



WOMEN, BUSINESS AND THE LAW

FAQ – WBL 2025

Methodology Workshops

MARRIAGE

1. I understand that equality during a marriage is important, but why does WBL address divorce? Why is divorce relevant?

While equality within marriage is fundamental to advancing women's socioeconomic outcomes and society's overall well-being, equality at the point of divorce is just as essential. The ability to initiate and exit a marriage on equal terms provides women with agency over their lives. Equal rights to and during divorce can empower women with greater control over their personal and financial lives. Evidence shows that equal rights in divorce can reduce women's dependency on their husband, address power dynamics within households, empower women with greater control over their personal and financial lives, and can also enable women to leave abusive marriages (e.g., Christopherson et al. 2022; Fruttero, Gomes and Sharma 2023, see p. 120 of the WBL Methodology Handbook). In sum, divorce can have a significant impact on women's economic participation as it encourages them to seek employment and improve their financial situation.

2. Why are family courts important?

Specialized family courts play a vital role in delivering justice where it most directly affects people's lives: marriage, divorce, child custody, alimony, and other family matters. These courts are essential not just because of what they adjudicate, but how they do so. Unlike general civil courts, family courts are designed to provide a dedicated, sensitive, and often faster venue for resolving family disputes. Specialized family courts can serve as a dispute resolution mechanism while providing supportive spaces for families. By focusing not only on legal adjudication but also on social services, family courts enable a more holistic approach to dispute resolution. As women can be disproportionately burdened by caregiving activities, family courts can provide an integral resolution to a dispute.

3. Why does *Women, Business and the Law* consider the question of who is the head of a household? Why does it matter the way a family agrees to structure and organize itself?

The designation of household headship carries real and far-reaching consequences for women's rights and autonomy. In countries where only men can be recognized as the head of household, this status often confers legal authority such as decision-making power over residence, finances, and even the rights of children. It can also affect access to government benefits, housing, and identification documents, which are often administered to heads of households. By assessing whether both spouses can be recognized as heads of household, *Women, Business and the Law* sheds light on whether women have equal standing within the family unit. When the law reinforces male-only headship, it sends a powerful signal: that women are not equal partners, even in their own homes. These power imbalances at home limit women's bargaining power, which can also decrease their ability to pursue jobs or careers outside the home. Therefore, equal rights at home imply more bargaining power for women, which impacts women's ability to access the job market.