Women, Business and the Law

Summary

Measuring Legal Gender Parity for Entrepreneurs and Workers in 128 Economies

2010
For men and women throughout the developing world, the chance to start and run a business or to get a good job is the surest hope of a way out of poverty. Creating the kind of environment in which this hope can flourish requires effort in a broad range of areas, from security and infrastructure to education and health. It also requires good business regulation—regulation that is fit for the purpose and streamlined, but also accessible—so that the chance to build a business, or to have a good job, depends not on your connections or wealth or power, but on your initiative and ability.

In recent years, we have seen an increasing number of governments focusing their efforts on creating a sounder business environment. Our Doing Business publication, which tracks reforms in business regulations important for small and medium-size domestic firms, highlights the energy of these efforts in countries as varied as FYR Macedonia and Rwanda, Colombia and Liberia, China and Egypt. And we see increasing evidence of the impact of these reforms on registration of formal firms, access to finance and job creation.

But how to be sure that as governments improve business regulation, women entrepreneurs and workers benefit alongside men? Answering this question requires an understanding of many factors, from access to good basic infrastructure, education and healthcare, to social and cultural norms. But one piece of the puzzle are the laws, regulations and institutions that differentiate between women and men in ways that affect their incentives or capacity to work or to set up and run a business.

Women, Business and the Law focuses on this piece of the puzzle, setting out in an objective fashion legal differentiations on the basis of gender in 128 economies around the world, covering 6 areas—accessing institutions, using property, getting a job, dealing with taxes, building credit and going to court. Our hope is that these data will both enable research on linkages between legal differentiation and outcomes for women, and help inform policy dialogue on things governments can do to expand women’s opportunities. And as this is the first of what we plan as an annual series of reports on this critically important topic, we especially welcome feedback.

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Women, Business and the Law: An introduction

In 1804 the Napoleonic Code broke ground in establishing civil rights in France. For instance, it granted freedom of religion and forbade privileges based on birth. But the same code said that wives were under the supremacy of their husbands. In England during the same period the law gave inheritance rights only to male heirs, leaving women with less access to property. Until the 1840s wives in the United States were legally subordinated to their husbands and prevented from controlling their own property.

Things have changed. French husbands and wives now have equal standing in the eyes of the law. In the United Kingdom women can inherit property the same way as men. And in the United States women can control their property the same way as men.

In Latin America in 1888, Costa Rica—followed by El Salvador, Nicaragua and Honduras—expanded property rights for married women by allowing them to retain ownership and control over any property they acquired prior to or during marriage, as the default regime governing marriage in the reformed civil codes.1 In Imperial China married women were under the authority of their husbands. Their role was summed up by the “three obediences,” with a young woman expected to obey her parents, a married woman her husband and a widow her sons. In contrast, China’s current marriage law grants men and women equal rights in family life.

Though there has been much progress toward legal parity between women and men, important distinctions still exist that may constrain women’s capacity to improve their own and their families’ well-being by working or by running a business. Women, Business and the Law identifies gender-based distinctions in formal laws and institutions that may directly or indirectly affect female workers and entrepreneurs.

Thournament some gender-based differentiations arose from traditions in which women were deliberately subjugated to men, others were introduced with the intention of protecting women. Documenting where laws stipulate different treatment of men and women—whatever the reason—can help improve understanding of how legal and regulatory environments shape opportunities for women and contribute to more informed policy discussions.

What this report covers—and why

Like men, women consider entrepreneurship and employment an important way of escaping poverty.2 Datasets such as the Enterprise Surveys3 and Doing Business4 delineate the challenges that all firms and entrepreneurs face in expanding their businesses and creating jobs. But female entrepreneurs and employees may face additional constraints in starting businesses and navigating the workforce. In 2009 the Global Gender Gap Index reported that 96% of the gender gap in health and 93% of the gap in education have been eliminated. But the gender gap for economic participation remains at 41%.5

Women, Business and the Law focuses on gender differentiations in legal treatment—one of many sets of factors that determine the course of women’s working lives. Covering 128 economies, it establishes 6 indicators of gender differences in formal laws and institutions:

- **Accessing institutions**—explores women’s legal ability to interact with public authorities and the private sector in the same ways as men.

  Lack of autonomy to interact with government institutions or conduct official transactions may limit a woman’s access to resources and services and restrict her ability to be an entrepreneur or get a job.

- **Using property**—analyzes women’s ability to access and use property based on their capacity to own, manage, control and inherit it.

  The ability to access, manage and control property can be especially important in developing economies, where
Women are more likely to work in family enterprises and their income can hinge on their access to property.

- **Getting a job**—assesses restrictions on women’s work such as prohibitions on working at night or in certain industries. This indicator also covers laws on work-related maternity and paternity benefits and on retirement ages.

  Some differentiations in labor law may increase opportunities for women, while others may limit them. Parental leave policies are generally expected to generate a more equitable division of childrearing responsibilities, giving women the same opportunities for career advancement. But restrictions on working hours or industries designed to protect women may end up limiting their ability to get the jobs they want. Similarly, gender-differentiated retirement ages have the potential to affect career prospects, lifetime earnings, pension benefits and retirement savings.

- **Dealing with taxes**—examines personal income tax liabilities, taking into account tax credits and deductions available to women relative to men.

  Gender differences in tax treatment may affect women’s decision to work. Women may have stronger incentives to participate in the labor market if tax rules favor an equal distribution of income.

- **Building credit**—identifies minimum loan thresholds in private credit bureaus and public credit registries and tracks bureaus and registries that collect information from microfinance institutions.

  Low minimum loan thresholds mean more coverage for small businesses—many of which are owned by women—because they tend to take out small loans. Such loans can help these businesses build credit histories if credit bureaus and registries set low thresholds for inclusion in their data. And because most microfinance users are women, they are more likely to benefit from credit bureaus and registries that collect and distribute microfinance data. Having this record can allow women to graduate to larger loans.

- **Going to court**—considers the ease and affordability of accessing justice by examining small claims courts.

  Small claims courts can make it easier for small business owners to access the legal system. That can help women-owned businesses—which tend to be smaller—by making it cheaper and faster to resolve disputes.

The first 3 indicators—accessing institutions, using property, and getting a job—capture laws that have direct gender dimensions and are based on a reading of such laws from the perspective of individual women. The 4th indicator—dealing with taxes—examines the direct and indirect gender implications of tax policy from the perspective of 4 standardized families with varying tax liabilities.

The last 2 indicators—building credit and going to court—examine the ease of access to credit bureaus and courts to examine the indirect effects that microfinance institutions and dispute resolution have on women, who are more likely to rely on nontraditional financial services. The questions used to construct each indicator were chosen based on data availability, economic relevance and variation of regulation across economies.

The Women, Business and the Law indicators complement a number of existing sets of gender indicators. These include:

- The Global Gender Gap Index, published by the World Economic Forum, which examines global gender inequalities using criteria based on economics, politics, education and health. The index mainly uses quantitative outcome variables such as the ratio of female to male labor force participation.

- The Social Institutions and Gender Index, which provides a composite measure of gender equality based on the OECD’s Gender, Institutions and Development Database. The index includes 12 indicators on social institutions grouped into 5 categories: family code, physical integrity, son preference, civil liberties and ownership rights. These indicators are
based on expert assessments of what happens in practice beyond the basic legal framework. They focus on policy and input variables, such as inheritance regulation, and on outcome variables, such as access to credit.

- The United Nations Gender Info 2007, a database of gender statistics and indicators focused on policy areas such as population, families, health, education, employment and political participation. Using some of these indicators, the United Nations Development Programme produces the Gender-Related Development Index and Gender Empowerment Measure, which are part of the Human Development Index. All of these indicators are based on quantitative outcome variables.

**Women, Business and the Law** is the first attempt to measure the gender gap in policy variables using quantitative and objective data.

**What this report does not cover**

Equal opportunities for women in business and the workplace hinge on the interplay of various economic, social and cultural factors. For example, unless women have opportunities to get an education or build their skills, equal rights to certain professions can mean little. Equalizing rights to work may not cause more women to enter the workforce if they are expected to be the primary care-givers for their children and access to child care is limited. Less direct factors such as infrastructure—for example, safe transportation and good street lighting—may also affect women’s ability and desire to work in certain locations or at night.

This report recognizes the many issues that affect women’s economic opportunities but focuses on one area: aspects of the formal legal and regulatory environment that enable women to open their own businesses or find jobs. The report represents a partial effort on several levels, both in the selection of broad topic areas and within the topic areas. For example, the indicator on getting a job does not cover equal pay for equal work laws even though the existence of such laws may affect women’s spending power and lifetime earnings as well as employers’ hiring decisions. Similarly, the indicator on accessing institutions does not include laws covering affirmative action and voting rights.

Though the report focuses on laws that govern the formal economy, many women in developing economies work or start businesses in the informal economy. The report’s focus on the formal sector is driven by the difficulty of identifying the often unwritten rules of the informal economy and by the premise that moving to the formal economy provides women with more opportunities in higher-paying industries, greater social protections and formal mechanisms for recourse should their rights be denied. In practice, all the indicators other than getting a job and dealing with taxes cover regulations that affect women in both the formal and informal sectors.

Customary law—based on the accepted customs or practices of a particular group—can exist in parallel with common or civil law regimes. Where such legal systems exist together, customary law can determine a woman’s rights in marriage or to property and inheritance, often granting women different rights than they would receive under common or civil law. **Women, Business and the Law** does not cover customary law. Though customary law can significantly affect a woman’s ability to become an entrepreneur or participate in the job market, difficulties arise in defining its rules.

In focusing on written legislation, the report recognizes the often large gaps between laws on the books and actual practices: women do not always have access to the equality that formally should be theirs. But identifying legal differentiation is one step toward better understanding where and how women’s economic rights may be restricted in practice. Of all the countries covered by this report, only 3—the Islamic Republic of Iran, Sudan and the United States—are not party to the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Thus it would seem that the vast majority of women in the countries that are party to the convention should have access to formal equality. But as the report shows, they do not. Moreover, the majority of countries covered in this study grant equal rights under their national constitutions, making many of the gender differentiated provisions highlighted throughout the report unconstitutional. The report’s focus on formal law is consistent with the
idea that improving the regulatory environment for women is one step toward encouraging them to join the labor force, stimulating business and job creation, and making businesses and the overall economy more competitive.

The report does not test or analyze outcome variables of gender inequality; it simply identifies whether the law is equal for women and men—which can be a potential source of inequitable gender outcomes. Assessing the potential benefits of equality—and when and how legal differentiation on the basis of gender helps or harms outcomes for women—requires additional analysis beyond the scope of this report. But it is hoped that these new data will inform such analysis, foster discussions on advancing women’s economic rights and provide policymakers with tools to identify potential ways to improve those rights. By focusing on the law, which is tangible and concrete, the report aims to provide policymakers with a starting point for dialogue and action.

Data and methodology

The data in this report were collected over two years ending in October 2009. The data are current as of June 2009.

The report’s indicators were constructed using codified sources of national law—such as constitutions, marriage and family codes, labor codes, passport procedures, citizenship rules, inheritance statutes, tax regulations, land laws and social security codes—as well as responses from country practitioners. Wherever possible, data were gathered directly from the text of laws. The Gender Law Library and other online sources were used to access laws. In addition, responses from the Doing Business 2010 surveys were used to develop the indicators for dealing with taxes, building credit and going to court.

This pilot report collected data on 128 economies. More detailed data on each economy, including links to the legal sources used, are available on the Women, Business and the Law website (http://wbl.worldbank.org).

In comparing this large sample of economies, several assumptions are made about the situation of the women in question. For example, they are assumed to reside in each economy’s largest city for business. This assumption may make a significant difference in federal countries, where laws affecting women can vary by state. In addition, where several sets of personal law apply, setting out different rights and obligations for different groups of women, the data focus on the situation of the most restricted group of women. A detailed explanation of the report’s methodology—including all the questions used and assumptions made—is provided in the Data notes.

What’s next

Future editions of this report will seek to expand coverage to additional economies and expand or refine the current indicators. The indicator on accessing institutions will be disaggregated to provide more detailed understanding of the extent of inequality in this area and enable better comparisons of the differences in unequal treatment across regions and income groups. Future reports will also consider expanding the indicator on getting a job to cover equal pay for equal work and nondiscrimination in employment, as well as regulations on part-time employment. Further work is planned on options for addressing customary law.

As progress is monitored on the 6 indicators, it will become possible to identify which economies are more active in changing laws on women’s economic rights. Thus future editions will contain more detail on legal changes and the processes associated with those changes.

Feedback is welcomed on all aspects of the report and can be provided through our website.

1 Deere and León (2001).
2 Narayan and others (2000).
3 See http://www.enterprisesurveys.org/.
4 See http://www.doingbusiness.org/.
7 The United States signed the Convention, but has not ratified it.
Millennium Development Goal 3 calls for promoting gender equality and empowering women. There are many ways to pursue this objective. Improving girls’ education, promoting women’s political participation, establishing maternal health initiatives, improving basic infrastructure and combating violence against women are all critical ways of promoting gender equality and empowering women. Another way that women are empowered is by being able to work in a paid job or run their own business. Entering the formal economy as workers or businesswomen allows women to provide for themselves and their families, and to play their part in generating economic growth and job creation.

But in many economies finding a job or starting a business can be difficult for women, and their chances of success somewhat constrained. There are fewer women than men in the global labor market, and women in every economy are paid less for their work than men—with the wage gap averaging 17% in 2008. In Latin America and the Caribbean men’s labor force participation is about 30 percentage points higher than women’s at age 24, and in South Asia 82% of men are active in the labor market—compared with just 27% of women. Women also own fewer businesses—only one-third of firms in 118 economies surveyed by the World Bank have female participation in ownership—and businesses owned by women tend to have fewer employees and lower sales and invested capital.

Improving the condition of women can have benefits for society that transcend the direct benefits to individual women. Women’s independent earnings improve the well-being of families and communities, reduce poverty and stimulate economic growth. Higher income for women and better access to and control over their resources also translate into better health and nutrition for children. In Bangladesh access to microfinance increases household consumption when the borrower is a woman. Access to credit also improves children’s health and nutrition.

Expanding economic opportunities for women can benefit economies at all levels of development. For instance, in the United States in the second half of the 1990s, companies with more women in top management achieved better financial performance.

It’s an unequal world

In recent years many economies have taken steps to improve regulatory aspects of their business environment, with the goal of improving entrepreneurship and employment opportunities for their citizens. But many also retain legislation that treats women and men differently in ways that may affect their opportunities as entrepreneurs and workers.

Only 20 of the 128 economies covered by Women, Business and the Law set equal rights for women and men in 9 key areas (excluding parental benefits). None of the 20 is in South Asia, the Middle East and North Africa or Eastern Europe and Central Asia. Only 1—Botswana—is in Sub-Saharan Africa. Two are in East Asia and the Pacific—Hong Kong (China) and Taiwan (China)—and 4 are in Latin America and the Caribbean—the Dominican Republic, Peru, Puerto Rico and Uruguay. The remaining 13 are OECD high-income economies: Canada, Denmark, Finland, France, Iceland, Ireland, New Zealand, Norway, Portugal, Spain, Sweden, the United Kingdom and the United States.

Differentiations between men and women may have a variety of motivations and take a variety of forms. For example, married women may be prevented or limited—by family codes or personal status laws—from functioning independently of their husbands. In
the Democratic Republic of Congo a married woman must obtain authorization from her husband before signing a contract or starting a business. In the Republic of Yemen a married woman cannot leave her home without her husband’s permission, though the law does say that a husband cannot bar his wife from leaving the house if she is going to attend to her financial affairs, perform her job or care for her parents.

When it comes to labor market participation, laws may be created with the goal of protecting women, but may limit their opportunities in ways that not all women might choose. In the United Arab Emirates women cannot work at night except in limited circumstances. In Nigeria it is illegal for women to work at night in agriculture or manufacturing. And in the Russian Federation women are forbidden from working underground or in dangerous, unhealthy professions. Such regulations may end up taking work away from willing employees and business opportunities away from entrepreneurs. Some governments set earlier mandatory retirement ages for women—a protection that can have unintended negative consequences given their longer life expectancies.

Equality and economic outcomes for women

Does equality in the areas measured by Women, Business and the Law actually relate to better outcomes for women? A key goal in compiling these data is to enable research that tests the relationship between legal equality or differentiation and outcomes for women as business owners or workers. A first glance at the data indicates that there is a broadly positive association between equality in the law and more equal outcomes for women. This is not in itself an indication of causality, but does suggest the value of further research.

Figure 1.1 shows the average percentage of female participation in ownership and management in economies where women and men have equal rights under the law in four areas covered by this report—and in those where they do not. Legal differentiations are

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**Figure 1.1** Equal rights are associated with more businesses owned or managed by women

![Image of a bar chart showing comparison between economies with and without equal gender rights in terms of female top managers and participation in ownership.]


Note: The bars represent the average female participation in ownership or management in economies where women have the same rights as men and where they do not. Equal rights for men and women are measured across 4 dimensions in Women, Business and the Law: capacity by law, inheritance rights, ownership rights and industry restrictions. The Enterprise Surveys database includes 86 economies with data on the percentage of firms with female participation in ownership and 34 economies with data on the percentage of firms with a female top manager. The Enterprise Surveys data are for 2002–09.
measured in 4 areas, assessing whether men and women can work in the same industries, have the same rights over property ownership, have the same rights over property inheritance and have the same capacity by law. In all these areas equality by law is associated with a higher percentage of female participation in ownership and management.

Comparing the Global Gender Gap Index, which measures differences in outcomes for women, with the data from Women, Business and the Law shows that of the 20 “equal” economies listed above, 10 are in the top 20 of the Global Gender Gap Index. Overall, economies with unequal legislation as shown by Women, Business and the Law tend to score lower on the Global Gender Gap Index and on its economic participation and opportunity sub-index in particular—meaning a larger gap between women and men in outcomes such as labor force participation (figure 1.2).

In addition, there is a significant correlation between the data in Women, Business and the Law and the OECD’s Social Institutions and Gender Index, which covers both policy and outcome variables (figure 1.3).

Gender inequality is a global phenomenon

Every region contains economies with unequal rules for men and women, with the extent of inequality varying by region (table 1.1). In Sub-Saharan Africa all economies except Botswana impose unequal rules for men and women in at least 1 of the following areas: accessing institutions, using property, getting a job or dealing with taxes. This is also the region where the smallest percentage of economies have small claims courts or credit bureaus that collect information from microfinance institutions.

Figure 1.2  Women, Business and the Law and the Global Gender Gap Index

![Figure 1.2](image)


Note: The bars represent the average scores for the index and sub-index in economies where women have the same rights as men and where they do not. Equal rights for men and women are measured across 5 dimensions in Women, Business and the Law: capacity by law, inheritance rights, ownership rights, industry restrictions and working hour restrictions. The economic participation and opportunity sub-index is part of the Global Gender Gap Index. A high score on both indicators means that there is a low gender gap in outcomes. The differences in the figure are statistically significant at the 1% level even after controlling for income per capita, except for the differences in ownership rights. The figure uses data for 112 economies.
The picture is similar in the Middle East and North Africa, where all economies have some gender-differentiated rules in one or more of accessing institutions, using property, getting a job or dealing with taxes. Moreover, this region has one of the smallest shares of economies providing the services described in building credit and going to court.

In South Asia differentiation between men and women is common in accessing institutions, using property and getting a job. There is no direct gender differentiation in dealing with taxes, and small claim courts are common in the region. But in only 1 of the region’s 5 economies covered by this report does the public credit bureau collect information from microfinance institutions.

In East Asia and the Pacific there are different rules for men and women in 10 of 13 economies in one or more of accessing institutions, using property, getting a job or dealing with taxes.¹⁶

In Latin America and the Caribbean legal differentiation between men and women exists in 16 of the 20 economies covered in one or more of accessing institutions, using property or getting a job. But none of the economies differentiates between men and women on inheritance rights or dealing with taxes. Moreover, this region has the highest percentage of economies where credit bureaus collect information from microfinance institutions.

None of the economies in Eastern Europe and Central Asia and in OECD high-income differentiates between men and women in accessing institutions, using property or dealing with taxes. The Republic of Korea is an exception in that its personal income tax laws imposes a lower tax liability on women through specific deductions that apply only to working women. Otherwise, all the legal differentiations between men and women in these 2 regions focus on labor regulations.

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**Figure 1.3** *Women, Business and the Law and the Social Institutions and Gender Index*

![Diagram](image)

**Source:** Women, Business and the Law database; Social Institutions and Gender Index (2009) by OECD

**Note:** The bars represent the average score in the Social Institutions and Gender Index in economies where women have the same rights as men and where they do not. Equal rights for men and women are measured across 5 dimensions in Women, Business and the Law: capacity by law, inheritance rights, ownership rights, industry restrictions and working hour restrictions. A lower score on the Social Institutions and Gender Index means that there is more gender equality in both outcomes and policies. The differences in the figure are statistically significant at the 1% level even after controlling for income per capita, except for the difference in ownership rights. The figure uses data for 78 economies.
<table>
<thead>
<tr>
<th>Economies with gender differentiated laws across 9 questions</th>
<th>Middle East &amp; North Africa</th>
<th>South Asia Sub-Saharan Africa</th>
<th>Latin America &amp; Caribbean</th>
<th>OECD High Income</th>
<th>East Asia &amp; Pacific</th>
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</thead>
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<tr>
<td><strong>Where do men and women have equal capacity by law?</strong></td>
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<td>None</td>
<td>Chile, Jamaica</td>
<td>None</td>
<td>Indonesia, Malaysia, Philippines</td>
</tr>
<tr>
<td><strong>Where do men and women have equal capacity to give legal consent to marry?</strong></td>
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<td><strong>Where do men and women have equal capacity by law?</strong></td>
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<tr>
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<td><strong>Where do married men and married women have equal capacity by law?</strong></td>
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<td>Chile, Jamaica</td>
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<tr>
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<td><strong>Where can women not work in all industries?</strong></td>
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<td>Indonesia, Malaysia, Philippines</td>
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<tr>
<td><strong>Where can pregnant and nursing mothers not work the same industries as other women?</strong></td>
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<td>Chile, Jamaica</td>
<td>None</td>
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<tr>
<td><strong>Where are women expected by law to retire at an earlier age than men in the private sector?</strong></td>
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<td><strong>Where do women face higher personal income tax liability than men?</strong></td>
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<td>None</td>
<td>Chile, Jamaica</td>
<td>None</td>
<td>Indonesia, Malaysia, Philippines</td>
</tr>
</tbody>
</table>

**Table 13**
Although income level is correlated with gender equality under the law (figure 1.4), unequal legal provisions exist in both developed and developing economies.

**Laws are changing to increase equality**

In recent years a number of the 128 economies covered by *Women, Business and the Law* have adopted formal laws aimed at equalizing the status of women and men. Though this report does not provide a comprehensive list of these reforms, the following examples reflect the types of changes being made around the world.

In 1996 Botswana amended its Employment Act and Mines and Quarries Act to lift restrictions on the industries where women can work. In addition, retirement ages were set at 65 for both men and women. Botswana also amended its Deeds Registry Act, enabling women to execute deeds and other legal documents without their husbands’ consent. In 2004 Botswana passed the Abolition of Marital Power Act, eliminating the husband’s position as head of household and giving spouses equal rights in managing and administering joint property.

Finland (in 2002), the Kyrgyz Republic (2008) and Moldova (2003) are among the economies that have recently changed legislation to allow fathers to take extended parental leave. A growing number of economies are also instituting paternity leave policies, allowing fathers to take time off at the birth of their children. Exemplifying this trend in Latin America is Ecuador, which instituted new paternity leave laws in 2009. Such laws may encourage more equitable division of childrearing responsibilities and enable women to pursue career opportunities that might not otherwise be open to them.

![Figure 1.4](image-url)

**Figure 1.4 Legal equality and income level**


Note: The bars represent the percentage of economies with equal rights for men and women by income level in each of the 5 areas named under the bars. The differences between the average for high-income economies and the average for low-income economies in the figure above are statistically significant at the 1% level except for the difference in industry restrictions.
In 1995 Morocco revised its commercial and contract law to give women the right to start businesses and get jobs without their husbands’ approval. In 2004 it changed the Family Code to equalize the status of women within the family. Before the code went into effect, Moroccan men were the heads of households and women were bound by their decisions. Now spouses jointly manage family responsibilities. And courts in Kuwait and Nigeria recently ruled as unconstitutional laws requiring married women to get spousal consent to obtain passports.

In 1996 Bolivia began a systematic land titling effort that recognized men’s and women’s equal rights to land. But the equalizing legislation did not significantly increase women’s land titles, so the implementing agency amended its procedures to promote joint titling, as opposed to titling under the head of household. Bolivia has since seen a sustained increase in joint titles, while individual titling to women has tapered off.

In Vietnam there is recognition that earlier statutory retirement ages for women result in shorter working lives and thus lower pension accruals through pension contributions. To offset this difference, women in Vietnam—whose statutory retirement age is 5 years lower than men’s—receive an additional transfer of resources to supplement their pensions at retirement relative to their contribution levels. In addition, the Vietnamese government is working to raise the female retirement age from 55 to 60.

In 2005 India amended the Hindu Succession Act to give daughters equal inheritance rights over joint family property. Previously, separate property could pass equally to male and female descendants, but joint family property or ancestral property could only pass through the male line. Agricultural land was also included in the amended act. Before, agricultural land had largely been exempt and was governed by a kaleidoscope of state laws, several of which restricted women’s ability to inherit such land. Other amendments to the act included allowing married daughters to live in their parental homes. Previously, married daughters could not legally reside in their parental homes unless they were separated, deserted, or widowed. In addition, all daughters, regardless of their marital status, have been granted the ability to demand a partition of joint family property—a right that had formerly been granted only to the male line. Restrictions were also lifted on the ability of certain widows to inherit if they remarried.

1 http://www.unifem.org/gender_issues/women_poverty_economics.
3 Data from Enterprise Surveys on 118 countries (http://www.enterprisesurveys.org).
4 Bruhn (2009).
5 Morrison, Raju and Sinha (2007).
8 Catalyst (2004).
9 These are economies where the law provides an affirmative answer to the following questions: Do men and women have equal capacity by law? Do married men and married women have equal capacity by law? Do men and women have equal ownership rights over movable and immovable property? Do men and women have equal inheritance rights over movable and immovable property? Can women work the same night hours as men? Can women work in all industries? Can pregnant and nursing mothers work the same hours and in the same industries as men and other women? Is the statutory retirement age in the private sector equal for men and women? Do men and women face the same personal income tax liability?
10 Democratic Republic of Congo Family Code, Article 448.
11 Yemen Personal Status Law No. 20, Article 40.
13 Labour Act of Nigeria, Article 55(1).
16 We do not have full data for one of the economies covered in East Asia and Pacific.
17 Universal pension 1996, administered by the Social Benefits Division, Department of Social Services, Ministry of Local Government.
<table>
<thead>
<tr>
<th>Region</th>
<th>Number of economies</th>
<th>Name of economies</th>
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</thead>
<tbody>
<tr>
<td>East Asia &amp; Pacific</td>
<td>13</td>
<td>Cambodia; China; Hong Kong, China; Indonesia; Lao PDR; Malaysia; Mongolia; Papua New Guinea; Philippines; Singapore; Taiwan, China; Thailand; Vietnam</td>
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<tr>
<td>Eastern Europe &amp; Central Asia</td>
<td>23</td>
<td>Albania; Armenia; Azerbaijan; Belarus; Bosnia and Herzegovina; Bulgaria; Croatia; Estonia; Georgia; Kazakhstan; Kyrgyz Republic; Latvia; Lithuania; Moldova; Montenegro; Poland; Romania; Russian Federation; Serbia; Slovenia; Turkey; Ukraine; Uzbekistan</td>
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<tr>
<td>Latin America &amp; Caribbean</td>
<td>20</td>
<td>Argentina; Bolivia; Brazil; Chile; Colombia; Costa Rica; Dominican Republic; Ecuador; El Salvador; Guatemala; Honduras; Jamaica; Mexico; Nicaragua; Panama; Paraguay; Peru; Puerto Rico; Uruguay; Venezuela, R. B.</td>
</tr>
<tr>
<td>Middle East &amp; North Africa</td>
<td>13</td>
<td>Algeria; Egypt, Arab Rep.; Iran, Islamic Rep.; Israel; Jordan; Kuwait; Lebanon; Morocco; Oman; Saudi Arabia; Syrian Arab Republic; United Arab Emirates; Yemen, Rep.</td>
</tr>
<tr>
<td>OECD high income</td>
<td>26</td>
<td>Australia; Austria; Belgium; Canada; Czech Republic; Denmark; Finland; France; Germany; Greece; Hungary; Iceland; Ireland; Italy; Japan; Korea, Rep.; Netherlands; New Zealand; Norway; Portugal; Slovak Republic; Spain; Sweden; Switzerland; United Kingdom; United States</td>
</tr>
<tr>
<td>South Asia</td>
<td>5</td>
<td>Bangladesh; India; Nepal; Pakistan; Sri Lanka</td>
</tr>
<tr>
<td>Sub-Saharan Africa</td>
<td>28</td>
<td>Angola; Benin; Botswana; Burkina Faso; Cameroon; Chad; Congo, Dem. Rep.; Côte d’Ivoire; Ethiopia; Ghana; Guinea; Kenya; Lesotho; Madagascar; Malawi; Mali; Mauritania; Namibia; Niger; Nigeria; Rwanda; Senegal; South Africa; Sudan; Tanzania; Togo; Uganda; Zambia</td>
</tr>
</tbody>
</table>
The project to develop the Women, Business and the Law pilot indicator set was led by Rita Ramalho, under the general direction of Penelope Brook. The core research team comprised Antonio Garcia Cueto, Sarah Iqbal and Jennifer Yip. Karen Sarah Cuttaree, Patrick Fitzgerald, Oliver Lorenz, Caroline Otonglo and Tea Trumbic assisted with data collection.

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Women, Business and the Law 2010 is a pilot report examining laws and regulations affecting women’s prospects as entrepreneurs and employees. The report’s quantitative indicators are intended to inform research and policy discussions on how to improve women’s economic opportunities and outcomes.

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