

**CHAPTER 2**

# Data Trends from Five Decades of Reform

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## Introduction

It is widely acknowledged that women's rights have expanded in recent decades. However, data verifying this improvement and exploring the path toward legal gender equality are generally limited by geography or time. The case of Belgium offers an interesting example. Belgium was the first economy to score 100 in the *Women, Business and the Law* index by passing an amendment to its law eliminating restrictions on women's employment in mining, which came into effect on May 10, 2010. Yet among the economies that today score 100, Belgium had one of the lowest scores in 1970. The *Women, Business and the Law* panel data set reveals Belgium's remarkable path to reach legal gender equality: reform stalled for a period of about 20 years, gained momentum at the end of the 1990s, and then progressed steadily for more than 10 years. The enactment of Law No. 3 of 1995 containing measures to promote women's employment and entrepreneurship, further amendments to the labor code in 1997, a royal decree introducing parental leave in 1999, and the adoption of measures to protect women from violence in 2003 all led to significant progress for gender equality, culminating with the adoption of a comprehensive Gender Act in 2007.

The legal implications of the women's rights movements of the 1960s and 1970s in the United States are well documented (for example, see Hazan, Weiss, and Zoabi 2021; Tertilt et al. 2022). However, there is minimal understanding of how, over time, laws have constrained women from obtaining equal rights and opportunities at the global level. The *Women, Business and the Law 2023* panel data thus fill an important gap in the available gender data. This chapter presents panel data for 190 economies for 53 years (1970–2022) and for 35 questions scored across the eight indicators in the *Women, Business and the Law* index. They are the first publicly available, comprehensive data that record women's legal rights across time and space for a large

number of economies.<sup>1</sup> While the data set has been publicly available on the *Women, Business and the Law* website and has already been used by some researchers (see, for example, box 2.1), this report is the first to analyze the panel data comprehensively and to describe data trends from five decades of reform.

To construct the panel data set, *Women, Business and the Law* undertook meticulous data collection efforts to extend the data points back to 1970. This thorough historical analysis, which looked backward to seek and record each change in the law with regard to the 35 questions scored, reveals the course of moving toward legal gender equality from 1970 to 2022. Sources of historical laws included national libraries and archives, online repositories of laws across the world, and physical legal documents at the United States Library of Congress. This historical exercise also considered how the ability and freedom of economies to enact their own laws have changed over time. For example, economies that gained independence over the course of the historical panel were assigned the score of the economy of which they were part before their independence. For federal unions such as the former Yugoslavia and Soviet Union, unless there was a law at the national level of the constituent republics before independence (and there are several instances in which this was the case), the federal law was applied. For example, some economies of the former Soviet Union introduced their own labor codes, including Azerbaijan in 1971, Belarus in 1972, and Moldova in 1973. In these instances, the national labor codes are considered. A similar rationale was applied to formerly colonized economies, where national laws that generally applied during colonization were used as the legal basis. For the occasional instances in which missed historical reforms were brought to light, *Women, Business and the Law* revised the panel data to reflect the new information.

Now updated, the *Women, Business and the Law* panel data aim to empower rights holders, women's rights advocates, policy makers, and researchers alike to understand the geographic and temporal dimensions of the legal rights and barriers that women face.<sup>2</sup> Because the data set is broad in coverage, it facilitates analysis of when and where economies began removing legal gender barriers or advancing women's rights. More important, the data set enables users to track economies' progress (or regress) over time and outlines clearly where restrictions on women's rights and autonomy remain entrenched. For example, the panel data reveal that today women have just over three-quarters of the legal rights of men—in 1970, they had less than half. Although tangible progress has been made over the last decades, there is still a long way to go to reach gender parity in the law. In key areas of legal rights, women have been, and still are, worse off than men in the majority of economies around the world.

Users of the *Women, Business and the Law* panel data can draw lessons from the past to guide future decisions and identify priority areas for reform. Analysis of progress over time will also reveal important insights for overcoming bottlenecks in legal change, unlocking reform potential, and allowing researchers to improve their understanding of the conditions necessary for countries to reform. Such research can shed light on why certain rights were introduced at a given point in time and why women are still lacking rights in other areas.

Although removing barriers to gender equality in the law does not necessarily translate into proper implementation, especially in economies where social norms may disadvantage women or where state capacity to enforce the laws is limited, panel data like those presented by *Women, Business and the Law* are a crucial first step

toward identifying key challenges and opportunities to accelerate progress. Laws codify and legitimize the status of women and girls within society, and they generally reflect societal attitudes toward women. As such, not only does the removal of legal barriers enhance women’s rights per se, but also reforming gender-unequal laws has an important signaling and symbolic function as well as consequences for the economy and society at-large. A small group of reformers may spearhead legal change, which can trigger important societal debate and spark larger reform efforts, particularly if formerly taboo areas such as reproductive rights are touched (Macaulay 2002). Because legal barriers compound gender inequalities, understanding what works to remove them is pivotal for women seeking equal footing with men.

## What are the benefits of legal gender reform?

Despite much progress, women today have only slightly over three-quarters of the economic rights of men as measured by *Women, Business and the Law*. Hence, many economies continue to uphold laws that restrict women’s ability to hold property, become entrepreneurs, or make autonomous decisions in the public or private sphere. Working to close that gap is a key priority, as women’s rights are beneficial not only for women themselves but also for societies at large. Overcoming persistent inequality is associated with better socioeconomic outcomes for women in a variety of areas such as human development, employment, and health (for a summary, see Roy 2019 and box 2.1).

Substantial research suggests many channels through which the benefits of legal equality extend beyond women themselves and spread to the broader economy. Removing legal constraints for women has been shown to be associated with various metrics of women’s economic empowerment and socioeconomic development, including better labor market outcomes (Gonzales et al. 2015; Hyland, Djankov, and Goldberg 2020; Hyland and Islam 2021), better access to finance (Demirgüç-Kunt, Klapper, and

### BOX 2.1 RECENT EVIDENCE LINKING WOMEN, BUSINESS AND THE LAW DATA TO BENEFICIAL SOCIOECONOMIC OUTCOMES

Since publication of the *Women, Business and the Law* panel data, researchers have increasingly used the data set to highlight the link between legal equality and women’s economic outcomes. Some very recent additions to the literature include Sever (2022a), which finds that increasing legal gender equality boosts women’s participation in the workforce and does not result in fewer men working. Lo Bue et al. (2022) highlight the overrepresentation of women among vulnerable workers and the correlation between legal discrimination against women and this particular gender gap.

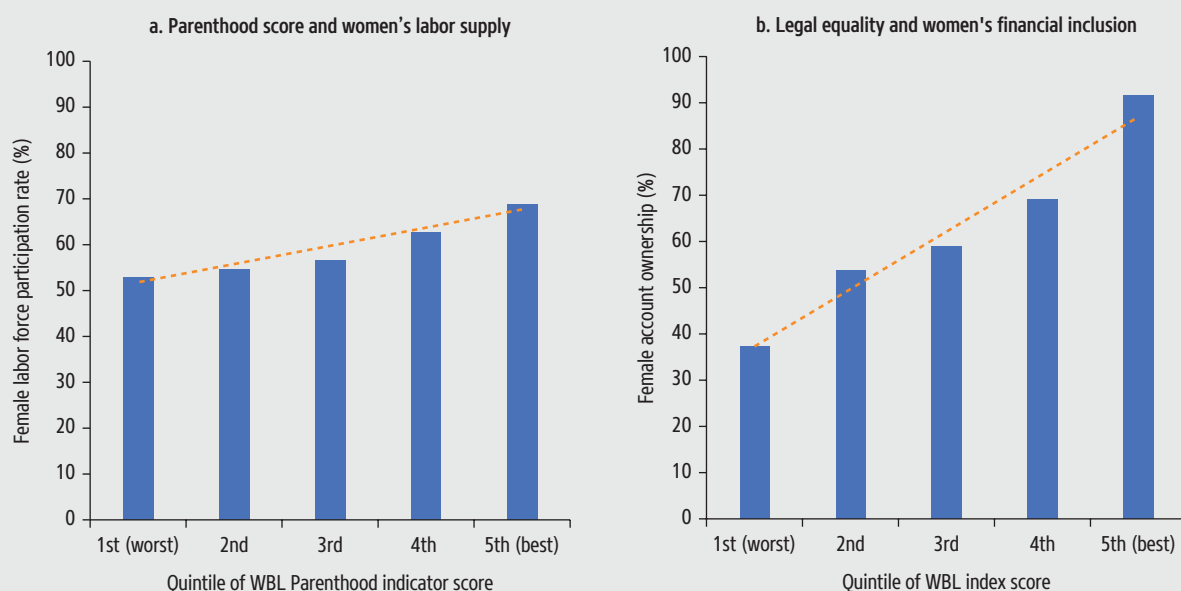
Evidence is also growing that family leave policies, which are captured under the Parenthood indicator (figure B2.1.1, panel a), are correlated with women’s empowerment. For example, Amin and Islam (2022) find a significant positive association between the legislated number of maternity leave days and female employment at the firm level. Furthermore, using evidence from *Women, Business and the Law*, Hyland and Shen (2022) show that closing the gap between the number of leave days allocated to mothers and to fathers is associated with a higher female labor force participation rate. Despite the growing evidence, assertions of causality are difficult to make given the potential for the female labor supply to influence government policies on parental leave. Furthermore, other factors, such as those related to the labor market and economic conditions more broadly, may affect both labor supply and leave policies, which the control variables do not perfectly capture.

(Box continues next page)

## BOX 2.1 RECENT EVIDENCE LINKING *WOMEN, BUSINESS AND THE LAW* DATA TO BENEFICIAL SOCIOECONOMIC OUTCOMES (continued)

### FIGURE B2.1.1 | MORE GENDER-EQUAL LAWS HAVE TANGIBLE BENEFITS FOR WOMEN

*New evidence linking Women, Business and the Law data with women's economic outcomes*



Sources: *Women, Business and the Law* database. For panel a, World Bank, World Development Indicators database, <https://databank.worldbank.org/source/world-development-indicators>. For panel b, World Bank, Global Financial Inclusion (FinIndex), <https://www.worldbank.org/en/publication/globalfinindex>.

Note: Panel a presents the correlation between the average *Women, Business and the Law* score within each quintile for the Parenthood indicator and the average female labor force participation rate for women ages 15–64 based on global data for 2019, according to modeled estimates from the International Labour Organization. Panel b presents the correlation between the average *Women, Business and the Law* score within each quintile and the average percentage of respondents who report having an account at a bank or another type of financial institution (including a mobile money account), using global data for 2021. Although both panels present a simple correlation, the relationship remains positive and statistically significant after controlling for income (measured as gross domestic product per capita provided in the World Bank's World Development Indicators database) and economy-level and time fixed effects.

Recent research also emphasizes the role of gender equality in boosting financial inclusion (Bertrand and Perrin 2022; Perrin and Hyland 2023). For example, Bertrand and Perrin (2022) find that legislation protecting women from discrimination in accessing credit is associated with a greater likelihood that a female entrepreneur will ask for credit when she needs it. However, the research finds no link between legal protections and the success rate of loan applications, highlighting the limitations of legal protections and the need for supporting policies to ensure implementation in practice. Perrin and Hyland (2023) find a positive association between legal gender equality and women's financial inclusion, which is summarized in figure B2.1.1, panel b. Claims to causality are also difficult to make in this instance, as women's financial inclusion may be influenced by developments in the macroeconomy and employment conditions, as well as by norms and values, which may be imperfectly captured by the control variables available.

Evidence that gender equality is important not just for women's economic empowerment but also for macroeconomic development is building as well. Sever (2022b) demonstrates how discriminatory laws constrain progress toward bridging cross-country differences in income, yielding tangible economic losses. Hence, removing legal barriers for women can help poorer economies to catch up with the living standards in richer economies (Sever 2022b). Similarly, other research has shown that legal inequalities prevent women from reaching their full economic potential, hampering economies' growth prospects (Christopherson et al. 2022). While such studies highlight the benefits of economic rights for economic development, the causality likely runs in both directions. Indeed, Tertilt et al. (2022) show that economic development is an important predictor of women's rights.

Singer 2013; Perrin and Hyland 2023), greater land and property ownership (Agarwal 2003; Deininger et al. 2021; Hallward-Driemeier, Hasan, and Rusu 2013), and better health outcomes (Anderson 2018; Harari 2019).

Specifically, removing barriers to women’s ability to act autonomously and to work without legal limitations can help them to access better jobs and lead to higher workforce participation overall (Amin and Islam 2015; Htun, Jensenius, and Nelson-Nuñez 2019). Freedom from gender discriminatory laws can also help women to become entrepreneurs and access finance (Islam, Muzi, and Amin 2019). Furthermore, overcoming legal gender barriers can have positive implications for women’s educational attainment (Branisa, Klasen, and Ziegler 2013; Deininger, Goyal, and Nagarajan 2013) and could potentially even lead to more investment in human capital (Deininger et al. 2019).

This growing body of evidence highlights the need to continue working to level the legal playing field between women and men. While gender equality matters as a development objective in its own right, it also serves as a means to ensure sustainable, long-run growth.

## What motivates legal gender reform?

Although the knowledge base on gender-equal laws and their association with socioeconomic outcomes is steadily growing, there is limited systematic evidence explaining why economies decide to remove legal barriers for women in the first place. Insights into the motivations to eliminate discrimination are largely drawn from country-specific examples (see Braunmiller and Dry 2022; Geddes and Lueck 2002; Githae et al. 2022). Comparative evidence across economies is growing slowly. Data limitations may be one reason for limited comparative research on the drivers of legal gender reform. The *Women, Business and the Law* panel data can help to overcome this limitation.

Removing structural barriers that constrain women’s participation in all spheres of public life requires an enabling environment and political will. A common driver for the expansion of women’s rights is a country’s political system. Democratic states are more often associated with an accelerated women’s rights movement; they can facilitate reform and the expansion of women’s rights, such as the right to vote (Lizzeri and Persico 2004). The extent to which various groups participate in the decision-making institutions of a democratic economy also matters. The absence of women from political life, for example, could lead to bias. In fact, greater female representation in a legislature seems to be an enabler for economies to pass more gender-sensitive laws, particularly in areas such as sexual harassment, rape, divorce, and domestic violence (Asiedu et al. 2018). Similarly, female leaders can have a significant effect on societies. They seem to do a better job of representing the needs of women (for an overview, see Duflo 2012). Indeed, research shows that female leadership is associated with enhanced gender equality in the legal system, an association that is stronger when women hold office for a longer period (Jung 2022). Also, a civil society that is actively challenging societal order or mobilizing societal action could create the momentum needed for governments to take action on discriminatory laws (Weldon 2002).

A look at the sequence in which economies have granted women rights offers insights into the factors underlying the decisions to expand those rights. For example, Doepke, Tertilt, and Voena (2012) find that different countries have followed distinct

paths. Women in the United Kingdom and United States first gained basic economic rights, followed by political rights. Equal treatment in the labor market and greater control over their own bodies ultimately followed. By contrast, women in many African economies gained formal political rights as part of the end of colonialism and only later obtained economic rights (Doepke, Tertilt, and Voena 2012).

Education and higher human capital are also important enablers for increased gender equality in the law. Greater recognition of the importance of education can alter men's (and women's) preferences regarding women's rights. According to Doepke and Tertilt (2009), the expansion of married women's economic rights in the United Kingdom and United States throughout the nineteenth century can be attributed to technological change that increased the importance of human capital in the economy. Eastin and Prakash (2013) and Tertilt et al. (2022) also highlight the importance of economic development as a predictor of legal equality. Still, most of what is currently known about reform efforts stems from a limited set of economies (box 2.2).

### **BOX 2.2 DRIVERS, BARRIERS, AND MECHANISMS OF REFORMS: LESSONS FROM CASE STUDIES**

Understanding the process underlying the enactment of legislative reforms to advance the rights of women is useful for economies interested in closing the legal gender gap. To this end, in 2022 *Women, Business and the Law* published seven case studies examining successful legal reforms aimed at gender equality in the Democratic Republic of Congo (Braunmiller and Dry 2022), Ethiopia (Alemayehu et al., forthcoming), India (Braunmiller et al., forthcoming), Kenya (Githae et al. 2022), São Tomé and Príncipe (Mazoni and Corminales 2022), South Africa (Arekapudi and Mazoni 2022), and Togo (Affoum and Dry 2022). And the World Bank's Global Business Regulation published a case study on reforms toward gender equality recently implemented in the United Arab Emirates (World Bank 2022). These case studies provide lessons on how to pursue gender equality reforms.

The activism of women's groups, for example, has often proved instrumental in the reform process. Gender champions across local civil society groups and sustained political will and momentum for the women's rights movement have been an active force behind historic reforms, including the gradual eradication of marital power in South Africa, with the Matrimonial Property Act in 1984, its amendment in 1988, and the General Law Fourth Amendment in 1993, and in the Democratic Republic of Congo, with the adoption of the Congolese Law on Parity and amendments to the civil code in 2015–16. Reforms in both the Democratic Republic of Congo and South Africa removed significant restrictions, allowing women to sign contracts, start jobs, and register businesses without their husbands' authorization. In India, a thriving civil society also contributed to identifying gaps, drafting legislation, and organizing public opinion through campaigns, discussions, and protests, leading to enactment of the 2005 Domestic Violence Act.

Strategic multistakeholder coalitions bringing together government, civil society organizations, and the international community have also successfully pursued important reforms. In São Tomé and Príncipe, decades of advocacy led by trailblazing women activists, support from gender champions at the highest levels of government, and legislative drafting assistance from international counterparts pushed the issue of pervasive domestic violence to the top of the economy's legislative agenda, leading to the enactment of the 2008 Maria das Neves Law. In Togo, a multistakeholder effort by local civil society organizations, the government, and international organizations played a key role in reforming the Persons and Family Code in 2012 and 2014, allowing women to choose where to live and work, and to head a household with no restrictions. In Ethiopia, tripartite negotiations among the Confederation of Trade Unions, Employers' Association, and the government led to labor reforms in 2019, which lengthened paid maternity leave and introduced paid paternity leave.

Research and data highlighting inequalities and the cost of inaction have additionally served as compelling support for reform. In Kenya, research on the poor working conditions of women, including unfair compensation and sexual harassment, guided the development of historic labor reforms in 2007 that granted equal rights and protections for women. Similarly, advocates used data on the pervasiveness and economic costs of gender-based violence during the parliamentary deliberations leading

*(Box continues next page)*

**BOX 2.2 DRIVERS, BARRIERS, AND MECHANISMS OF REFORMS: LESSONS FROM CASE STUDIES (continued)**

to the adoption of the Protection against Domestic Violence Act in 2015. In the Democratic Republic of Congo, advocates leveraged the economic case for gender equality, linking legal constraints to practical barriers for entrepreneurs, to convince skeptics that legal reform was an economic necessity. In Togo, activists used compelling sociological data to demonstrate that the discriminatory family law no longer reflected the reality of Togolese society. In the United Arab Emirates, *Women, Business and the Law* data have been instrumental in identifying gaps in existing legislation and informing a package of comprehensive reforms toward gender equality. These reforms included the 2020 amendments of the Personal Status Law, affecting women's freedom of movement and removing the duty of obedience, and the Federal Labor Law, mandating equal remuneration for work of equal value.

International commitments under the Convention on the Elimination of All Forms of Discrimination against Women and technical assistance from international partners, including the African Development Bank, International Labour Organization, and World Bank, played an important role in bringing about these reforms.

The path toward legal reform has not always been linear or smooth, though. In some cases, the enactment of legislation was stalled for years—sometimes decades—and was the result of intense debates and negotiations. For instance, in Togo, civil society started denouncing the inequalities contained in the Persons and Family Code in the late 1980s. However, following violent incidents in response to protests advocating democracy and political pluralism from 1990 to 1993, the ties between Togo and the international community were cut for 15 years. As a result, the process of reform was stalled for almost two decades. When dialogue and diplomacy slowly resumed in 2008, so did the reform movement, with the historic reforms of the Persons and Family Code in 2012 and 2014. Similarly, India's journey of social and legal reforms to address domestic violence followed a unique path spanning nearly five decades of debates, starting from addressing dowry-related violence, then recognizing additional offenses in the criminal law, and finally enacting the Protection of Women from Domestic Violence Act in 2005, which for the first time accorded protective rights and welfare measures to survivors. Likewise, the Kenya Protection against Domestic Violence Bill of 2015 was the culmination of more than 20 years of research, advocacy, and lobbying by Kenyan civil society organizations as well as a significant achievement for Kenyan parliamentarians.

Together, these lessons can provide important insights for policy makers, advocates, and international organizations pursuing legal gender equality.

Information on the drivers of legal reform across a more diverse set of economies has been largely absent. However, this void was recently filled by Tertilt et al. (2022), who undertake a comparative assessment of how gender discriminatory laws are reformed. The authors use the *Women, Business and the Law* panel data set and supplement it with information on political rights (such as suffrage and the right to stand for election) and body rights (such as the right to an abortion and access to contraception) to build a data set covering four areas—economic rights, political rights, labor rights, and rights over one's own body. They develop a political economy model outlining four important economic channels through which reform can happen: (1) the bargaining power channel (rights can affect how resources are shared within households); (2) the parental altruism channel (women's rights can affect men through the impacts on their daughters and increased investment in children); (3) the income channel (more rights for women can increase household resources); and (4) the public policy channel (including women in policy making can affect policy formation). The authors find that, overall, women's rights are strongly associated with economic development. Of these channels, their results suggest that the income channel is an important driver of the expansion of women's rights, particularly economic and labor rights. Tertilt et al. (2022) also find that parental altruism is an important channel through which women's rights increase over time.



Although many factors beyond legal reform benefit women’s economic empowerment and broader development outcomes, legal reforms are actionable and, in contrast to changing norms and attitudes, achievable in the short run (Hyland, Djankov, and Goldberg 2020). However, how to achieve legal reform and what enabling factors need to be in place for laws to be implemented successfully have received limited attention. Shedding more light on what factors are successful in driving reforms can guide future policy and accelerate movement down the path toward legal gender equality.

## Unpacking reform efforts: Main takeaways

For decades, economies have reformed existing laws or introduced new legislation to provide women with more legal rights. This section presents five main takeaways from the *Women, Business and the Law* panel data that describe patterns of reform, including how, where, and how fast laws have changed since 1970. In doing so, it highlights the remarkable catch-up effect that some economies have exhibited, while also stressing that more work lies ahead to reach gender parity in the law.

***Takeaway 1. In the last five decades, the global average of the Women, Business and the Law score has improved by about two-thirds as a result of more than 2,000 reforms expanding women’s legal rights.***

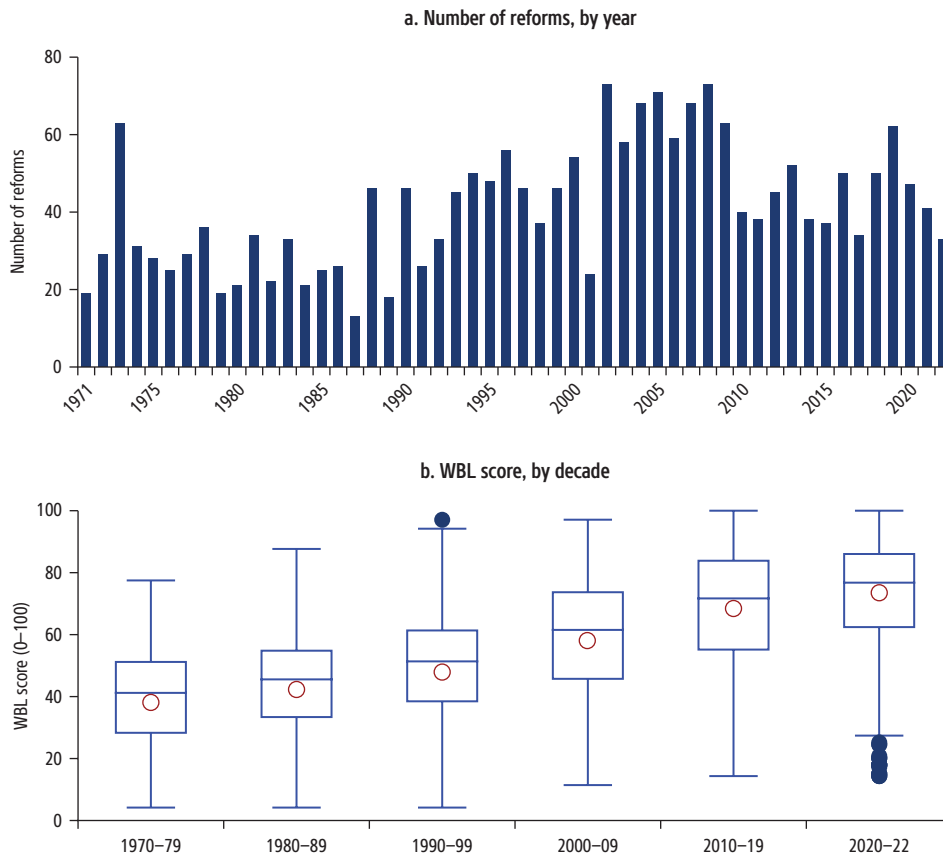
Over the course of 53 years (1970–2022) and in the 35 areas measured, economies have introduced a staggering 2,151 reforms, improving the average *Women, Business and the Law* score from 45.8 in 1970 to 77.1 today.<sup>3</sup> However, another 1,549 reforms will be needed to reach legal gender equality everywhere.

Counting the positive changes in the law—reforms—that have occurred since 1970, the data show that those reforms have not been distributed equally across the decades. The 1970s and the 1980s saw a similar rate of change, with 279 and 259 reforms, respectively. The year 1990 kick-started two decades of increased reform. In the 1990s, 433 reforms were introduced, followed by the introduction of a striking 611 reforms in the 2000s. Since then, the progress of reform has slowed: only 447 reforms were implemented from 2010 to 2019 (figure 2.1), with a spike of 63 reforms in 2019—one of the highest number of reforms overall per year. Since 2020, economies have enacted 122 reforms. The annual rate of reform has fallen since, and 2022 saw the smallest number of reforms since 2001. While some natural slowdown of reforms can be expected as economies progress to more gender-equal laws, this slowdown could become a concern if competing priorities are taking attention away from legislative reforms to achieve gender equality.

In the 1970s, many economies addressed the lower-hanging fruit and updated legal provisions that once limited the basic agency and freedom of movement of women and girls. For example, in 1970 Ecuador updated its 1857 civil code, removing restrictions for married women. The new civil code enabled a married woman to sign a legally binding contract, register a business, go to work, administer property, and open a bank account without the consent of her husband. Similarly, Ghana and Kenya enacted new laws in the 1970s allowing women to choose where to live.



**FIGURE 2.1 | MORE THAN 2,000 REFORMS HAVE BEEN IMPLEMENTED SINCE 1970, MAKING IMPRESSIVE PROGRESS TOWARD MORE GENDER-EQUAL LAWS**



Source: *Women, Business and the Law* 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* 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. Panel b shows how the number of reforms affects the overall *Women, Business and the Law* score by decade. The “box and whiskers” plot shows the distribution of the *Women, Business and the Law* score by decade. The “box” plots the interquartile range, showing the first and third quartile, with the median in between. The “whiskers” show the range from the minimum to the maximum values. The circle denotes the mean of the *Women, Business and the Law* score. The blue dots outside the “whiskers” denote outliers. An outlier is an economy outside 1.5 times the interquartile range.

More important, these decades were also marked by the introduction of novel legislation in the areas of Parenthood and Pension. In the 1970s, 25 economies expanded legislation by making it illegal for employers to dismiss pregnant workers. Among the regions, Europe and Central Asia as well as the Organization for Economic Co-operation and Development (OECD) high-income economies were the first to adopt legislation prohibiting the dismissal of pregnant workers. Other regions soon followed suit. In Sub-Saharan Africa, Somalia was the first economy to issue legislation protecting women from dismissal by an employer during pregnancy.<sup>4</sup> In Latin America and the Caribbean, 14 economies already had such legislation in place. In 1974, Argentina, hitherto lacking such legislation, was the first to institute a reform.<sup>5</sup>

Similarly, in the 1970s, 20 economies promoted reforms either to introduce old-age pension systems for the first time or to update existing ones, allowing women and men to retire equally with full benefits. These reforms also affected women's ability to retire with partial pension benefits. In six economies, the new or amended laws set equal ages at which women and men can retire with partial pension benefits, whereas in 14 economies, the legislation did not establish the possibility for retirement with partial benefits. Reform efforts in this area began in Latin America and the Caribbean and in Sub-Saharan Africa; soon after, other regions followed suit. In 1972, Samoa introduced the National Provident Fund Act 1972 and became the first economy in the East Asia and Pacific region to reform in this area. In 1974, Tunisia became the first economy in the Middle East and North Africa region to introduce an old-age pension system that set equal ages for women and men to retire with full pension benefits.

The introduction of new laws in the 1970s and 1980s quickened the pace of reform in the 1990s and 2000s, albeit in different areas. In the 1990s, many economies introduced pioneering new legislation in areas such as nondiscrimination in employment and protection of women from sexual harassment in the workplace. Since the turn of the century, economies have substantially increased their efforts to reform their laws to reach legal gender parity in all aspects of a woman's working life. Between 2000 and 2009, more than 600 reforms were introduced, with a peak of 73 reforms in 2002 and 2008.

However, since that peak, the removal of legal barriers has slowed. While reform efforts may naturally slow down as economies become more gender equal in their laws, several economies have not moved in years. For instance, six economies have implemented several reforms in the past and have, therefore, surpassed the global average score in the *Women, Business and the Law* index, but they have not implemented any reforms for the last 15 years in the areas measured. These six economies are The Bahamas, Guyana, Romania, St. Lucia, Tanzania, and Zimbabwe. Tanzania undertook an impressive reform effort in the 2000s, but since 2006 has had a stagnant score of 81.3, with room for improvement in all areas except Mobility, Workplace, and Pay. A similar pattern is observable for Guyana. Guyana significantly reformed before the turn of the century, with an increase in score from 66.3 to 86.9. Then, the economy's reform efforts came to a halt, with room for improvement in Mobility, Marriage, and Parenthood. Romania stands out because its reform efforts took off only around the turn of the century, improving from a score of 65 in 2000 to 90.6 in 2008—a steep increase in a short period of time. Since then, however, Romania has not implemented any reforms and still has a comparably low score in the area of Pension. More research is needed to understand why.

In 2022, only 34 reforms were recorded, a historic low since 2001. This low level of reform, however, does not imply that reforming gender-unequal laws has been pushed off the agenda in all economies. Several key reform bills are currently stalled in parliamentary deadlock. For example, a marriage bill in Bhutan has been pending since 2016. Burundi has been working on a new inheritance law since 2004. Nigeria introduced a gender and equal opportunity bill to the Senate in March 2016 and then again in 2019, but it has suffered several setbacks in the legislative chambers. Economies are still pushing for more gender-equal laws, but many underlying reasons, including patriarchal cultural norms, opposition from religious groups, and political instability, are hampering their legislative efforts.

Yet there is also cause for optimism. In 2022, after years of delay, Uganda passed the long-awaited Succession (Amendment) Act, addressing the inequality and marginalization of women and girls after the death of a spouse by equalizing inheritance rights between both genders. The act also allows married women to choose where to live without having to acquire the domicile of their husbands. Furthermore, Sierra Leone passed the Gender Empowerment Act in November 2022 after several setbacks. The president signed the bill into law in January 2023. While passed after the cut-off date for this year's report, the new legislation manifests Sierra Leone's commitment to legal reform. In September 2022, Sierra Leone also passed the Customary Land Rights Act, boosting the rights of rural landowners and women. Despite some recent examples of how political will and momentum can lead to tangible progress, there is still a long way to go to reach gender parity in the law for all women everywhere.

***Takeaway 2. Only 14 economies have achieved legal gender parity in 2022, as measured by Women, Business and the Law, and progress has been uneven across regions and over time.***

Despite the significant increase in the average *Women, Business and the Law* score over time, to date only 14 economies—all OECD high income—score 100. Thus 176 economies still have room to improve, and at the recent pace of reform they will need at least another 50 years to reach 100. This means that a young woman entering the workforce today will retire before she is able to enjoy gender-equal rights during her working life.

A score of 100 represents equal rights and opportunities for men and women in all 35 areas of measurement. This score can be interpreted as the absence of legal inequality for a woman throughout her working life in the areas covered by the index. While other rights are certainly important, these 35 areas represent the minimum set of rights that must be in place for a woman to have economic opportunities equal to those of a man throughout her adult working life. Ongoing developments by the *Women, Business and the Law* project to add new indicators and data points as well as to assess implementation of the law in practice will provide a more comprehensive measure of legal equality.

By enacting an amendment in May 2010 that removed restrictions on women's employment in mining, Belgium was the first economy to reach gender parity in the law. For the previous 40 years, since the earliest period covered by *Women, Business and the Law*, none of the economies included in the index had reached legal gender parity. There has been plenty of progress, but only within the last decade and only in some high-income economies have women made far-reaching progress in gaining legal equality as workers, spouses, consumers, or entrepreneurs. While it took until 2010 for the first economy to reach full gender equality in the law, by 2022, 44 economies had closed most gender gaps in the law, reaching a score of 90 or higher in the *Women, Business and the Law* index. Canada, for example, was the first economy to reach that intermediary milestone in 1990 (scoring 95). Yet Canada did not achieve full gender parity for almost two more decades. In 2019, Canada eventually earned a score of 100 by introducing a new law that reserves 35 days of paid parental leave for the father.<sup>6</sup> The 14 economies that have, by now, reached gender parity in the law are Belgium, Canada, Denmark, France, Germany, Greece, Iceland, Ireland, Latvia, Luxembourg, the Netherlands, Portugal, Spain, and Sweden.

Similarly, the lower tier of the index (economies scoring 25 and below) remained sticky for a long time. In 1970, 12 economies scored 25 or below in the *Women, Business and the Law* index, indicating that women had only a quarter of the legal rights of men.<sup>7</sup> This number gradually fell to 0, with the Republic of Yemen being the last economy to exit the lowest tier of the index. In 2008, the Republic of Yemen amended its labor code, equalizing women and men before the law in terms of mandatory retirement, rising to a score of 26.9 in the *Women, Business and the Law* index, the same score as today.<sup>8</sup>

Even though some economies began the reform process only within the last two decades, *Women, Business and the Law* panel data show that reforming the law is, in fact, a global phenomenon. Worldwide, every economy has implemented at least one reform since 1970, allowing women to inch closer to equal economic opportunity under the law. Also, since the 2000s, the pace of reform has accelerated in regions that were rather slow to reform in the previous decades, such as South Asia (out of a total of 66 reforms, 54 were implemented since 2000) or East Asia and Pacific (out of a total of 222 reforms, 138 were implemented since 2000). Overall, 1,180 reforms have been implemented since the turn of the century. Thus, since 2000, economies have implemented, on average, 51 reforms a year, compared to 33 reforms a year before 2000. Although this finding is encouraging, it is not enough. Reform efforts toward gender parity need to be accelerated and prioritized.

Meanwhile, despite the progress made, gender disparities persist at the regional and income levels. Today, equality of economic opportunity across genders is highest in OECD high-income economies, where the average score in the *Women, Business and the Law* index is 95.3 points, and lowest in the Middle East and North Africa region, where the average score is 53.2 points.

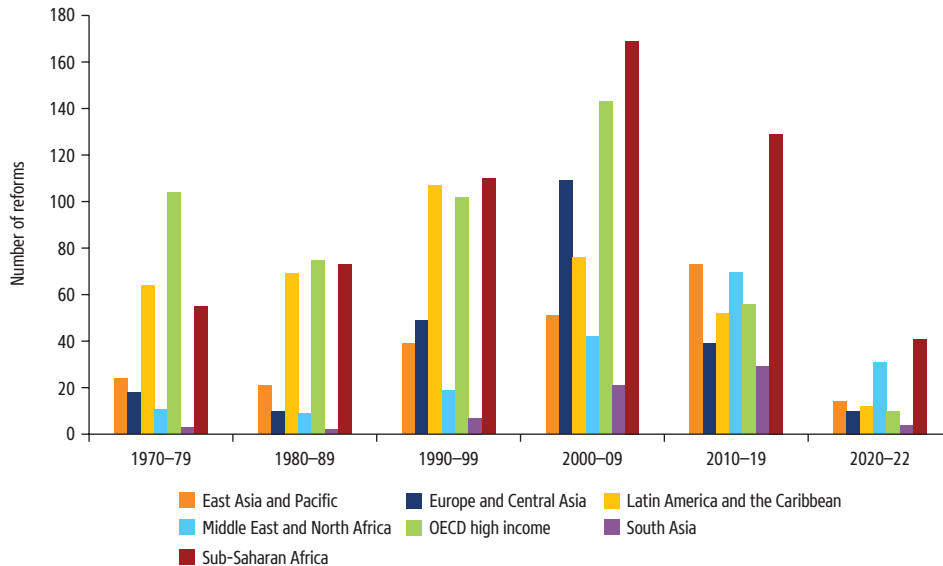
OECD high-income economies have reached today's score through continual reform efforts over decades. In 1970, women in these economies faced multiple legal barriers, reflected by a rather low average score of 55.2. This score is comparable to the average score of the Middle East and North Africa region today (53.2). By implementing 490 reforms over the last 52 years, OECD high-income economies have been able to advance in the *Women, Business and the Law* index by about 40 points. Spain is the region's top-reforming economy, implementing 23 reforms between 1970 and 2022, followed by Austria, Luxembourg, and Portugal, each with 21 reforms. Among the OECD high-income economies, Japan implemented the fewest reforms (6), and scores lowest in the OECD high-income cohort as of 2022 (78.75).

There are also regional differences in the timing of reform efforts (figure 2.2). Many economies in Latin America and the Caribbean, likely influenced by early movements toward reform in Europe (Htun and Weldon 2011), began their reform process in the 1970s, reaching their peak in the 1990s, when the region enacted 107 reforms. In 1981, Suriname alone instituted 10 reforms. By contrast, most other regions reached their reform peak in the 2000s: Sub-Saharan Africa, with 169 reforms; OECD high-income economies, with 143 reforms; and Europe and Central Asia, with 109 reforms.

The significant spike in reforms among Sub-Saharan African economies in the 2000s may also be linked to the adoption of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) by the African Union in 2003. The protocol, which entered into force in 2005 and has been ratified by 42 of the 55 member states of the African Union, guarantees expansive rights to African women and girls and includes 30 of the 35 areas measured

## FIGURE 2.2 | PROGRESS TOWARD GENDER-EQUAL LAWS HAS BEEN UNEVEN ACROSS TIME AND REGIONS

Number of women's rights reforms implemented, by decade and region



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

Note: The figure shows the number of reforms, by region, that removed legal gender barriers. 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 last set of bars reflects reforms enacted for only three years: 2020, 2021, and 2022. All regions are classified as of 2022. OECD = Organisation for Economic Co-operation and Development.

by *Women, Business and the Law*. During the 2000s, the *Women, Business and the Law* score increased in 17 economies in Sub-Saharan Africa due to the introduction of legislation on sexual harassment in employment. For some of them, the Maputo Protocol was a key driver.<sup>9</sup> Benin, for example, enacted the Law to Repress Sexual Harassment and Protect Victims, which defines sexual harassment and criminalizes such conduct in the context of employment. Namibia incorporated the prohibition of discrimination and sexual harassment in employment in its Labor Act of 2007, which entitles employees to civil remedies after their unfair dismissal as a result of sexual harassment. Similarly, Rwanda's Law on Prevention and Punishment of Gender-Based Violence establishes imprisonment and fines for any person guilty of sexual harassment in the workplace. Victims affected by this type of violence have the right to claim damages.

Since the early 2000s, South Asia's reforms have also taken off, with Nepal standing out by granting spouses equal rights to immovable property in 2002, allowing women to be head of household in 2008, enacting legislation to protect women from domestic violence in 2009 and from sexual harassment in employment in 2015, and enacting several amendments and laws that enhanced women's legal rights related to inheritance, divorce, and employment in 2018.<sup>10</sup>

In Europe and Central Asia, most reforms were undertaken in the 2000s across all economies (109 reforms). In the aftermath of the collapse of the Soviet Union, the initial focus of the newly independent republics was on the development of stable political and

economic systems along with independent cultural identities separate from the decades of Soviet rule. Hence, legislating and enforcing gender equality were not an immediate priority for state officials, contributing to the reemergence of stereotypes about gender roles in the early 1990s (Wolchik 1995). By the same token, in 1990, Europe and Central Asia had a comparatively higher score (60.2) in the *Women, Business and the Law* index than other regions (East Asia and Pacific, 53.2; Sub-Saharan Africa 46.3; South Asia, 43.7; Middle East and North Africa, 32.7). This relatively high score could be attributed to the fact that the Soviet Union was known to have solid policies that allowed women to balance their roles as mothers and labor force participants. For example, a strong social welfare net consisting of state-sponsored childcare, food subsidies, communal dining halls, and health care was established to allow women to participate in the labor force and education system (Goldman 1993; Lapidus 1978).

The Middle East and North Africa's reform efforts took off only in the 2010s. In the last 13 years (2010–22), the region implemented more reforms (100) than in the previous four decades combined (81 reforms from 1970 to 2009). In the first three decades covered by the *Women, Business and the Law* panel data, reform efforts in the Middle East and North Africa region were concentrated mainly in the areas of Parenthood and Pension. Despite a current score of 43 on the Assets indicator, by far the lowest across all regions, only one economy in the Middle East and North Africa has undertaken reform efforts since 1970. In 1993, Malta enacted a law granting spouses equal authority to administer assets during marriage and equal rights to immovable property.<sup>11</sup> These fundamental rights are codified in civil codes, personal status laws, or family codes and expressed in judicial decisions. Expanding women's rights in these areas might be slower and politically more contentious in regions where reform efforts are often framed as a matter of national, religious, or cultural identity (Shachar 2001). Economies might claim that family law reform touches on the status of religion, culture, or kinship and may resist reform efforts to maintain the status quo in these areas (Htun and Weldon 2015; Kang 2015; Moustafa 2013).

Within regions, some economies have made much more progress than others. Altogether, the regions' top-reforming economies are, in OECD high income, Spain (23 reforms); in the Middle East and North Africa region, Malta and the United Arab Emirates (22 reforms each); in Sub-Saharan Africa, São Tomé and Príncipe and South Africa (22 reforms each); in East Asia and Pacific, the Lao People's Democratic Republic (21 reforms); in Latin America and the Caribbean, Bolivia and Brazil (20 reforms each); in South Asia, Nepal (16 reforms); and in Europe and Central Asia, Georgia and Türkiye (13 reforms each). All of these economies are well ahead of their regional peers. On average, economies in these regions reformed as follows: OECD high income (14 reforms), Middle East and North Africa (9 reforms), East Asia and Pacific (9 reforms), Latin America and the Caribbean (12 reforms), South Asia (8 reforms), and Europe and Central Asia (10 reforms).

Compared with the regional variation, differences in reform efforts have been less pronounced across income groups (figure 2.3). Instead, reforming economies' laws to provide better opportunities for women has followed a relatively consistent pattern across income groups. High-income economies have implemented a total of 742 reforms, with economies implementing between 1 (Qatar) and 23 (Spain) reforms. Upper-middle-income economies<sup>12</sup> have implemented 573 reforms, with a spread of between 1 (Palau) and 22 (South Africa) reforms. Lower-middle-income economies have implemented a total of 559 reforms, with a spread of between 1 (the Federated States of Micronesia) and 22 (São Tomé and Príncipe) reforms. Finally, low-income economies

### FIGURE 2.3 | IMPLEMENTING GENDER REFORM IS NOT DEPENDENT ON INCOME LEVEL

Number of women's rights reforms implemented per economy, by income level, 1970–2022



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

Note: The figure shows for each economy, by income group, the number of reforms that removed legal gender barriers. 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. Each dot represents an economy. The income groups are constituted as follows: 58 high-income economies, 51 upper-middle-income economies, 54 lower-middle-income economies, and 27 low-income economies. All income groups are classified as of 2022, except for República Bolivariana de Venezuela, which is included in the upper-middle-income group, as last classified in 2021.

have implemented a total of 277 reforms, ranging from 2 (the Republic of Yemen) to 20 (the Democratic Republic of Congo and Togo) reforms. Reform efforts thus have not necessarily been restricted to higher-income economies.

### **Takeaway 3. Progress across the areas measured has also been uneven, with most reforms in Workplace and Parenthood.**

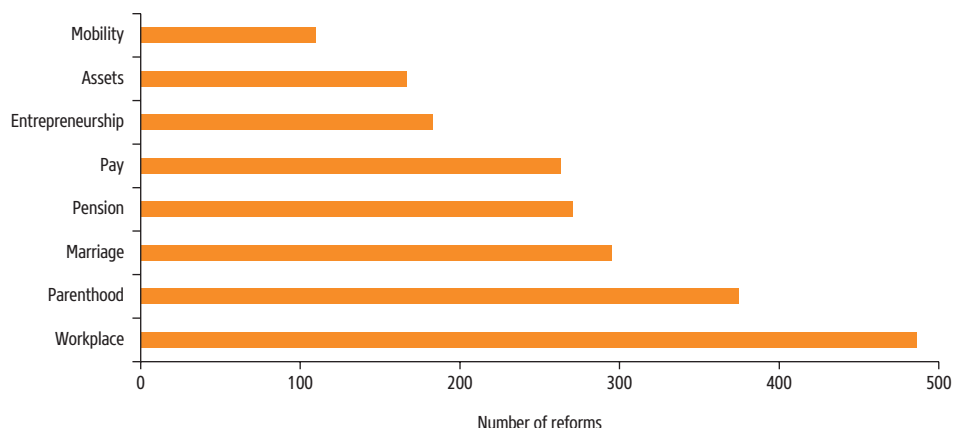
Reform efforts across the 35 areas of measurement have differed substantially (figure 2.4). Across all indicators, most reforms have affected laws captured under Workplace and Parenthood. Under the Workplace indicator, many economies have been enacting laws that prohibit discrimination based on gender in employment (154 reforms) and address sexual harassment in employment (145 reforms).

As mentioned in chapter 1, Parenthood is still the indicator with the largest room for improvement overall, although economies have made some progress over time. For example, in 1989 Denmark was the first economy to reach a score of 100 on the Parenthood indicator. In the 1990s, 5 economies followed suit: Sweden (1991), Hungary (1992), Norway (1993), Belgium (1998), and Iceland (1998). By 2000, only 6 economies had reached a score of 100 on Parenthood; by the end of 2022, 35 economies had scored 100 on Parenthood. Overall, across regions OECD high-income economies reformed the most in the area of Parenthood across all eight areas of measurement (110 reforms).



### FIGURE 2.4 | WORKPLACE HAS SEEN THE MOST AND MOBILITY THE LEAST NUMBER OF REFORMS ACROSS ALL EIGHT INDICATORS

Aggregate number of women's rights reforms, by indicator, 1970–2022



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

Note: A reform is counted if, within any of the 35 areas of measurement, an answer changes from “no” to “yes” because of adoption of a new law or the amendment of an existing law.

By contrast, the fewest reforms have been issued on the Mobility indicator. This is because, in part, Mobility showed the highest level of equality at an aggregate level in 1970 and thus had the least room to improve among the eight areas of measurement. In particular, few reforms have been recorded on the question of whether women can travel outside the country (three reforms—one each in the Arab Republic of Egypt, Saudi Arabia, and the United Arab Emirates) and whether women can leave the marital home (six reforms—one each in Algeria, Italy, San Marino, Saudi Arabia, the Syrian Arab Republic, and the United Arab Emirates).

The gradual expansion of women's rights is not distributed equally across decades. Instead, reform efforts have unfolded in waves with a focus on specific areas. In the 1970s, economies largely removed gender barriers on mobility, allowing married women to choose where to live, and introduced legislation on the dismissal of pregnant workers. However, this process has not been consistent across regions. In the Middle East and North Africa, for example, reforms in the area of Mobility took off only in the 1990s. In the 1970s and 1980s, the region issued no reforms.

The 1980s, while continuing the reform efforts of the 1970s, was a decade of isolated breakthroughs. At the inception of the *Women, Business and the Law* panel data, Eritrea and Ethiopia were the only economies that already had legal provisions protecting women from sexual harassment. These provisions were enshrined in the penal code of 1957, which applied to both economies, as Eritrea and Ethiopia were one country until 1991. During the period covered by *Women, Business and the Law* panel data, the United States was the first economy to enact a reform protecting women from sexual harassment in employment, in 1981. The United States also enacted civil remedies for sexual harassment in employment. Soon after, Australia followed suit, enacting legislation to prohibit sexual harassment in all work-related activities.<sup>13</sup> Australia also prohibited gender discrimination in employment. In 1982,

Ireland was the first economy globally to introduce a specific law on domestic violence against women. Three economies followed Ireland’s lead that decade: Hong Kong SAR, China; Singapore; and Sweden.

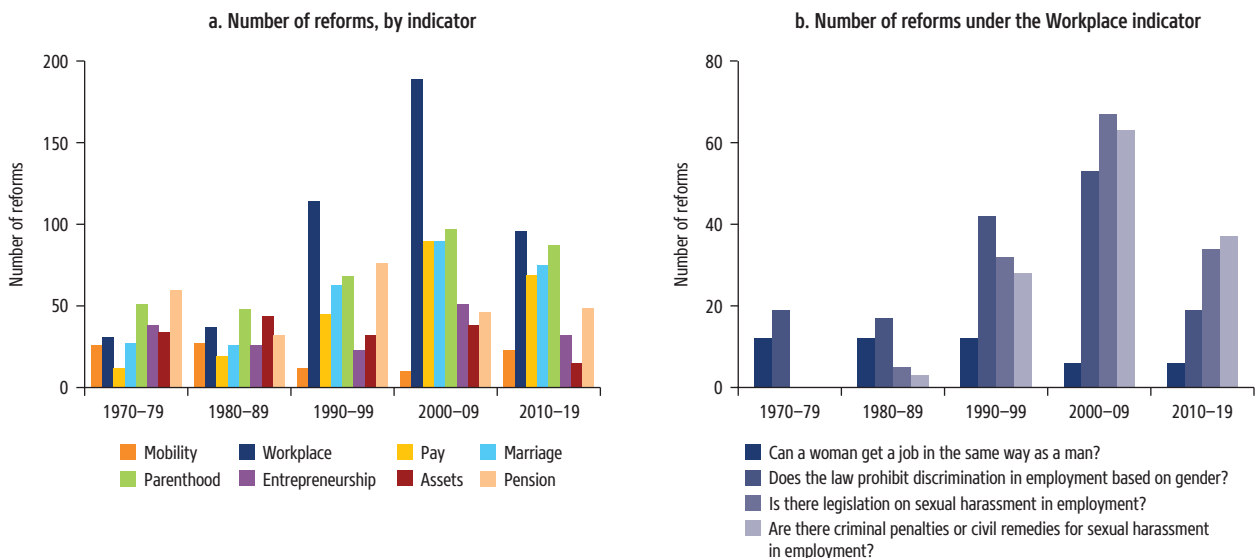
The 1990s set the stage for a steep increase in women’s legal empowerment, with many economies making a foray into women’s economic rights. For example, reform efforts were undertaken to mandate equal remuneration for work of equal value (19 reforms) and to grant women at least 14 weeks of paid maternity leave (10 reforms). Economies also issued 38 reforms introducing domestic violence legislation. These reform efforts have continued and, as a result, 162 economies have introduced domestic violence legislation, with the latest reforms passed by the Republic of Congo and Côte d’Ivoire in 2022.

The 2000s saw the most improvement across all areas measured, with a remarkable spike in reforms under the Workplace indicator. Although earlier reform efforts in this area concentrated on removing restrictions on getting a job, efforts in the 2000s continued introducing or reforming legislation on the prohibition of gender discrimination in employment as well as legislation on sexual harassment. These reform efforts, which have been most prevalent in Sub-Saharan Africa, may have been accelerated by the adoption of the Maputo Protocol by the African Union in 2003.

On a global level, as displayed in figure 2.5, moving toward gender equality in the law seems to follow a specific sequencing. Mobility and Assets—areas often regulated in economies’ family law—were mostly reformed in the first two decades covered by *Women, Business and the Law*. About half of all reforms recorded in these two areas were

**FIGURE 2.5 | WORKPLACE REFORMS SPIKED IN THE 1990s AND 2000s**

*Number of women’s rights reforms, by decade*



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

Note: 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. To avoid suggesting a drop in reforms, the decade of the 2020s is omitted in this figure because only three years of data on reforms are available.

implemented before the end of the 1980s. In contrast, reforms in the areas of Pay and Workplace were very limited in the first two decades. The overarching majority of reforms in the area of Workplace (86 percent) were implemented in the 1990s and beyond. With regard to reforms in the area of Pay, about 71 percent of reforms have been implemented only since the turn of the century. Hence, more research is needed to shed light on whether reforming family laws is, in fact, a precondition for women’s economic empowerment.

Despite these global trends, it is important to take country-specific or region-specific paths into account. At the inception of the *Women, Business and the Law* panel data, Czechia and the United Kingdom were the only two economies that already had legal provisions mandating equal remuneration for work of equal value. Somalia was then the first economy to introduce reforms mandating equal remuneration for work of equal value. Enacting a new labor code in 1972, Somalia prohibited gender discrimination in employment and the dismissal of pregnant workers and mandated equal remuneration for work of equal value. These reforms were the only ones that Somalia ever implemented, raising its *Women, Business and the Law* score from 32.5 to 49.9—a score that Somalia still holds today. Further, most other early reform efforts in the area of Pay were undertaken by OECD high-income economies (8 out of 12 in the 1970s). During the period covered by *Women, Business and the Law* panel data, France was the first European economy to introduce equal pay, in December 1972,<sup>14</sup> followed by Ireland, Luxembourg, and the Netherlands. One explanation for the region’s relatively early adoption of reforms in the area of Pay could be the European Community’s Equal Pay Directive,<sup>15</sup> which was adopted in February 1975.

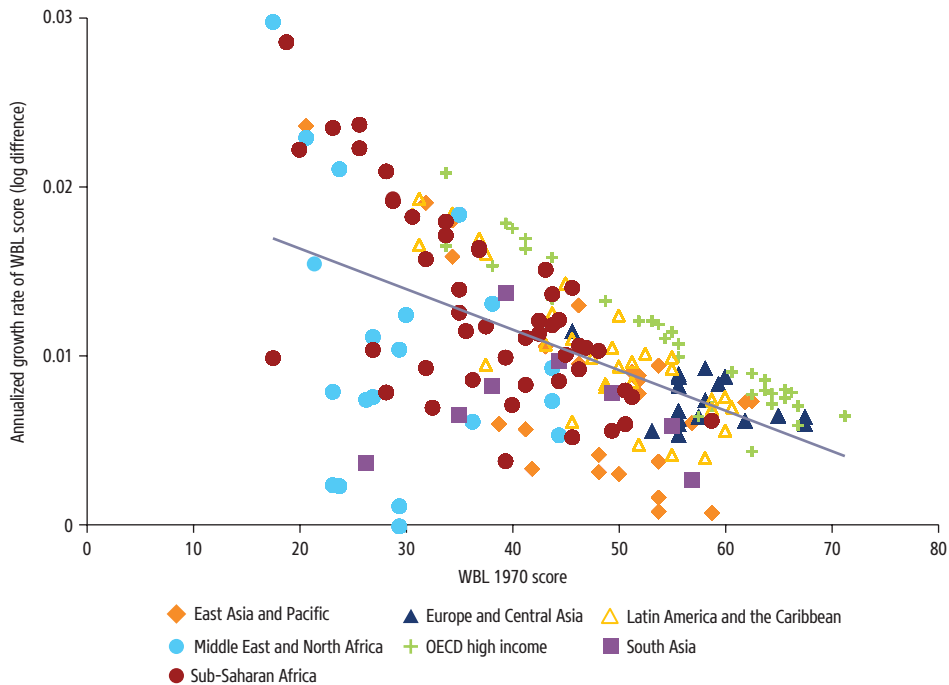
#### ***Takeaway 4. Economies with historically larger legal gender gaps have been catching up, especially since 2000.***

In 2022, despite global progress on reform, large gaps in legal equality remain between the most and the least equal economies. On the one hand, 14 economies have removed all legal inequalities in the areas covered by the *Women, Business and the Law* index. On the other hand, 16 economies still accord women fewer than half the rights of men. However, analysis of the log annualized growth rate in the *Women, Business and the Law* scores shows that faster progress is generally being made in economies that have had historically lower levels of gender equality. This catch-up effect, whereby economies that scored lower in 1970 experience a faster rate of reform growth over time, is illustrated in figure 2.6. Furthermore, because the *Women, Business and the Law* index is bounded between 0 and 100, economies with greater levels of legal equality have less room to improve than those with lower levels.

Figure 2.6 shows that the two economies with the fastest annual growth rates in the index (with growth rates, measured using log annualized rates, in the top percentile of the distribution) are São Tomé and Príncipe and the United Arab Emirates. These two economies, which have exhibited the highest log annualized growth rates in their score over the last 52 years, had among the lowest levels of legal gender equality in 1970 (scores of 17.5 and 18.75, respectively). While progress in the two economies has been similar, on average, there are large differences in the timing of reforms. In São Tomé and Príncipe, reform has been a gradual process since 1970, with periods when the pace of reform slowed and then, after a time, gathered pace again. In the United Arab Emirates, progress has been much more recent, with reforms taking off quickly since 2018.

**FIGURE 2.6 | ECONOMIES WITH LESS GENDER-EQUAL LAWS IN 1970 ARE CATCHING UP**

*Women's rights reforms: The catch-up effect across economies*



Source: *Women, Business and Law* database.

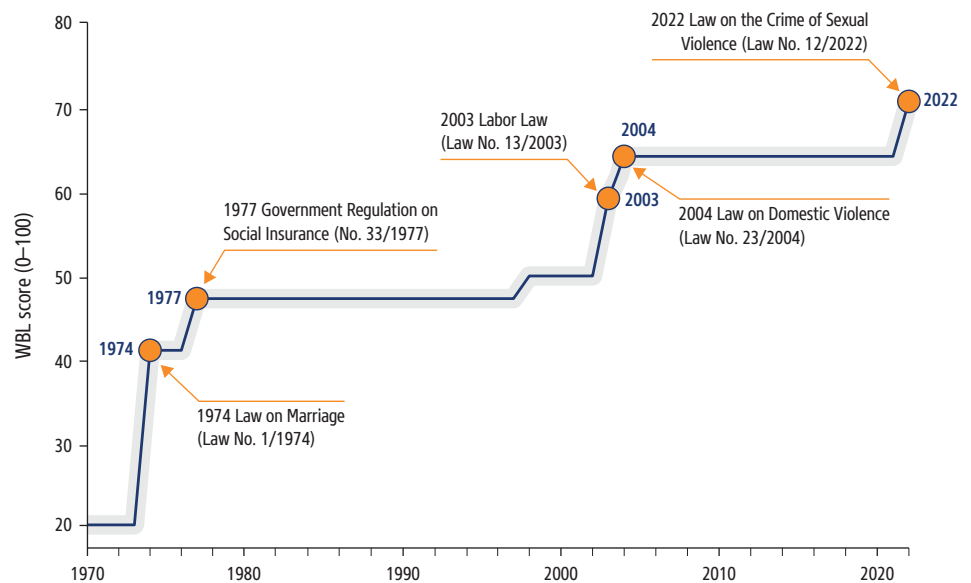
Note: The figure presents a statistical illustration of the catch-up effect by plotting each economy's log annualized average change in the *Women, Business and the Law* score, compared with its initial score in 1970. It shows that economies with lower scores in 1970, on average, had faster subsequent growth. All regions are classified as of 2022. OECD = Organisation for Economic Co-operation and Development.

Other economies that have experienced the fastest pace of reform—as measured by the log annualized growth rate of their *Women, Business and the Law* scores, which does not necessarily equate to the largest absolute change in the scores—are Bahrain, Botswana, the Democratic Republic of Congo, Indonesia, Saudi Arabia, South Africa, and Togo. In these seven economies, the average *Women, Business and the Law* score in 1970 was 22.8, which is far below the global average of 45.8 for the same year. In Botswana and the Democratic Republic of Congo, reform accelerated beginning in the 2000s, coinciding with the adoption of the Maputo Protocol and the golden decade for women's rights highlighted previously. In South Africa and Togo, reform had been taking place somewhat more consistently across the five decades, albeit with notable jumps when important legislative changes were made. In Bahrain and Saudi Arabia, as in the United Arab Emirates, reform has been a more recent phenomenon.

Indonesia is an interesting example of the path toward legal equality (figure 2.7). The first reform in Indonesia captured by the *Women, Business and the Law* panel data occurred in 1975, when articles of the Dutch civil code of 1847 were amended by the new Law No. 1 of 1974 on Marriage. Specifically, Article 66 of this law clarified

## FIGURE 2.7 | THE CASE STUDY OF INDONESIA SHOWS THAT THE ROAD TO GENDER EQUALITY IS NOT ALWAYS A STRAIGHT LINE

*Reforms in the Women, Business and the Law index, Indonesia*



Source: Women, Business and the Law database.

that, with passage of the law, the articles in the civil code of 1847 pertaining to marriage were annulled, thus removing the historical restrictions on a woman’s ability to act autonomously without the express permission of her husband. For example, as of 1975, married women in Indonesia could choose where to live, get a job, or sign a contract without facing restrictions that men did not face. By then, they also had greater rights related to ownership and management of assets. In total, seven data points across four indicators changed from “no” to “yes” because of this legal reform. Another important step toward ensuring a woman’s economic rights occurred in 1977. Government Regulation No. 33/1977 on Social Insurance mandated equal retirement ages for men and women, contributing to women’s economic security in later years.<sup>16</sup> This reform was followed by a long period from the mid-1970s to the mid-1990s during which Indonesia did not make strides toward legal equality. However, a period of notable progress followed: Indonesia’s score jumped in 2004 with introduction of the 2003 Labor Law (Law No. 13/2003). This legislation prohibited discrimination based on gender in employment and removed historical restrictions on the tasks on, and industries in, which a woman could work. This reform was soon followed by passage of the Domestic Violence Law (Law No. 23/2004). Today, Indonesia continues to make important gains toward women’s legal equality. As noted in chapter 1, in 2022 Indonesia enacted legislation protecting women from sexual harassment in employment and strengthening a woman’s right to engage safely in paid work in the formal sector. Over the last five decades, Indonesia’s legal landscape has progressed: in 1970, women had only 20 percent of the rights afforded to men; in 2022, they have just over 70 percent of these rights.

Despite Indonesia's positive trajectory, recent developments represent important setbacks on the path toward gender equality. Media have reported that, in October of 2022, a case of sexual assault occurred in the Ministry of Cooperatives and Small and Medium Enterprises and that attempts were made to settle the case by marrying the victim to the perpetrator (Bhwana 2022b). This took place in the same year that Indonesia enacted the 2022 Law on the Crime of Sexual Violence, a stark reminder of the gap that can exist between laws on the books and equality in practice. An additional setback occurred in December 2022, when Parliament passed a new criminal code containing provisions that, according to Human Rights Watch, are harmful to women, minorities, and free speech (Bhwana 2022a). In particular, a provision criminalizing consensual sex outside of marriage will disproportionately harm minorities, including women, who are more likely to be reported by their husbands for adultery (Human Rights Watch 2022). The new criminal code may also give formal legality to regulations imposed by local officials, including curfews for women and female genital mutilation (Human Rights Watch 2022). These provisions are outside the scope of what is currently measured by *Women, Business and the Law*, but they constitute clear obstacles to equality for women in Indonesia. Thus, the example of Indonesia illustrates how progress can be made in some areas of the law and subsequently undone in others.

While figure 2.6 illustrates that the pace of reform has been faster in historically less-equal economies, catch-up has not been a universal phenomenon. There are several examples of economies with scores that were well below the global average in 1970 and where the pace of reform, as measured by the log annualized growth in the scores, has been among the slowest. Most of these outliers are economies located in the Middle East and North Africa region. For example, Qatar's score is the same in 2022 as it was in 1970 (29.4), while the Islamic Republic of Iran's score increased by just under 2 points (from 29.4 to 31.3). In Sub-Saharan Africa, Sudan also has exhibited a low level of progress despite starting from a low base. In 1970, the *Women, Business and the Law* score in Sudan was 17.5 (the same as in the United Arab Emirates and the lowest score in the index); by 2022, the score had increased to only 29.4. This stark lack of progress points to the difficulty of reforming historically discriminatory laws in some economies and highlights that poorer performing economies will not necessarily catch up over time.

As discussed in the second takeaway, there have been differences among regions and income groups in how much progress has been made toward legal equality over the last five decades. These differences are confirmed by examining the average log annualized growth rate in the *Women, Business and the Law* score for each region since 1970. Overall, growth rates in the score, according to this metric, have been fastest in the Sub-Saharan Africa region, followed by OECD high-income economies. The average yearly growth rate in the score has been slowest in Europe and Central Asia, where legal equality was, on average, highest in 1970.

Not only are there differences between regions in how much progress has been made; the data also suggest that there are differences in the rate of catch-up within regions.<sup>17</sup> Table 2.1 presents a statistical illustration of the rate of catch-up between economies, within regions and income groups, as well as for different time periods. The negative coefficients suggest that, on average, catch-up is happening across the globe, with historically less-equal economies tending to reduce the gap in legal gender equality at a faster pace (column 1). Furthermore, the average pace of catch-up tends

**TABLE 2.1** ECONOMIES THAT HAVE HISTORICALLY LAGGED BEHIND IN THE *WOMEN, BUSINESS AND THE LAW* INDEX HAVE BEEN CATCHING UP, 1970–2022

*Regression results of the growth rate of WBL score on initial WBL value (dependent variable: growth rate of WBL score)*

Variable	Overall (1)	Within region (2)	Within income groups (3)	Overall, pre- and post-2000 (4)
Initial WBL score	–0.0100*** (–6.63)	–0.0146*** (–8.46)	–0.0112*** (–7.18)	
Initial WBL score for the period before 2000				–0.0086*** (–4.93)
Initial WBL score for the period after 2000				–0.0151*** (–8.77)
Fixed effects	None	Region	Income group	None

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

Note: The table presents statistical illustrations of the degree to which economies have been catching up in the *Women, Business and the Law* index since 1970. Columns 1–3 present the coefficients from a regression of the annualized change in the log WBL score (1970–2022) on the log 1970 WBL score. The dependent variable is calculated by subtracting the 1970 log WBL score from the 2022 log WBL score and dividing by the total number of years (52). Column 4 presents the coefficients from a regression of the average annualized change in the log WBL score in two periods, pre-2000 (1970–99) and post-2000 (2000–22) on the initial log WBL score at the start of each period. The *t* values appear in parentheses. The “Initial WBL score for the period after 2000” coefficient is the summation of the pre-2000 coefficient and an interaction term. The corresponding value in parentheses is therefore an *F* statistic. The fixed-effect structure of the model is noted in the final row. All regressions include a constant term.

\*\*\**p* < .01.

to be faster among economies within the same region (column 2) and, to a lesser extent, within the same income group (column 3). The data also suggest that less gender-equal economies have been catching up approximately twice as fast since the turn of the century relative to the period before (column 4). To illustrate, based on the average speed of catch-up calculated across all economies and years (column 1), it will take another 64 years for an economy that is currently in the bottom 25th percentile on the *Women, Business and the Law* index (score of 68.12 in 2022) to close most legal gender gaps, denoted by a score of 90.

If instead we consider the rate of catch-up in the period after 2000 (as presented in column 4), an economy in the bottom 25th percentile will take another 42 years, on average, to reach a score of 90 on the *Women, Business and the Law* index. These illustrations of the possible length of time to approach legal equality are based on regression estimates from the panel data. They contrast with the estimate of 50 years presented previously, which was based on a projection forward of the pace of reform of just the most recent year. Different methodologies will lead to different conclusions, but, in all cases, the estimates suggest that women will have to wait several decades for all legal obstacles to equal economic opportunity to be removed.

Despite suggestions of catch-up across economies, as illustrated in figure 2.6 and table 2.1, differences in scores persist across economies and regions. There are notable disparities in the progress of regions toward reducing the variability of the *Women, Business and the Law* scores among their constituent economies. For example, there has been progress in how economies in the OECD high-income region have reduced the inequality in their scores. By contrast, progress over time has been much more uneven among economies in the Middle East and North Africa region, resulting in an overall increase in cross-country variability in legal equality since 1970. This increase may reflect the fact that, in the early years, reforms were being undertaken by relatively few economies within the region. For example, in the decade from 1970 to 1979, reforms were undertaken by only 6 of the 20 economies in the Middle East



and North Africa region. In the 1980s, reforms were enacted in 5 economies. Since 2010, there has been progress in reducing the within-region variability in legal equality scores. This progress reflects the fact that the act of reforming laws has become more widespread. However, there remains substantial room for improvement.

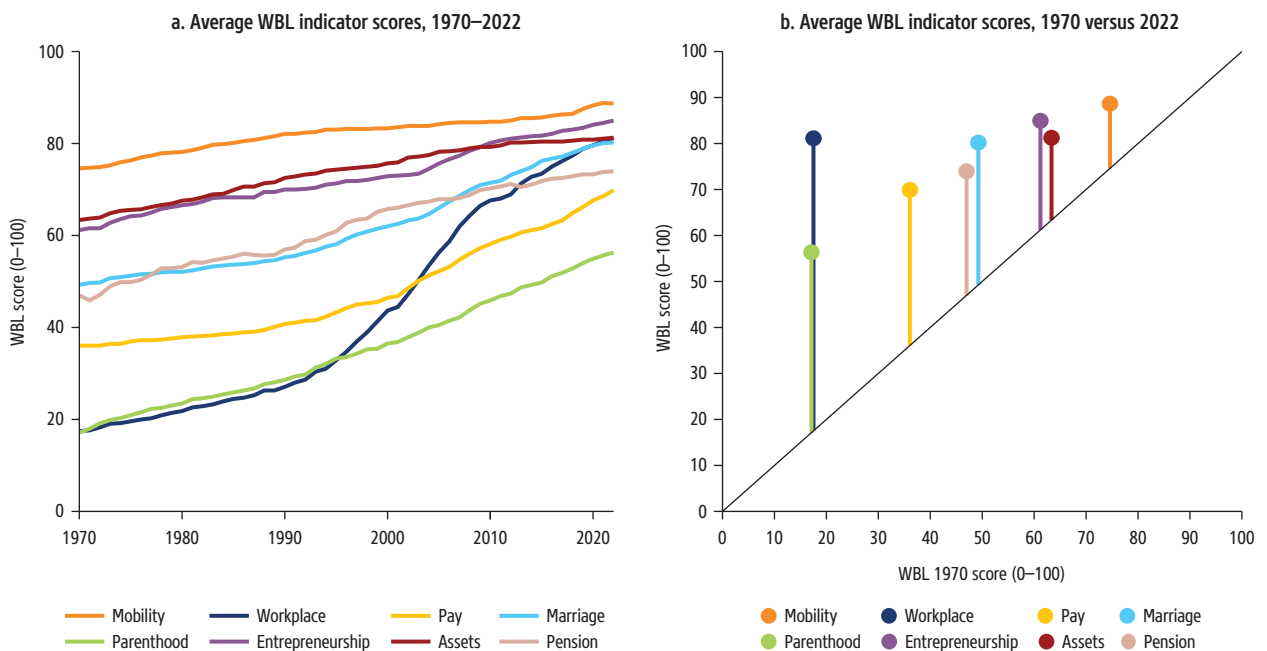
**Takeaway 5. The catch-up effect has been happening across all areas covered by Women, Business and the Law, but the pace of progress has been uneven.**

All 35 areas of measurement have improved since the 1970s. However, the pace has differed across indicators (figure 2.8). Those indicators showing lower levels of legal equality in 1970 generally reformed at a faster pace. For example, progress toward legal equality as captured by Workplace, the indicator with the second-lowest average score in 1970, is striking. Altogether, the gender gap has been closing fastest in the laws affecting Workplace, followed by Parenthood. It has been closing slowest in laws related to Mobility and Assets.

The rate of catch-up within indicators reveals that, in all areas covered, economies that historically had lower scores have been making faster progress over time (table 2.2). The statistics presented in table 2.2 suggest that the rate of catch-up has been strong in the laws affecting women’s decisions to enter and remain in the labor force (Workplace) as well as laws affecting their ability to start and run a business (Entrepreneurship). Considering changes in the Workplace indicator,

**FIGURE 2.8 | HISTORICALLY MORE UNEQUAL AREAS HAVE REFORMED FASTER OVER TIME**

*Evolution of Women, Business and the Law indicator scores, 1970–2022*



Source: Women, Business and the Law database.

**TABLE 2.2** LOWER-SCORING ECONOMIES HAVE BEEN CATCHING UP WITHIN ALL EIGHT OF THE *WOMEN, BUSINESS AND THE LAW* INDICATORS, 1970–2022*Regression results of the growth rate of WBL score on initial value, by indicator (dependent variable: growth rate of WBL indicator score)*

Variable	Mobility	Workplace	Pay	Marriage	Parenthood	Entrepreneurship	Assets	Pension
Initial WBL indicator score	-0.0108*** (-19.18)	-0.0175*** (-25.80)	-0.0144*** (-19.12)	-0.0097*** (-13.75)	-0.0122*** (-13.39)	-0.0179*** (-41.79)	-0.0107*** (-14.27)	-0.0156*** (-16.60)

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

Note: The table presents statistical illustrations of the degree to which economies have been catching up on the eight *Women, Business and the Law* indicators since 1970. Each column presents the coefficient from separate regressions of the annualized change in each of the eight WBL indicators' log score (1970–2022) on that indicator's log score in 1970. The dependent variable is calculated by subtracting the 1970 log WBL score from the 2022 log WBL score for each indicator and dividing by the total number of years (52). The *t* values appear in parentheses. Fixed effects are not included in these models. All regressions include a constant term.

\*\*\**p* < .01.

37 of the economies that scored 0 in the Workplace indicator in 1970 today receive a score of 100, indicating that all legal obstacles to women's work as measured by *Women, Business and the Law* have been removed. In the Entrepreneurship indicator, 15 economies increased their score from 0 in 1970 to 100 in 2022. In general, figure 2.8, panel a, shows flatter trend lines for those areas of the law that already scored above the index average in 1970; for example, in laws related to agency and freedom of movement (Mobility) and those related to property and inheritance rights (Assets). Only one economy has gone from 0 to 100 on either the Assets or the Mobility indicator (South Africa and the United Arab Emirates, respectively).

However, as with the degree of catch-up in the aggregate index, substantial variabilities are evident across economies and regions in each of the indicator scores. The evolution of this variability over time has followed a different pattern for each indicator as economies made progress in different areas of the law and at different points in time. While table 2.2 shows that the catch-up effect was happening within all indicators on aggregate, it says nothing about the possible sequencing of reforms. As discussed under the first main takeaway, at the global level, some indicators have seen an acceleration in progress before others.

When assessed at the regional level, there is some evidence that reforms happened under the Workplace indicator earlier than under the Pay indicator; however, the order in which *Women, Business and the Law* data points were reformed has varied across regions. For example, in South Asia, there was very little progress, on average, in either the Workplace or the Pay indicator up until the mid-1990s; at that point, reforms to laws captured under Workplace began to happen and took off in earnest from the middle to late 2000s. Reforms to the laws captured under Pay took place at a later point in time, but never accelerated as rapidly as reforms in the Workplace indicator.

There is also some evidence that, in the Middle East and North Africa region, reforms in the Pay indicator happened after reforms in the Workplace indicator. In 1970, the regional average score for the Pay indicator (20 points) was higher than the average regional score for the Workplace indicator (10 points). In the 2000s, the average pace of reform in the Workplace indicator accelerated quickly, which has kept up until very recent years. In laws captured by Pay, however, a similar level of acceleration is not seen until the late 2010s.

The pattern in the East Asia and Pacific region is different. Here, the average scores in Workplace and Pay in 1970 were 22 and 40 points, respectively. There was a rapid acceleration in the score under Workplace from the mid-1990s. By 2002, the average

score in both indicators was the same (46 points); from this point onward, they moved in tandem. Indeed, today, the average score of the Workplace and Pay indicators are closest in the East Asia and Pacific region (at 71 and 72 points, respectively) than in any other region. Much more research, ideally at the economy level, is needed to understand the sequencing of reforms and its relevance to their successful implementation.

## Evidence from the past can guide future decisions

Overcoming legal gender barriers benefits all of society—not just women. Increasing women’s rights is an end in and of itself, but it also has sizable impacts on economies and societies at large. Advancing the rights of women has consistently been shown to bring a range of socioeconomic benefits (as discussed in the section on the benefits of legal gender reform). Therefore, economies should have a keen interest in empowering women because it opens a path to prosperity. Where women have more rights, freedoms, and opportunities, the whole economy experiences tangible, measurable gains. Furthermore, where women share equal rights with men in accessing economic opportunities, economies are stronger in the face of shocks arising from multiple, overlapping, and compounding crises such as the COVID-19 pandemic, the climate crisis, rising prices and food insecurity, and increased fragility and conflict. If everyone has an opportunity to participate, greater things can be achieved. And, as noted previously, economic and technological development can also be an important driver of gender equality, suggesting the possibility of a virtuous cycle of gender equality and economic development.

Progress is happening everywhere, but plenty of work remains on all fronts. Overcoming legal gender barriers is both a necessity and a reality that is happening in every economy, irrespective of its income level, culture, or region. As demonstrated, since 1970 all economies have enacted reforms to enhance women’s economic empowerment, improving the global economy average score from 45.8 to 77.1 points. Some economies whose laws initially held more restrictions for women have shown impressive speed in overhauling legislation and expanding the legal rights of women, catching up with economies that historically have been more equal. But despite the progress achieved, much work still lies ahead. The size of the gap in women’s rights determines the necessity of reform because the tangible impact for women may be largest in those economies that started off with the fewest rights. An additional 1,549 reforms are needed to reach legal gender equality everywhere, but only 34 were enacted last year. At this pace, it will take at least another 50 years to close the legal gender gap. Yet given the limited progress in some areas and specifically considering the low number of reforms in 2022, it may take much longer to close existing legal gender gaps across all areas. Even worse, some economies are reversing rights for which women have fiercely fought. Meanwhile, women worldwide have become important agents of change. They have been and still are taking to the streets to demand equal rights and opportunities, as protests in Argentina, Colombia, India, the Islamic Republic of Iran, Poland, the United States, and elsewhere vividly illustrate.

Better data to measure progress can be transformative. The *Women, Business and the Law* panel data presented in this report offer a framework for identifying gaps and entry points to assess economies’ performance in closing legal gender gaps. Ground-breaking research has been using the *Women, Business and the Law* panel data set to

uncover the motivations and benefits of reform (see box 2.1). Presenting these facts is a first step toward inspiring policy makers to remove existing discriminatory laws as well as promoting more research that uncovers the enabling factors needed to enhance women's economic inclusion. More, and better, data are needed to monitor progress toward gender equality and to understand the impacts of laws and policies on women, their families, and economies.

The *Women, Business and the Law* panel data offer a pathway to a substantial research agenda by exploring new topics that are fundamental to the effort to close persistent gender gaps in women's rights. These efforts include representative surveys at the individual level to measure the implications of laws on the ground, a study of laws at the subnational level to understand within-country variance, and coherent assessments of the drivers of reform to understand what underlying factors need to be in place for successful gender reform. Furthermore, *Women, Business and the Law* panel data allow for more research in areas that are notoriously data scarce: gender and climate and women's rights in fragile and conflict-affected regions.

More analysis is needed to understand the process of reform in order to accelerate gender equality everywhere. Women still face legal barriers in multiple domains, despite global progress. The data show that the catch-up of historically lower-performing economies is detectable and is happening more frequently within the same region or income group than the overall convergence globally, especially since 2000. More needs to be done to understand why. The pace of catch-up across economies could be correlated with several enabling factors, including political change, economic development, and growth in human capital as well as institutional reform more broadly. Understanding the relationship between the reform of gender discriminatory laws and other attributes is an important area for future research and is a priority area for identifying actionable policy recommendations.

The level of legal discrimination is particularly onerous in some highly populous countries and therefore restricts economic opportunities for a very large number of women. Removing structural barriers that constrain women's economic participation requires an enabling environment and collaborative engagements with multiple stakeholders. Furthermore, support from civil society actors and gender champions is essential to drive the reform agenda forward. That said, change will not come overnight. Reforming laws is an incremental process that requires the political will to find compromise and the ability to start conversations that would have been considered taboo in legislatures just a few years ago. Although great achievements have been made over the last five decades, more needs to be done worldwide to ensure that good intentions are accompanied by tangible results—that is, equal opportunity under the law for women. Women cannot afford to wait another 50 years or more to reach equality. Neither can the global economy.

## Notes

1. Panel data are available at <https://wbl.worldbank.org/en/wbl-data> and on the World Bank's Gender Data Portal at <https://genderdata.worldbank.org/>.
2. A previous version of the panel data set has already been publicized on the *Women, Business and the Law* website. Since then, the data have been expanded, updated, and revised. In order to provide a comparable time-series data set, any data revisions are back-calculated to 1970.

3. A reform is counted if an economy reforms a law that affects any of the 35 areas of measurement resulting in a change of answers from “no” to “yes.” As such, a reform is counted each time a legal restriction formerly placed on women is removed in the law. For example, Uganda’s 2022 Succession (Amendment) Act resulted in a count of three reforms because answers in the following areas changed from “no” to “yes”: Do sons and daughters have equal rights to inherit assets from their parents? Do female and male surviving spouses have equal rights to inherit assets? Can a woman choose where to live in the same way as a man? Reversal of rights on progress that has already been made in an economy toward women’s full economic empowerment (a change from “yes” to “no”) along with legal changes that do not affect the 35 areas of measurement (legal changes that still result in a “yes” answer for the 35 areas) are not counted as a reform.
4. Labour Code of 1972, Art. 91.
5. Ley de Contrato de Trabajo de 1974, Art. 193.
6. Employment Insurance Act, Secs. 12(4.01) and 23.
7. These economies are Bahrain, Botswana, the Democratic Republic of Congo, Indonesia, Jordan, Kuwait, the Republic of Yemen, São Tomé and Príncipe, Saudi Arabia, Sudan, the United Arab Emirates, and the West Bank and Gaza.
8. On April 14, 2008, the Republic of Yemen enacted Law No. 15 of 2008 amending the labor code (Act No. 5 of 1995).
9. African Union, Status of Implementation of the Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa, <https://www.peaceau.org/uploads/special-rapporteur-on-rights-of-women-in-africa-presentation-for-csw-implementation.pdf>.
10. By contrast, in 2019 Nepal introduced a restriction on women’s rights, making it more difficult for women to choose where to live.
11. Act No. XXI of 1993 amending Article 1322 (1) of the civil code.
12. República Bolivariana de Venezuela is included in the upper-middle-income group, as last classified in 2021.
13. Sex Discrimination Act 1984, Sec. 22B.
14. France enacted Loi No. 72-1143 du 22 décembre 1972 relative à l’égalité de rémunération entre les hommes et les femmes, outlining in Article 1 that an employer is obliged to ensure, for the same work or for work of equal value, equal remuneration for men and women.
15. Council Directive 75/117/EEC of 10 February 1975 on the approximation of the laws of the member states relating to the application of the principle of equal pay for men and women.
16. This regulation was also repealed in 1993 by Government Regulation No. 14/1993 on the Provision of Social Insurance Programs for Workers, but this change does not result in any changes in the *Women, Business and the Law* score.
17. The rate of catch-up is proportional to the absolute value of the estimated regression coefficient.

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