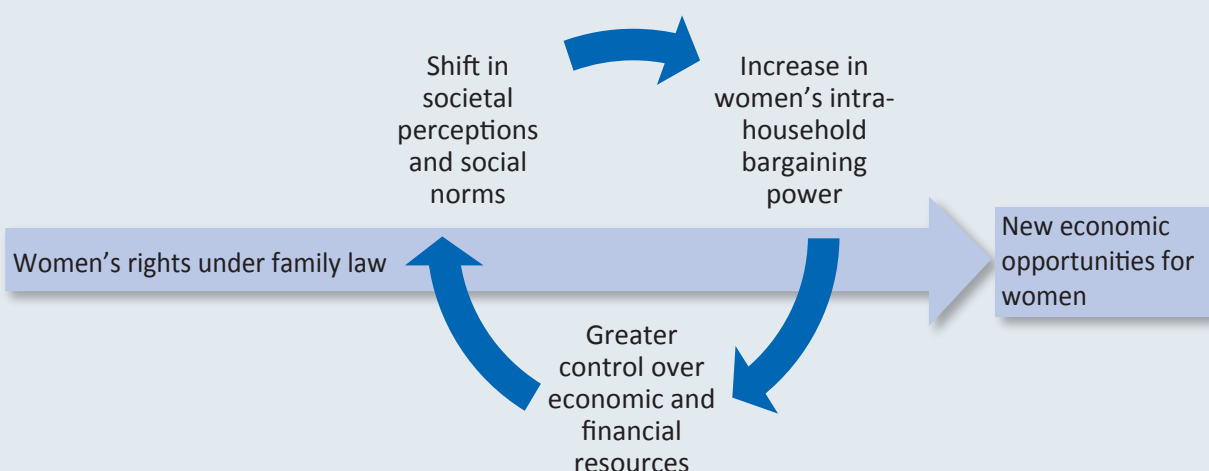
These pathways are not isolated but are deeply intertwined (figure 3). For instance, as women gain more bargaining power within the household, social norms may shift, which in turn can lead to more equitable resource allocation (Jayachandran 2021). Similarly, when women receive greater control over economic and financial resources their bargaining position becomes stronger and challenges existing social norms (Field et al. 2021). The interplay among these pathways can create a virtuous cycle that can significantly advance women’s economic empowerment (Milazzo and Goldstein 2019).

Increasing women’s bargaining position within the household

The first pathway through which family law can influence women’s economic empowerment is through an increase in intrahousehold bargaining power (Anderson and Eswaran 2009; Chiappori 1992; Deininger, Goyal, and Nagarajan 2013; Rangel 2006). Unequal power dynamics within the family can weaken women’s voice and agency within the household. Family law can thus fortify a power asymmetry between husband and wife, specifically if laws include restrictions on women’s agency, property rights, or freedom of movement. Frequently, legal constraints that place women in a subordinate or dependent position to men reinforce traditional gender roles, which diminishes women’s influence over important decisions affecting family welfare.

Legal restrictions that reduce women’s agency include instances where the law awards the sole decision-making power to the husband. For instance, currently, in 28 economies women cannot be legally designated head of the household in the same way as a man. This restriction reinforces patriarchal norms by legally recognizing men as the primary decision-makers, limiting women’s agency in critical family matters such as financial management, property decisions, or access to family or child allowances. In practice, women’s ability to influence household decisions, assert their preferences, and exercise control over resources is diminished,

Figure 3 Family law reform increases women’s economic opportunities through multiple channels



Source: *Women, Business and the Law*.

leaving them dependent on male authority figures and reducing their overall autonomy and power within the household and community (see, for example, Agarwal 1997; Becker 1974). Limiting women from becoming head of household also correlates negatively with female labor force participation (Gonzales et al. 2015). In contrast, increasing women's bargaining power has been shown to reduce fertility and child mortality (Dyson and Moore 1983) while also increasing investments in schooling, particularly for girls (Luke and Munshi 2011). When Ethiopia revised its Family Code in 2000, giving women equal rights in the management of the family and administration of marital property, the number of women working outside the home, in full-time and paid work, and with higher educational requirements, increased (Hallward-Driemeier and Gajigo 2015).

Increasing women's bargaining power moves decisions toward their preferences (Deininger et al. 2019; Harari 2019; Heath and Tan 2020). In addition to removing the husband's prerogatives, women's intrahousehold bargaining position can be strengthened by providing an exit strategy, for example by giving women equal rights to divorce. For instance, in Brazil, a change in marriage law extending alimony rights and obligations to couples living in consensual unions, resulted in more leisure for women and a reallocation of resources toward the schooling of older girls (Rangel 2006). In the United States, in states with community of property regimes, the introduction of unilateral divorce laws allowed women to negotiate more free time reducing their time spent doing housework (Gray 1998). If further established more equitable asset ownership (Voena 2015). Additionally, the introduction of no-fault divorce was found to lead to a one-third reduction of domestic violence, not just by ending violent relationships but also by reducing violence in partnerships that were not dissolved (Stevenson and Wolfers 2006). Similarly, Stevenson (2007) finds that unilateral divorce laws introduced in the US led to an increase in labor force participation for both married and unmarried women. In the Middle East and North Africa region, the introduction of Khul, Islamic unilateral divorce rights for women, has been linked to an increase in the labor force participation of women relative to men (Hassani-Nezhad and Sjögren 2014). Likewise, in Sub-Saharan Africa, stronger protections of property rights upon dissolution of marriage in civil law systems, relative to common law systems, through joint property regimes and recognition of nonmonetary contributions have been linked to increased women's intrahousehold bargaining power—which has enabled women to negotiate better health behavior with their spouses and reduced their vulnerability to HIV (Anderson 2018).

Providing women with control over economic and financial resources

A second pathway through which family law can ensure women's economic empowerment is by providing control over economic and financial resources. Allocating resources directly to women can boost their economic power and financial independence (Adam, Hoddinott, and Ligon 2011; Banerjee et al. 2015; Deininger, Goyal, and Nagarajan 2013; Doepke, Tertilt, and Voena 2012). There is considerable empirical evidence showing that improving women's legal rights to owning and managing property is associated with higher labor force participation, earnings, access to credit, health, and education (Deininger, Goyal, and Nagarajan 2013; Deininger and Goyal 2024; Emran and Shilpi 2015; Hazan, Weiss, and Zoabi 2019; Milazzo and Goldstein 2019; Panda and Agarwal 2005).

Access to property can both increase women's financial security and provide them with the necessary collateral to start businesses. In addition to financial bargaining power, it gives women resources for investments in their own human capital and that of their

daughters. Changes to legal frameworks and institutions have been shown to be a precondition for the expansion of women's actual ownership, use, and control of assets (O'Sullivan 2017). Laws related to women's rights to inheritance, immovable property, and marital regimes are a predictor of women's likelihood to own housing in both urban and rural areas (Gaddis, Lahoti, and Swaminathan 2020). For example, studies on the reform of India's Hindu Succession Act of 1956 across states over a period of 30 years reveal that women whose father passed away after the State Amendments took effect were more likely to inherit land, complete primary education, and own a bank account compared to women whose father died before the reform; notably, the reform also had significant second-generation effects, including increased investments in girls' education (Deininger et al. 2019; Deininger, Goyal, and Nagarajan 2013). In Kenya, the reform of the 1981 Law of Succession, which granted equal inheritance rights to men and women regardless of religious affiliation, has been linked to positive outcomes for women, including higher education levels, reduced likelihood of undergoing female genital mutilation, increased access to prenatal care, and a greater tendency to delay marriage and childbearing (Harari 2019). Attention needs to be paid to the implementation of legal reforms and accompanying interventions targeting social norms so that laws can achieve their desired effect and limit unintended consequences—such as circumvention of the law preventing women from accessing the new rights or a rise in family and marital conflicts (Braunmiller et al. 2023; O'Sullivan 2017).

Creating a path to change social norms and perceptions

The interaction between social norms and family law is a powerful driver in shaping societal behavior, particularly regarding gender equality and women's rights (Iregui-Bohórquez et al. 2023; Milazzo and Goldstein 2019). Laws are not only rules that govern behavior but also instruments that signal social expectations and values. Aldashev et al. (2012) argue that legal reforms can influence social norms by shaping the economic environment in which people operate, while Lane, Nosenzo, and Sonderegger (2023) further demonstrate that laws can directly shape behavior, with individuals adjusting their perceptions of acceptable behavior based on legal standards. Unequal family laws can reinforce societal expectations about women's limited roles in both the family and the economy. This may be specifically the case in countries where traditional norms prevail in guiding people's behavior (Milazzo and Goldstein 2019).

Conversely, reforms that promote women's rights in these areas can begin to alter how society perceives the roles of men and women, gradually fostering greater gender equality. This relationship between legal norms and social attitudes highlights the role of family law as both a product of existing social norms and a catalyst for changing them. Legal norms have a "signaling effect" on social behavior, meaning that changes in the law can create shifts in societal attitudes and moral frameworks. Misperceptions about social norms can also shape gender-related outcomes. In a recent study on Saudi Arabia, Bursztyn, González, and Yanagizawa-Drott (2020) investigate how individuals' perceptions of social norms affect women's labor force participation. They show that men systematically underestimated the extent to which other men in their community supported women's work. Correcting these misperceptions through informational interventions led to significant changes in household decisions, with more men permitting their wives to seek employment. Likewise, when the law assigns a new social meaning to certain behaviors, it influences what people find socially acceptable or morally appropriate. Yet, social norms, although usually persistent, can change when new public information arrives, making it easier for people to openly share

opinions that were previously kept private. As more individuals express these views, society’s overall attitudes and behaviors begin to change (Bursztyn, González, and Yanagizawa-Drott 2020).

In this context, reforming family law can have profound long-term effects beyond immediate economic gains, influencing individual behavior, as people adapt to what is legally and morally acceptable. When laws challenge entrenched social norms that disadvantage women, they act as tools for cultural transformation.

1.7 billion women enjoy improved access to economic opportunities under Family Law: Insights from five decades of reform

The *Women, Business and the Law* data set underscores the crucial role of family law reform in increasing women’s economic participation, illustrating that restrictions in family law have historically limited women’s decision-making power, economic agency, and independence across the globe (figure 4). The following section showcases some concrete examples of the progress that has been achieved since 1970 leading to about 1.7 billion women enjoying improved access to economic opportunities under Family Law in 2024.

Around the world, family law has historically restricted women’s decision-making powers

Many economies continue to maintain legal provisions that severely restrict women’s economic agency. For example, today, in 19 economies, the law gives a husband the legal right to prevent his wife from working—either by requiring his permission (as in Cameroon, Chad, Guinea-Bissau, and the Islamic Republic of Iran); by stipulating that a wife loses her right to maintenance if she works against her husband’s wishes (as in Bahrain, Jordan, Qatar, Sudan, and Syrian Arab Republic); or by placing general obligations on married women’s work, such as that it must be in line with the family’s interest (as in Comoros) or cultural and

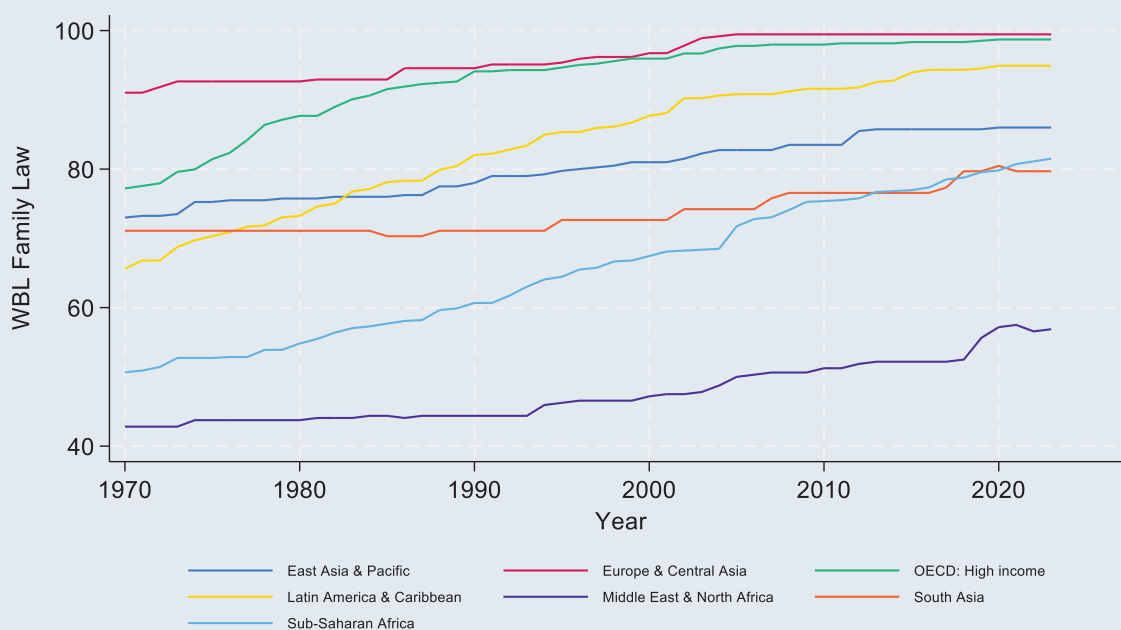
religious traditions (as in Mauritania). Yet, significant progress has been achieved over the past five decades.

Figure 4 illustrates the progression of family law reforms across regions over time. It shows clear regional differences, with high-income economies that are members of the Organisation for Economic Co-operation and Development (OECD), along with economies in Europe and Central Asia, leading in equal family law provisions for women, consistently nearing the top potential score of 100 in the index. Meanwhile, the regions of Sub-Saharan Africa, South Asia, and the Middle East and North Africa exhibit much lower starting points. Improvements have been greatest in regions like Sub-Saharan Africa, which, although starting from a lower baseline, shows a gradual but steady increase in reforms since the late 1980s. In contrast, South Asia and the Middle East and North Africa have shown relatively slower progress, with significant gaps persisting as of 2020.

It is important to note that historically, restrictions existed across all regions. For instance, in 1970 (the first year of *Women, Business and the Law* historical data), a married woman’s decision to work was constrained in 67 economies, including Belgium, Brazil, Germany, Mexico, Portugal, and Spain. In Switzerland, a woman needed the “express or tacit consent” of her husband to work until 1984 (reform of Art. 167 of the Civil Code by Federal Law of October 16, 1984). Similarly, in 1970, laws in 41 economies established that a woman must obey her husband. For instance, a wife owed obedience to her husband under the Spanish civil code until 1975. Today, 18 economies still include an obedience clause in their laws, manifesting unequal household dynamics and holding women back from pursuing economic opportunities.

The most extensive ramification on women’s economic decision-making regulated under family law is the negation of their legal capacity. In civil law countries, the Roman law concept of marital power, which placed a married woman under the tutorship of her husband and relegated her to a state of a legal minor, was written into the early versions of the civil codes of Belgium, France,

Figure 4 Progress in Family Law reform has varied considerably by region



Source: *Women, Business and the Law* reform database.

Note: The figure shows the WBL score for Family Law (that is, the WBL average score of the 16 data points captured under Family Law) by region over time. OECD = Organisation for Economic Co-operation and Development; WBL = Women, Business and the Law.

Italy, the Netherlands, Portugal, and Spain. Similarly, the common law concept of coverture prevented a married woman in the United Kingdom from owning property in her own name. The colonial powers' attempts to codify the laws in their conquered territories are the reason marital power provisions found their ways into the codes of countries across East Asia and the Pacific, the Middle East and North Africa, Latin America and the Caribbean, and Sub-Saharan Africa (see also Hallward-Driemeyer and Hasan 2012). The *Women, Business and the Law* historical database shows that in 1970, the laws of 30 countries around the world required a woman to get her husband's permission to sign a legally binding contract, from Angola to Argentina, from Bolivia to Botswana, and from South Africa to Spain. Today, this remains the case only in Equatorial Guinea and Eswatini. So, what has changed?

Transforming colonial legacies: Good practice examples can guide regional reform initiatives

Colonial European law introduced numerous restrictions on women's rights that persist in many legal systems today. The French Code Napoléon of 1804, one of the first written civil codes of the modern era, heavily influenced legal systems in Europe and beyond. It contained numerous restrictions on women's economic opportunity—some of which continue to shape legal norms and restrict women's rights even today. The discussion that follows delves into specific country examples and trends across regions extracted from the *Women, Business and the Law* database to highlight diverse approaches and common elements in implementing gender-focused family law reforms.

Family law reforms across Europe

Family law in **France** was reformed step by step, reflecting changes in social and economic realities following World War II, feminist movements, and the incorporation of comparative law and international human rights frameworks into domestic law (Audit 1977; Hazel 1974). This long journey toward women's equal rights began with Law No. 8 of February 18, 1938, which gave women legal capacity, thus allowing them to independently sign a contract and register a business. The reform also removed the general obedience clause; however, it allowed a husband to object to his wife's profession in the interest of the family. As the head of the family, he also chose the family home, and the wife was obliged to live with him. Subsequently, Law of July 13, 1965, accorded married women an equal right to work and lifted restrictions on opening a bank account (previously, only women married under separation of property regimes had this right). Further, Law No. 70-459 of June 4, 1970, allowed both parents to manage the family together. Law No. 75-617 of 1975 equalized a woman's right to choose where to live, but until the enactment of Law No. 85-1372 in 1985, the husband had the right to administer the communal marital property.

The **Belgian** Civil Code was heavily influenced by the Code Napoléon (adopted before the country's independence in 1830). While a first partial reform occurred in 1958, restrictions on women's legal capacity, mobility, work, and property when married under the default community of property regime were only fully removed with the Law of July 14, 1976.

Similarly, in **Germany**, major reforms occurred incrementally. The original version of the German civil code of 1896 gave the husband full decision-making powers to decide about marital matters, including the wife's residence, property, and socio-economic activities. In 1957, the Law on Equal Rights for Men and Women eliminated the husband's right to make all significant family decisions but maintained that a wife's work had to be consistent with her marital and family obligations—which

was only equalized with the First Marriage and Family Law Amendment Act of 1976.

In **Italy**, the need for the husband's authorization for the wife to legally act was abolished with the Law of July 17, 1919, and the concept was not reflected in the Italian civil code adopted in 1942, which declared the husband the head of the family. A comprehensive reform of Italian family law took place with Law No. 151 of May 19, 1975, removing the concept of head of household altogether and establishing equal rights and duties for both spouses, including a woman's right to choose where to live and travel outside the home.

In **Spain**, legal reform occurred after the end of the Franco dictatorship in 1975, as part of broader changes following Spain's transition to democracy, which aimed to establish gender equality in all aspects of life (Pestaña Ruiz 2015). The Law of May 2, 1975, removed provisions from the 1889 Civil Code that had declared married women to be legal minors and nullified legal acts undertaken by the wife without the husband's consent. The reformed civil code no longer obliges a woman to obey her husband and consequently also allows her to sign a contract, register a business, open a bank account, and choose a job in the same way as a man. Four years later, the Law of July 7, 1981, removed the last male prerogative, the parental power (which was by default with the father, who determined the location of the marital home and administered marital goods), instead stipulating that both spouses are equal in rights and duties, including property administration.

While these countries were reforming family laws, formerly colonized nations were entering the first years of independence. They inherited restrictions on women's rights in their codes that were dictated by the colonial powers. Reform did not occur until much later—often in an attempt to harmonize codified and customary law.

Family law reforms across Sub-Saharan Africa

South Africa abolished the husband's marital power over a wife's property—which was derived from Roman-Dutch law—for all women only in 1993. After decades of struggles for gender and racial equality, The General Law Fourth Amendment gave women equal legal status in managing property and financial affairs irrespective of their race (Arekapudi and Mazoni Martins 2022). **Namibia** followed with the Married Persons Equality Act in 1997. **Botswana** approved the Abolition of Marital Power Act in 2005; and **Lesotho** enacted the Legal Capacity of Married Persons Act in 2005.

In Francophone countries, **Côte d'Ivoire's** Equality of Men and Women in Marriage Law of 2013 allowed men and women to be head of family, and enabled women to choose where to live, and to get a job without their husband's permission. More recently in 2019, the country removed remaining restrictions on married women's access to and administration of property. The **Democratic Republic of Congo** made sweeping changes to its Family Law in 2014, opening up new economic opportunities for women by removing the need for marital authorization. But unlike other countries in the region (such as Benin, Burkina Faso, Côte d'Ivoire, Gabon, Guinea, Rwanda, and Togo), the Democratic Republic of Congo maintained provisions designating the husband as the head of household who decides on matters pertaining to marital property, to avoid jeopardizing other hard-fought gains on women's legal equality (Braunmiller and Dry 2022).

Family law reforms across Latin America and the Caribbean

The Civil Code of **Chile** played an influential role on the legal systems of other countries in the region, including Colombia,

Ecuador, Honduras, Nicaragua, and Venezuela. It was enacted in 1855, inspired by the Code Napoléon and adapted to local context, solidifying restrictions on women's rights to contract and within marriage (Gómez Urrutia 2014). While several countries in the region began reforms in the 1970s (for example, **Ecuador** gave women legal capacity in 1970, **Bolivia** in 1972, the **Dominican Republic** in 1978), Chile abolished marital power provisions only in 1989. Due to lingering patriarchal norms, as of this writing, a married woman still cannot legally be recognized as head of household in Chile.

While the United Kingdom had changed the common law doctrine of coverture and established women's independent legal capacity and right to own property with The Married Women's Property Act in 1882—years before independence of former colonies—many former British colonies, including in the Caribbean, “inherited” a legal restriction on a woman's right to choose their domicile. The Privy Council—the highest court of appeal for the colonies—had adopted the rule that the domicile of a married woman automatically was that of her husband in order to maintain the unity of the domicile of the married pair (*Le Mesurier v Le Mesurier* (1895) AC 517; *Alberta v Cook* (1926) AC 444). This binding precedent had to be observed even though Lord Denning noted in 1963 “the relic which remains is the rule that a wife takes her husband's domicile; it is the last barbarous relic of a wife's servitude” (*Gray v Formosa* [1963] P. 259). While the United Kingdom overturned this principle with the enactment of The Domicile and Matrimonial Proceedings Act of July 25, 1973, it took several years until, for example, **Barbados** enacted the Domicile Reform Act in 1980, **Guyana** introduced the Domicile Reform Act in 1988, and **Jamaica** equalized women's domicile rights with The Matrimonial Causes Act of 1989.

Family law reforms across the Middle East and North Africa

Countries in the Middle East and North Africa traditionally did not restrict women's rights to sign binding contracts and have property in their own name. Islamic law—as nowadays codified in Personal Status Laws across the region—establishes separation of property as the default marital regime and clearly states that women have the right to own and administer their property. However, limitations on daughters' equal rights to inherit assets from their parents remain in place in 19 out of 20 economies in the Middle East and North Africa (Malta being the only exception). Similarly, except for Malta and Tunisia, all other countries in the region restrict women's divorce rights—severely affecting women's agency and financial security within marriage and at its dissolution. In the majority of family laws in the region, the husband continues to bear responsibility to provide for and protect the family, and in return, the wife is required to obey him (Musawah and Sisters for Change 2019). Legal obedience provisions, which require women to obey their husband or male guardian, have far-reaching economic consequences that can undermine gender equality (Adnane 2021; Human Rights Watch 2023). These provisions often restrict women's autonomy in making decisions related to education, employment, and entrepreneurship, effectively barring them from fully participating in the workforce and contributing to economic development. Recently, reforms have been removing marital obedience and head of household clauses, gradually equalizing power dynamics within the household. For example, **Morocco** enacted a Family Code in February 2004, establishing that both husband and wife are responsible for the direction of the family. **Algeria** amended its 1984 Family Code in 2005, repealing provisions that required a wife to obey her husband in his capacity of head of household. More recently, in 2019, the **Syrian Arab Republic** enacted Law No. 20 of 2019 amending the Personal Status Law No. 59 of 1953, removing the requirement for a

married woman to obey her husband. **Bahrain** and **Saudi Arabia** allowed women to be head of household in 2017 and 2019, respectively, while **Tunisia** continues to uphold this disparity in its personal status law.

Family law reforms across East Asia and the Pacific and South Asia

Across Asia, former colonies aligned women's rights under family law with prevailing customs and social norms when codifying their first family laws following independence. For example, in **Indonesia**, the Civil Code of 1847, enacted during the Dutch colonial period and heavily influenced by the Napoleonic Code, contained restrictions on women's legal capacity and property rights; subsequently, Indonesia's Law No. 1 of 1974 on Marriage equalized these while stipulating restrictions on women's rights to be head of household, divorce, remarry, and inherit. Legal uncertainty prevailed in colonial **Timor-Leste** between customary rules and Portuguese and Indonesian civil law until the country enacted its first Civil Code on September 14, 2011 (Niner and Loney 2020). This reform represents a significant step forward in providing women with access to economic opportunity, explicitly stating that spouses have equal rights and duties, can work without permission, jointly direct the family, and manage their own property.

Other countries in these regions were never colonized. **Nepal**, for instance, codified its family law with the goal to consolidate various customary and religious rules into the first comprehensive civil code, known as the Muluki Ain, in 1854. Women's rights were gradually reformed over the years. When the National Civil (Code) Act replaced the Muluki Ain in 2017, it reformed almost all disparities by introducing equal inheritance rights for sons and daughters and male and female surviving spouses and allowing women to obtain a divorce in the same way as men. The new code reflects changes in social norms regarding gender equality while taking into account the ethnic, religious, and cultural diversity of Nepalese society (National Judicial Academy of Nepal 2024).

Challenges remain across these regions due to the multi-ethnic and multi-religious societies, which are often governed by dual legal systems. The *Women, Business and the Law* database does not always reflect these granularities. For example, while the Hindu Succession (Amendment) Act of 2005 has largely equalized inheritance rights for sons and daughters and male and female surviving spouses in India, it only applies to members of the Hindu community—the country's most populous religious community. Other communities in **India** continue to apply their own personal laws, often perpetuating gender discriminatory or patriarchal rules (Braunmiller et al. 2023).

Similarly, in **Sri Lanka**, while women belonging to the majority Christian group enjoy mostly equal rights in marriage, Muslim women are currently excluded from marrying under the General Marriage Registration Ordinance and do not enjoy the same rights to inherit assets, marry, and obtain a divorce under the Muslim Marriage and Divorce Act (Musawah and Sisters for Change 2019).

Conclusion

Family law reform stands at the intersection of personal and societal transformation, acting as both a reflection and driver of change in social norms, gender relations, and economic opportunities for women. As the data from *Women, Business and the Law* demonstrate, family law plays a critical role in either constraining or empowering women, influencing their economic participation and overall status in society. Legal reforms that strengthen women's intra-household bargaining power, provide equitable access to economic and financial resources, and challenge entrenched social norms can yield profound long-term benefits, not

only for women but for labor force participation, poverty reduction, and overall societal stability. Yet, as seen from the global variations in family law reforms, the journey toward equality is ongoing and complex, shaped by cultural, historical, and regional factors. Despite the inherent challenges in reforming family law due to its deep ties with cultural, religious, and societal norms, it is crucial not to overlook or postpone these reforms because they are fundamental to dismantling systemic barriers and fostering economic growth. While legal reform is a significant first step, the enforcement and implementation of gender equality laws often remain a challenge. This is why the *Women, Business and the Law 2.0* index, introduced in 2024, provides new measurements to assess the implementation of laws through supportive frameworks, such as national policies and plans, programs, services, sex-disaggregated data, and institutions. The new index also incorporates expert perceptions to gauge the level of enforcement of laws in practice.

Notes

¹ The additional 19 questions are derived from labor and nondiscrimination law and violence against women legislation: (1) Can a woman apply for a passport in the same way as a man? (2) Does the law prohibit discrimination in access to credit based on gender? (3) Does the law prohibit discrimination in employment based on gender? (4) Does the law mandate equal remuneration for work of equal value? (5) Can a woman work at night in the same way as a man? (6) Can a woman work in a job deemed dangerous in the same way as a man? (7) Can a woman work in an industrial job in the same way as a man? (8) Is paid leave of at least 14 weeks available to mothers? (9) Does the government administer 100 percent of maternity leave benefits? (10) Is there paid leave available to fathers? (11) Is there paid parental leave? (12) Is dismissal of pregnant workers prohibited? (13) Is the age at which women and men can retire with full pension benefits the same? (14) Is the age at which women and men can retire with partial pension benefits the same? (15) Is the mandatory retirement age for women and men the same? (16) Are periods of absence due to childcare accounted for in pension benefits? (17) Is there legislation specifically addressing domestic violence? (18) Is there legislation on sexual harassment in employment? (19) Are there criminal penalties or civil remedies for sexual harassment in employment?

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