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ON THE BASIS OF SEX: PERSONAL STATUS LAW REFORMS AND ECONOMIC GROWTH

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A thesis presented in partial fulfillment of the requirements for completion
Of the Bachelor of Arts degree in International Studies
Croft Institute for International Studies
Sally McDonnell Barksdale Honors College
The University of Mississippi

University, Mississippi October 2020

Approved:
Advisor: Dr. William Schenck
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Reader: Dr. Susan Allen

In loving memory of the late Supreme Court Justice Ruth Bader Ginsburg,
Who taught us that laws and precedents
can and should evolve overtime
to better society as a whole,
and discrimination, by any means,
is no longer tolerated.

ABSTRACT

The purpose of this thesis is to analyze how law reform toward gender equity has an impact on economic growth in Arab countries in the Middle East. Personal status law reform granting women economic, social, and personal freedoms is spreading across the region and showing substantial change. Using case studies of major PSL reforms in Tunisia and Morocco, this thesis outlines qualitative and quantitative evidence to support the case that gender equity benefits the economic growth of the given country.

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1. Introduction

"When I hear people say a rising tide lifts all boats, I say wait a minute. People are in different boats – one is going upstream and the other downstream. And the answer is not about getting people to paddle harder. It's about putting people in the same river."

- Dr. Amani Nuru-River

The United Nations 2019 Human Development Report focuses on inequality in all dimensions of human development. It is titled, "Leaving No One Behind: Towards Inclusive Citizenship in Arab Countries," and opens with the UN's pledge to "help states to achieve all 17 Sustainable Development Goals by the year 2030." Throughout the growing conflict across the Middle East and North Africa (MENA), it is expected that, without intervention, 40% of people in the region will live in crisis and conflict conditions by 2030. The people in this region are at risk of insecurity, injustice, and violence from any of the following forces of exclusion: discrimination, geography, governance (ineffective, unactive, or corrupt governance), socioeconomic status, and shocks and fragility (resilience to disasters: both natural and manmade). These forces make it difficult for a person or a people to exercise their rights as citizens.

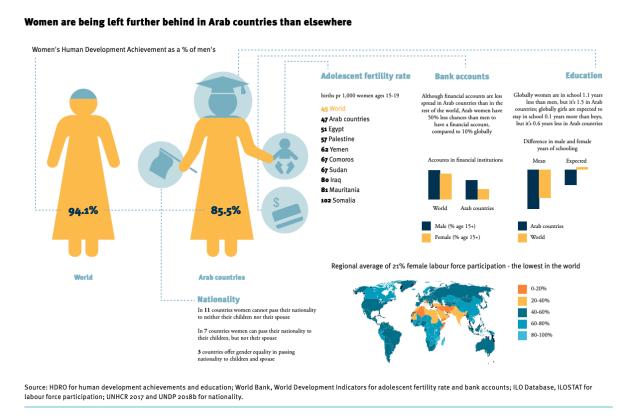
This paper focuses on only one force of exclusion: Discrimination. Specifically, discrimination between gender in Arab countries as outlined in FIGURE 1.1.² While there is some debate over the definition of "Arab countries," this thesis will use the term to refer to countries which primarily speak Arabic and have a shared culture and history. Women in Arab countries only 85.5 percent of men's human development gains as measured by the UN Gender Development Index. Middle East and North African culture clearly distinguishes gender roles

¹ Adel Abdellatif, Paola Pagliani, and Ellen Hsu. "Towards Inclusive Citizenship in Arab Countries," n.d., 48.

² "The Arab Human Development Report: Towards the Rise of Women in the Arab World." Choice Reviews Online 44, no. 12 (August 1, 2007): 44-6583-44-6583.

and expectations in society, leaving 50% of the population constantly affected by discrimination because they are women.

FIGURE 1.1 Gender Inequality UNHDP 2019



Gender discrimination is common in Arab countries, specifically regarding citizenship rights: In only 3 Arab countries can women pass their nationality to their spouse and children, in 7 countries they can pass it to their children but not their spouse, and in the remaining 11 countries they cannot do either. Arab women have 50% less opportunities than men to have a financial account. Legislation on domestic violence and paid maternal leave also cause constraints for women that do not affect men. So if in a country, women are not allowed to formally hold a job or maintain a bank account, it is plausible that their service and money in the informal market is

not participating in the national economy and therefore not actively supporting the gross domestic product.³

Knowing the gender disparities in civil law in many Arab countries, I wonder if this form of gender inequity has an impact on economic growth. I am analyzing how laws and policies regarding a citizen's identity that differ on the basis of sex affect the economic growth of all citizens in a country, in order to investigate the relationship between gender equity and economic growth in the Arab World. I hypothesize that a positive shift in gender equity via personal status reform would influence a positive shift in a nation's economy:

Chapter 2 analyzes the relationship between civil laws and the economy on a broad scale. I utilize scholarly arguments to form a foundation of my research of a possible correlation. In Chapter 3, I establish my argument within existing literature and use theoretical evidence to support gender equity as a causal mechanism between personal status law and economic growth. Chapter 4 details the quantitative and qualitative methods by which I intend to investigate my question as well as why these are the methods of best fit. I also select my case studies for analysis.

³ Abdellatif, Adel, Paola Pagliani, and Ellen Hsu. "Towards Inclusive Citizenship in Arab Countries," n.d., 48.

Chapter 5 investigates existing data on GPDpc over time in my case studies. I use Stata software to p-test for a statistically significant shift in economic growth. Therefore, in Chapter 6 I analyze these results as well as the PSL reforms in cases that may relate to the possible shifts. Finally in Chapter 7, I summarize my findings and define the role of my research in the academic discourse. I also address the limitations of my research and shortcomings in my argument, methodology, and data.

2. Literature Review

2.1. Economic Impact of Laws

While there is some existing literature on the economic impact of changes in civil laws, each example has different circumstances that allow for a broader understanding as a literature review. I was able to take varied cases of law reform and social change to investigate the common trends in the resulting economic change. There is no perfect formula, but this research gives a strong baseline for the expected results of my study.

The most recent and expansive research on law and economic growth is, "The Role of Law in Economic Growth: A Literature Review," by Guangdong Xu. Xu defines four categories that can directly impact economic growth: Geography, Trade, Culture, and Institutions. Each of these can greatly affect, positively or negatively, a country or people's economic growth, but no one definitively determines the future alone. Growth will not occur unless individuals are lured by incentives to undertake social productive activities.⁴

Xu's most impactful point is his argument for the importance of the malleability of institutions, citing the greater capability of common law over civil law to propel economic

⁴ North, D.C. and Thomas, R.P. (1973) *The Rise of the Western World: A New Economic History*. New York: Cambridge University Press.

growth. "The main difference between the two systems is that in common law countries, case law — in the form of published judicial opinions — is of primary importance, whereas in civil law systems, codified statutes predominate." Laws and the public's "buy in" of laws support economic development and creativity. Common law countries, like the US, protect investors, shareholders, and creditors. It is thought that common law is an advantage to financial markets which can stimulate economic growth. Most of the countries in the Middle East and North Africa practice civil law and do not alter norms overtime through judiciary acts without written amendments of laws. Xu exemplifies the importance of the law's ability to affect economic growth, without directly focusing on one group of people within an economy. This leads to the ultimate baseline of my research, as common law allows for progress concurrent with change in social norms, while these Arab countries must wait for a written PSL reform following a societal change. I draw the conclusion that it is the passing of these PSL that expand women's equity that brings about the economic growth, and conversely, the lack of these PSL reforms are invisible road blocks on their economic ladder.

BenYishay and Betancourt's article, "Civil Liberties and Economic Development," explores the Freedom House Civil Liberties Index and how it compares and contrasts the relationship between rights and economic prosperity. They use a conceptual framework of rights and responsibilities as an essential part of economic success to discuss the "rule of law" as an influencer to empower "secondary human rights" such as housing, employment, university education, property rights, geography, and human capital. The authors compare the civil liberties of freedom and expression of belief, organizational rights, rule of law, and personal autonomy

⁵ Syam, Piyali. "What Is the Difference Between Common Law and Civil Law?" What is the Difference Between Common Law and Civil Law? - Blog | @WashULaw, January 28, 2014.

⁶ Xu, Guangdong. "The role of law in economic growth: a literature review." *Journal of Economic Surveys* 25, no. 5 (2011): 833-871.

and individual rights against economic factors such as GDP, difference in income level, evolution of economic activity, and population.

The end result of the comprehensive study is that all civil liberties are statistically significant at the same level as the traditional economic indicators on economic growth. The personal autonomy and individual rights subcategory had the highest t-ratio of any of the other institutional variables studied, which "evaluates the extent of personal economic freedoms such as the choice of ownership form, employment, residence and education, as well as social freedoms such as choice of marriage partners and family size." This high level of statistical significance shows potential for my proposed research question.

Institutionalism does not seem to corollate to per capita income across the 60 countries studied, but property rights do corollate regardless of how that indicator is measured. The measures that performed best in examining economic growth were the secondary human rights as well as primary right, not civil liberties alone. The authors also looked at geography of populations, specifically latitude, and they considered whether a country was land locked. This dimension of data was used to capture access to markets and infrastructure costs. They considered the malaria ecology index and gross school enrollment ration as an explanatory variable in the measure of human capital. The study suggests that the higher level of ethnic fractionalization in society, the level of human capital decreases. This measure, ethnic fractionalization, is based on the availability of education.

The addition of the human rights variables, whether secondary or primary, all contribute to economic growth with statistical significance. Interestingly, the human capital variable renders the constraints on the executive model insignificant regardless of geography variables, which

⁷ BenYishay, Ariel, and Roger R. Betancourt. "Civil liberties and economic development." *Journal of Institutional Economics* 6, no. 3 (2010): 281.

could potentially be influenced by an empowered electorate to increase economic viability.

When human capital and human rights variables along with institutional variables are added to a predictive model, they enhance the explanatory power of the data, while the geographical variables contribute to a lesser extent.⁸

The study suggests that the prevalence of the rule of law through civil liberties remains a dominant predictor of economic development, regardless of correction for reverse causation. They find a correlation between economic growth and the rule of law, without declaring causation. The authors conclude that when secondary human rights exist, in addition to primary rights, economic growth seems probable. As a country or group attains a higher level of economic development, civil liberties have a larger impact on further growth.

While racial advance in the US does not parallel cultural advance in the Middle East, the effect of policies on economic growth of certain parties can exemplify common trends in different societies. In "Continuous versus Episodic Change: The Impact of Civil Rights Policy on the Economic Status of Blacks," Donohue and Heckman explore the changes in the labor market and social outcomes of blacks following the 1964 Civil Rights Act. They also acknowledge that some changes could be delayed from 1954's Brown v Board, or affected by 1962 and 1965 Voting Rights Acts.

The compilation of the authors' research was less conclusive than we would hope, suggesting they had difficulty empirically measuring the economic data of federal pressure for equity. The systemic change following the passing of laws was slow, and generally resulted in more laws without influential change felt by the people. While it is clear that there was legal and

⁸ Ibid.

⁹ Donohue III, John J., and James Heckman. *Continuous versus episodic change: The impact of civil rights policy on the economic status of blacks.* No. w3894. National Bureau of Economic Research, 1991.

systemic growth toward racial equity, it was slow and full of setbacks. This may bare a relation to the slow economic growth for blacks in the US, but this article conveys no conclusive correlation or causation, which would not support the hypothesis that PSL reforms influence economic growth.

2.2. Personal Status Law

Personal Status Law i.e. Islamic PSL, Shariah Law, Moudawana, Marriage and Family Law, Personal Code, Civil Law, Social Contract Law

Personal Status Law can be defined as a set of privileges, obligations, powers, and restrictions that a person has as declared by legislation. For the purpose of this paper, we use the term Personal Status Law to regard all of the legislation that defines a person's legal rights in all Arab countries, understanding that the chosen indicators may be categorized under different legislative sectors depending on how the law is written in a given country. So while the listed terms do not have the same definitions, they may be interchanged for the sake of this paper. Sharia law is not codified and therefore left to the interpretation of a nation-state, which leads to the disparity between countries in PSL especially as defined for women. In Ideally, a country that has remained fairly stable throughout the refugee crisis with clear PSL reforms and possesses GDP data both before and after the change in PSL would make the best possible case study.

2.2.1. Indicators: The following are some of the many possible indicators for Personal Status Law. These were chosen because they tend to differ by gender and can be analyzed for each case study as they are amended over time:

¹⁰ Charrad, Mounira M. 2011. "Gender in the Middle East: Islam, State, Agency." Annual Review of Sociology 37, 417-37.

(a) Marriage

PSL regarding marriage can determine a person's legal age to marry, the ability to choose marriage (give oneself away), and the right to a dowry. It can also determine roles in a family, often defining men as the family leaders, while women are caregivers and must be dutiful and subservient. These roles can lead to men determining when and where his wife can go, if she can be educated and what activities are appropriate.

(b) Divorce (including Child Custody)

PSL regarding divorce can determine a spouse's right to initiate divorce, to maintain child custody, and to receive financial support following a divorce. PSL can also differ in valid rationale for initiating a divorce, as well as legally obtaining a divorce, with the laws for men tending to be quite simple and those for women more onerous.¹¹

(c) Legal status

Rights based on one's status, specifically the ability to vote and to hold office.

(d) Mobility

PSL can restrict a person's ability to travel domestically alone, to move to a new home alone, the ability to drive, and the overall freedom of mobility. Managing restrictions on a woman's mobility may transfer from the father, or male guardian, to the husband – causing a woman to require permission to travel for work, family duties, education or social interactions.

(e) Citizenship

PSL can define and in many cases limits the ability to pass on citizenship to a spouse and/or children. Therefore a child born and lived their whole life in a country may not be a citizen of that country depending on the country's PSL and the parent's nationalities.

¹¹ Islamic jurisprudence according to the four madhahib, vol. 4, *The book of marriage and divorce*, 2nd ed. (Beirut: Dar Alkotob Alelmiyah, 2002), 56-9.

(f) Financial Rights

PSL can define disparate rights between genders and for women limit the right to get an inheritance, to open a bank account, or even have access to a family's money. These laws make it common for women to make money in the informal market economy and hide the cash in their homes, often from their husbands as well, for personal emergency funds.

(g) Domestic Violence

The legality of violence or abuse of a family member on another is also defined by PSL. Legal abuse of women is in many cases interwoven with guardianship rights, and laws which protect women from violence are loosely enforced.¹²

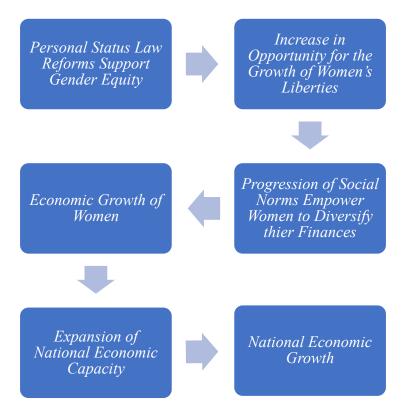
3. Theoretical Framework

This thesis is working to define the relationship between personal status law and economic growth in Arab countries. Originally, I hypothesized that a positive shift in gender equity via personal status reform would influence a positive shift in a nation's economy.

Specifically, I want to argue that this is occurring through one causal path based on my research:

¹² Hassan Yousefi Eshkevari, "Rethinking men's authority over women: Qiwama, Wilaya and their underlying assumptions," in *Gender and Equality in Muslim Family Law: Justice and Ethics in the Islamic Legal Tradition* ed. Lena Larsen, Ziba Mir-Hosseini, Christian Moe, and Kari Vogt (New York: I.B.Tauris, 2013), 191-212.

FIGURE 3.1 Theoretical Path from PSL Reform to Economic Growth



As we investigate the competing variables and other possible paths, I explicitly outline my theoretical claim that gender equity is the causal mechanism that causes personal status law reform to generate economic growth with the following supporting evidence.

3.1. Effect of Policy on Gender Equity

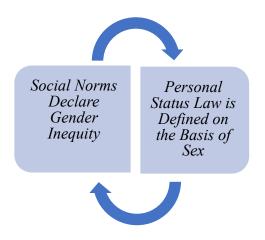
Personal Status Law Reforms Support Gender Equity: Looking at the Personal Status Law indicators outlined in Chapter 2.2.1, we can identify how a reform of each indicator would affect gender equity. PSL indicators Marriage, Domestic Violence, and Legal Status do not directly affect women's economic opportunities, but they significantly affect the appropriate representation and treatment of women according to the government. Women's ability to be her own guardian and have legal individuality tells society that she is capable of personal decisions and independence. Mobility and Citizenship both can affect a women's ability to be competitive

in the workforce, thus allowing them to have jobs outside the home and make a salary independent from the family income. Finally, the most impactful indicators on women's economic growth is Divorce laws and Financial Rights. The ability for a women to maintain child custody and receive financial support following a divorce allows for independence and opportunities beyond remarriage following a divorce. The concept of the familial finance's being half or even partially belonging to the wife is a impactful and progressive step for women in Arab countries who have bound by prior restricting PSL. This leads into financial rights, anecdotal evidence supports that women often hand over all money made selling items in the informal markets, or they hide stashes of money in their home for personal or emergency use. Without financial rights, wives must ask their husbands, and daughters their fathers, for money and the permission to use it on their desired transaction, often referenced as a gift and not right, even if women are contributing to the household funds.

The role of women's autonomy and the role of women in the family are integral in the areas of marriage, divorce, and child custody. These cultural norms are often influenced by political values and constitutional law.¹³ Aldosari at the The Gulf Arab States Institute published a study in 2016 that claims Personal Status Laws that differ on the basis of sex are a major hinderance in the full development of the region. The article exemplifies how vastly PSL varies among countries. Yet similarly, there seems to be a systemic opposition to reform of PSL even when new laws are formulated and passed, most likely the cultural and historic norms overpowering a change in law. This initates the Cycle of Gender Inequity as seen in FIGURE:

¹³ Aldosari, Hala. *The Personal Is Political: Gender Identity in the Personal Status Laws of the Gulf Arab States*. Arab Gulf States Institute in Washington, 2016.

FIGURE 3.1.1 Cycle of Gender Inequity



Turning Islamic teachings into law revokes the freedom of religion for the individual. While Islam by no means calls for the oppression of women, the patriarchal history of society and family life overshadow the message of Muhammad's word, which calls for equality of people regardless of gender. Many practices exist with the purpose of protecting and revering women, NOT to limit their rights. Aldosari conveys a correlation between Islamic rule of law and gender inequity, but by no means a direct causation. It is in agreement across scholars that study feminism in Islam that the religion of Islam, the words of the Quran, and the teachings of Mohammad are not inherently sexist. Yet the patriarchal norms in the Arab world also correlate with gender inequity, thus providing a confounding variable that limits causal claim.

Aldosari concluded that without women in decision making positions in will be very difficult to sustain meaningful change, economic or otherwise. Women hold the bigger burden of the variation in PSL, because they are often the ones negatively affected. I argue that gender

¹⁴ Maddy-Weitzman, Bruce. "Women, Islam, and the Moroccan state: The struggle over the personal status law." *The Middle East Journal* 59, no. 3 (2005): 393-410.

¹⁵ Spierings, N., Smits, J. and Verloo, M., 2009. On the compatibility of Islam and gender equality. *Social Indicators Research*, 90(3), pp.503-522.

¹⁶ Aldosari, Hala. *The Personal Is Political: Gender Identity in the Personal Status Laws of the Gulf Arab States*. Arab Gulf States Institute in Washington, 2016.

relations and PSL undoubtedly affects the economic growth and development of the region.

Woman are half the population. Repression of both decision making and creativity of half the population is contraindicated to growth of any type.

Increase in Opportunity for the Growth of Women's Liberties: M. M. Charrad is the leading expert on the relationship between PSL and gender in North Africa. As a Tunisian-born multicultural and multilingual researcher of the Maghreb, M. M. Charrad has outlined a strong identity of Maghreb women in PSL without painting the concept in black and white. Her 2012 report for the UN on Family Law Making address PSL in Tunisia and Morocco specifically as well as PSL making as a whole. Her research concluded that "woman friendly" reforms are important despite the process of initiation, even from top-down in the absence of feminist pressures. She stresses the weight of positive PSL reform toward gender equity may not be about the law itself, but about how "they generate a new climate in which the next set of debates will take place." Charrad supports my causal path that change in social norms cannot proceed the expansion of opportunities and instead follows it.

3.2. Gender Equity and Economic Growth

Presently, there is little evidence supporting the theory that increased gender equality under the law translates into more rapid economic growth. Yet the reversal causal, that economic growth makes restrictions of women's rights costly, has been used to explain the expansion of women's rights in the US.¹⁸ This competing argument that the causal path is working in reverse

¹⁷ Charrad, Mounira M. "Family law reforms in the Arab world: Tunisia and Morocco." New York (2012).

¹⁸ Geddes, Rick, and Dean Lueck. "The gains from self-ownership and the expansion of women's rights." *American Economic Review* 92, no. 4 (2002): 1079-1092.

is contradicted in Dollar and Gatti's research that found no relation between GDPpc and women's rights on a cross cultural study of over 100 countries.¹⁹

Progression of Social Norms Empower Women to Diversify their Finances: If PSL reforms alter our indicators to support gender equity, this opens many doors for women to join the national economic system in the formal market. If women can be physically and financially independent, this adds another participant to the economic market. Actions like getting a job and earning money, spending money, opening a bank account, paying taxes, receiving inheritance, divorce settlements or childcare payments, and earning interest all contribute to a country's economy and more participants give the capacity for further growth. The simple use of a dollar makes a statement, and reforming PSL to allow for women to use that dollar gives them a voice.

Economic Growth of Women: A study of land rights on investment and productivity in a small town in Ghana concludes that people with stronger political standing or influence would have more secure land rights, and those with more secure land rights would put more into their fields and yield better economic outcomes. Specifically they found that women's rights to the land was often contested and thus they invested less in land fertility and consequentially yielded a lower economic profit. Policies that increase the gender equity of access to economic assets are linked with an economic increase for women.²⁰

Furthermore, mobility restrictions limit the supply of women's labor participants and societal norms limit the demand for female labor.²¹ While social norms can differ at the

¹⁹ Dollar, David, and Roberta Gatti. *Gender inequality, income, and growth: are good times good for women?*. Vol. 1. Washington, DC: Development Research Group, The World Bank, 1999.

²⁰ Goldstein, Markus, and Christopher Udry. "The profits of power: Land rights and agricultural investment in Ghana." *Journal of political Economy* 116, no. 6 (2008): 981-1022.

²¹ Morrison, A., Raju, D. and Sinha, N., 2007. Gender equality, poverty and economic growth. The World Bank.

household level, law does not, which allows for the economic growth of a nation's women as a whole to increase overtime as norms progress.

Expansion of National Economic Capacity: In 2013 the World Bank published a paper stating a main goal of theirs to promote shared prosperity and reduce poverty worldwide, stating "improvement in [shared prosperity] requires growth to be inclusive."²² It goes on to compare economic opportunities and growth between countries and individuals based on demographics and social exclusion - specifically stating that the social exclusion of women hinders a country's economic growth. Logically, we can conclude the contrapositive true as well. If the exclusion of women from being active participants in the national economy hinders the country's economic growth, then including women as participants in the national economy expands the country's capacity for economic growth.

Alex Martin also spoke to this on her analysis of the relationship between gender inequality in the education system in Morocco and economic growth. Her research indicates references the two theoretical pathways of a positive correlation, structuralist and modernization.²³ Modernization implies that social norms drive society into a constantly developing future that propels economic growth by the power of the people. The structuralist thought aligns with the argument that laws, systems, and structures existing, such as PSL reforms, can lead to opportunity for economic growth.²⁴ My framework agrees with the structuralist theory, claiming that the laws bring about the social norms and not vice versa.

²² The World Bank Annual Report 2013. World Bank Annual Report. The World Bank, 2013.

²³ Martin, Jane Alexandra. "Women Empowerment Externalities of the 2004 Moroccan Moudawana Reform: Intrafamily Bargaining and Educational Attainment." SMBHC Thesis, University of Mississippi, 2017.

²⁴ Broundsin, Elicas, "The efficiency of gender equity in accomming growth: Necelessical and faminist."

²⁴ Braunstein, Elissa. "The efficiency of gender equity in economic growth: Neoclassical and feminist approaches." *GEM-IWG Working Paper* (2007): 07-4.

National Economic Growth: According to a 2007 World Bank paper on equality and economic growth, it is more difficult to convey the existence of this step than the prior ones, "micro level effects of gender equality on individual productivity and human development outcomes have been well documented and have important ramifications for aggregate economic performance, establishing an empirical relationship between gender equality and poverty reduction and growth at the macro level has proven to be more challenging."²⁵

In 2017 the United Nation's Economic and Social Commission for Western Asia published a document of the overarching issue of inequality in the Arab region and the effect on all seventeen Sustainable Development Goals, stating "Inequality adversely affects the economic prosperity and stability of a nation, as increased levels of inequality threaten economic growth and prevent its sustainability, and hinder serious attempts to reduce poverty." It goes on the argue that as well as hinder poverty reduction, inequalities obstruct civil society, solidarity, social justice, human rights, democracy, and promote political unrest, petty crime, and long-standing conflicts. If inequality of the population is a national issue, it makes equity in the best interest of all citizens.

Basic economic theory argues that growth occurs when the economy has the capacity to produce more, often determined by capital, labor, natural resources, and technology it has available to produce. In this case adding women as an economic resource would increase capital and labor accessible to produce. And because PSL reforms encourage the addition of these resources to the supply, these policies lead to economic growth. While confounding and extraneous variables exist, many are proven to not affect this relationship conversely to the framework. Ruling out competing theories would necessitate individualized research for each

²⁵ Morrison, A., Raju, D. and Sinha, N., 2007. *Gender equality, poverty and economic growth*. The World Bank. ²⁶ Nuru-River, Amani. "Inequality in the SDGs." United Nations, Beirut. 2016.

theory, and while some exist as mentioned above, it is impossible to conclusively say that my framework is true and all other theories are false without investigating every single one.

4. Methodology

In order to truly analyze the relationship between PSL and economic growth, I will use independent case studies of significant change in PSL to investigate for a related change in economic growth, using global GDPpc overtime as a control for "normal" GDPpc growth. My investigation of gender equity as the causal mechanism toward growth lies in the case studies and supplemental data. My thesis will rely on existing GDP data and country case studies on PSL reforms in search of a correlation between economic growth and PSL.

It is important to address that accurate and up-to-date qualitative data on economic growth across the Middle East is unavailable due to the refugee crisis and the recent focus on women's inclusion in the discussion of national economic growth. Many PSL reforms either occurred near the inception of the country, before the range of reliable empirical economic data was collected globally. On the contrary, other PSL reforms occurred so recently that there is not good economic data following the reforms to examine for a resulting change in GDPpc.

Initially, I will select two cases of transformative PSL reform. Case studies were chosen based on countries that had a significant change in PSL, in an attempt to investigate for a significant change in economic growth. When looking at all Arab Middle Eastern countries that have had been governed by a form of Islamic Law, there are many options. Tunisia and Morocco both underwent substantial legislative reforms in PSL along with various amendments overtime, so the change in indicators can be directly compared to a change in GDPpc.

Quantitatively, I will then run an Unknown Structural Break test on Stata software on each case individually to test for any statistically significant changes in growth. Then I will plug in each year of PSL reform to a Known Structural Break test for specific possible triggers, as well as 1 year, 3 years, and 5 years following the year of the reform. This will give a p-value, from which we can estimate the probability that the given year was a statistically significant break.²⁷ If the probability that it happened by chance is low, then we can argue that it was indeed a structural break and that it is possible the PSL affected this break. We would conclude that it is possible that the hypothesis is true, without confirming the causality of the change in growth.

Qualitatively, I will then analyze the written PSL legislation and the country's implementation of this reform. I will be looking at how long it took for policies to be put in place, government systems to shift, and individuals to see changes in their personal status. For example, when the Kingdom of Saudi Arabia gave women the right to drive a car, it took time to train women to be driving instructors, and then for them to teach female civilians and to finally have female drivers out on the roads. Therefore, if it took three years for a transformative PSL reform to trickle down from legislation to the individual citizen, it may be three years following the reform that there exists a structural break in economic growth.

4.1. Case Selection

4.1.1. Tunisia: The 1956 Tunisian Law of Personal Status was a significant change in legislation for Tunisian personal status law. Since then there have been several amendments that can be compared to Tunisian economic growth over the course of changing legislation, which makes this is a good example of a large change in PSL as well as some smaller reforms that may have also triggered a change in economic growth. Tunisia had reforms to their Code of Personal

²⁷ Stata, 2020. "Tests for structural breaks in time-series data." Stata.com.

Status in 1962, 1964, and 1966 but there is little record of the specifics of these reforms, and therefore they are insignificant to my research as they are not transformative PSL reforms.²⁸ I will specifically examine the PSL reforms in 1956, 1981, and 1993 and compare for significant growth in GDPpc.

The 1956 reform "abolished and criminalized polygamy, banned extrajudicial divorce, allowed women to file for divorce, gave men and women equal rights with respect to initiating divorce and generally expanded women's rights."²⁹ This reform was the most extensive of Tunisia and affected largely the PSL indicators marriage and divorce. The 1981 reform largely affected laws regarding divorce and expanded women's rights to compensation following a divorce. And finally the 1993 law affected a different indicator, it allowed for women to pass citizenship on to their children regardless of the father's nationality. Thus the GDPpc can be analyzed for a statistically significant change in growth one, three, and five years following the years of the reforms.

4.1.2. Morocco: Morocco employed their first PSL in 1957 under the Personal Status Code following its decolonization. Then Morocco had legislative reforms in 1993 and then in 2004 Morocco underwent a significant PSL change entitled the Family Law Reforms. These changes were employed to increase the rights of women in Morocco following a reinterpretation of Mohammad's teachings that elevated women.³⁰ This is a clear instance of state defined PSL reform for the purpose of gender equity, which allows the dependent variable, economic growth

²⁸ Zeira, Yael. 2013. Memo on Test Cases. "Assessing the Impact of Family Law on Women and Girls in the Islamic World."

²⁹ Zeira, Yael. 2013. Memo on Test Cases. "Assessing the Impact of Family Law on Women and Girls in the Islamic World."

³⁰ "The Arab Human Development Report: Towards the Rise of Women in the Arab World." Choice Reviews Online 44, no. 12 (August 1, 2007): 44-6583-44-6583.

to be evaluated for correlation. While their implementation in 1957 did not deviate from previous norms, the 1993 and 2004 reforms can be examined for significant growth in GDPpc.

The 1993 reform affected PSL regarding marriage and divorce, but not substantially. This reform altered the details surrounding a polygamy, guardianship, marriage, and divorce without redefining the social contract of women. The 2004 Family Law Reforms "gave adult women the right to self-guardianship (regardless of marital status), raised the legal age of marriage for Moroccan women to 18 and gave both men and women the right to compose their own marriage contracts." Therefore the GDPpc can be analyzed for a statistically significant change in growth one, three, and five years following the 1993 and 2004 reforms.

5. Data

While historic quantitative data is difficult to obtain for economic growth, the Penn World Table³² has Real GDP at constant 2011 national prices (in mil. 2011US\$) for Morocco back to 1950 and for Tunisia back to 1960, as seen in CHART 5.1. From this data, we can look at the change in GDP overtime and find a structural break, if there is one present, but it is less accurate than a true GDP gathered from an international source. Also, while the intention was to use GDPpc data, there is only historic national GDP data available dating back to 1950, as needed for Tunisia to analyze the 1956 reform. Because this is historical GDP data, I also have pulled data from the World Bank³³ as a more stable source of information, as seen in CHART 5.2. While this data set is more accurate, the GDPpc data from world Bank only goes back to

³¹ Zeira, Yael. 2013. Memo on Test Cases. "Assessing the Impact of Family Law on Women and Girls in the Islamic World."

³² Feenstra, Robert C., Robert Inklaar and Marcel P. Timmer (2015), "The Next Generation of the Penn World Table" American Economic Review, 105(10), 3150-3182.

³³ World Bank. "GDP per capita (current US\$)," World Bank national accounts data, and OECD National Accounts data files.

1960 for Morocco and 1965 for Tunisia, which would eliminate the ability to analyze the 1956 PSL reform in Tunisia.

CHART 5.1 Real GDP (in mil. 2011US\$) Penn World Table

Real GDP at constant 2011 national prices (in mil. 2011US\$)										
Year	Morocco	Tunisia	Year	Morocco	Tunisia	Year	Morocco	Tunisia		
1950	16,709		1973	47,497	20,899	1996	121,362	60,553		
1951	16,920		1974	50,148	22,582	1997	118,658	63,847		
1952	17,744		1975	53,938	24,196	1998	127,765	67,016		
1953	18,609		1976	59,766	26,107	1999	128,441	71,048		
1954	19,040		1977	63,381	26,995	2000	130,487	74,103		
1955	17,776		1978	64,805	28,736	2001	140,341	77,697		
1956	18,121		1979	67,916	30,622	2002	144,995	79,017		
1957	17,432		1980	70,786	32,891	2003	154,154	83,340		
1958	19,438		1981	68,827	34,707	2004	161,556	88,306		
1959	19,952		1982	75,448	34,540	2005	166,368	91,838		
1960	20,400	8,542	1983	75,028	36,156	2006	179,278	97,031		
1961	24,529	8,800	1984	78,276	38,228	2007	184,129	103,099		
1962	28,232	8,944	1985	83,225	40,392	2008	195,036	107,697		
1963	32,720	9,923	1986	89,970	39,584	2009	212,524	111,059		
1964	34,403	10,304	1987	87,735	41,526	2010	220,957	114,346		
1965	34,291	10,696	1988	96,983	42,200	2011	234,817	112,153		
1966	33,034	11,027	1989	99,390	43,661	2012	240,213	116,528		
1967	34,538	11,011	1990	103,250	46,750	2013	252,035	119,217		
1968	36,827	11,949	1991	110,425	48,575	2014	262,146	122,074		
1969	40,530	12,463	1992	105,973	52,367	2015	275,074	123,523		
1970	42,393	16,243	1993	104,900	53,512	2016	284,093	124,775		
1971	44,123	17,865	1994	115,766	55,215	2017	299,993	127,214		
1972	45,854	21,035	1995	108,149	56,512	Penn Wo	orld Table ve	ersion 9.1		

CHART 5.2 GDP per capita World Bank

	GDP per	capita (curr	ent US\$)		GDP per	GDP per capita (current US\$)			
Year	Morocco	Tunisia	World	Year	Morocco	Tunisia	World		
1960	164.801		451.74	1990	1206.01	1491.12	4285.24		
1961	158.924		463.83	1991	1266.85	1551.38	4464.65		
1962	181.183		489.55	1992	1299.42	1799.11	4668.24		
1963	196.531		516.62	1993	1199.32	1660.88	4669.58		
1964	201.262		554.55	1994	1326.94	1743.15	4939.83		
1965	206.449	217.911	591.72	1995	1432.31	1975.9	5412.34		
1966	196.315	224.295	628.74	1996	1561.13	2113.59	5453.31		
1967	202.857	229.029	655.87	1997	1396.77	2208.21	5357.07		
1968	212.751	250.694	693.9	1998	1472.39	2292.71	5272.63		
1969	232.126	260.408	749.73	1999	1447.97	2386.59	5395.94		
1970	246.016	284.22	803.95	2000	1334.94	2211.83	5498.33		
1971	265.208	325.564	870.44	2001	1339.29	2253.04	5396.89		
1972	302.564	422.856	984.53	2002	1416.49	2344.41	5533.43		
1973	364.636	504.828	1178.09	2003	1725.46	2760.41	6131.22		
1974	439.012	641.105	1332.8	2004	1952.9	3111.38	6820.62		
1975	502.757	765.189	1457.15	2005	2018.03	3193.21	7297.15		
1976	524.179	779.045	1556.82	2006	2196.01	3370.03	7811.94		
1977	590.232	863.067	1729.53	2007	2499.26	3775.75	8694.9		
1978	690.171	984.801	2005.11	2008	2890.36	4307.16	9423.76		
1979	809.628	1157.38	2288.67	2009	2866.92	4128.46	8830.31		
1980	1078.84	1371.84	2532.76	2010	2839.93	4141.98	9551.34		
1981	861.798	1286.55	2576.69	2011	3046.95	4264.67	10488.33		
1982	836.436	1206.64	2507.32	2012	2912.66	4152.68	10605.21		
1983	750.022	1203.66	2513.13	2013	3121.68	4222.7	10781.86		
1984	668.385	1156.91	2561	2014	3171.7	4305.47	10952.34		
1985	660.947	1147.43	2643.76	2015	2875.26	3861.69	10246.51		
1986	840.011	1199.56	3069.91	2016	2897.66	3698.06	10281.91		
1987	920.592	1259.14	3431.58	2017	3036.17	3482.19	10817.48		
1988	1066.33	1281.2	3772.4	2018	3237.88	3447.51	11374.85		
1989	1071.18	1253.33	3870.41	World Bank n	ational accoun	ts data			

6. Data Analysis

6.1. Stata Results

An Unknown Structural Break test conveys an unnatural break in the trend of data. The data analysis program I used, Stata, is programmed to calculate an unknown structural break for the user. After downloading the desired data, we used the 'regress' command to take a linear regression of the data:

```
Regress [data name], vce(robust)
```

Or using the World Bank data set we compare it to the global average GDPpc to get a linear regression that conveys an abnormal break from the economic growth.

```
Regress [data name] [world data], vce(robust)
```

This takes all the data points and places a "line of best fit" along the graph and tells the user how strongly the data stays close to that line. Then we test for an unknown structural break, which looks at the data as a whole and finds a break from the trend. We start by setting the unit of time as a year with 'tsset' and the running the unknown break test with 'estat.'

```
Tsset year
Estat sbsingle
```

The Unknown Structural Break test tells us the probability that the Null Hypothesis (H_0) is true, meaning the probability that there is no structural break in the data. Running this test gets us results as seen in CHART 6.1.1-6.1.4. Test for a structural break tells us if it is known or unknown. Number of obs. Tells us how many data points we are analyzing, with the full sample conveying which entries those are. The trimmed sample removes outliers from the ends of the data points. The estimated break date tells us Stata's calculated data of structural break. And finally the p-value is the probability of observing a break in the data if the Null Hypothesis is true (there is no break). Therefore when the p-value is small, for example less than 0.05 (95%

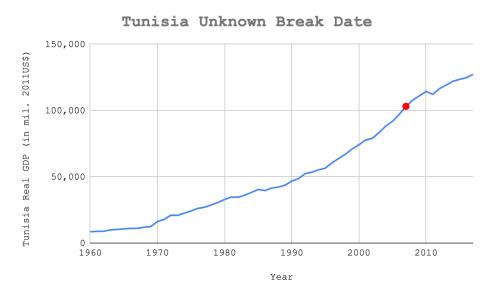
significance level), it suggests that the observed data is sufficiently inconsistent with the null hypothesis and that the null hypothesis may be rejected. So in the case of our research – we infer that this year may be a possible break in the data.

First, we look for an unknown break in Tunisia using our data from the Penn World Table. Looking at CHART 6.1.1 we see that the p-value is 0.0000 for an estimated break date of 2007, telling us it is extremely possible there is a break in the Tunisian GDP in 2007. Now these breaks are not always clear, with the 2007 date marked on GRAPH 6.1.1. While 1993 is still considered the largest reform in PSL in Tunisian history, the Chambers of Deputies adopted two projects that strengthened support for mother's caring for children and raised the minimum marriage age to 18 for both sexes. Logically, it seems unlikely that this would cause an immediate break in the data trend, so I conclude that this break is likely not connected to PSL reform.

CHART 6.1.1 Tunisia, Penn World Table, Unknown Break Date

Test for a structural break:	Unknown break date	
Number of obs =	58	
Full sample:	11 - 68	
Trimmed sample:	20 - 60	
Estimated break date:	2007	
Но:	No structural break	
Test	Statistic	p-value
swald	307.7198	0.0000

GRAPH 6.1.1 Tunisia, Penn World Table, Unknown Break Date



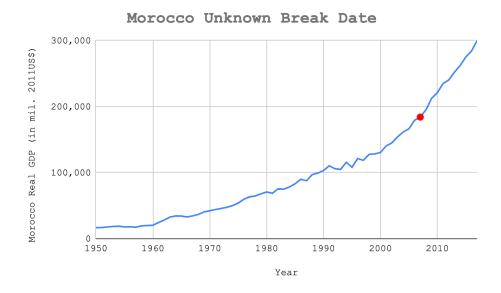
When we run the Unknown Break Test for Morocco, we again get a p-value of 0.0000 for an estimated break date of 2007, telling us it is extremely possible there is a break in the Morocco GDP in 2007 as well as seen in CHART 6.1.2 and the date marked on GRAPH 6.1.2. This is interesting as it is three years following the major PSL reforms of 2004 that meant to modernize women's roles in Moroccan law while remaining aligned with Islamic teachings, "The reforms attempted to reconcile the existing *Mudawana* with international standards of human rights, adhering to Islamic tenets of justice and reason while remaining receptive to the requirements of progress and modernity." Thus any implementation of the reforms that disseminated over those three years could have contributed to a break in the trend of GDP growth in Morocco.

³⁴ Charrad, Mounira M. "Family law reforms in the Arab world: Tunisia and Morocco." *New York* (2012).

CHART 6.1.2 Morocco, Penn World Table, Unknown Break Date

Test for a structural break:	Unknown break date	
Number of obs =	58	
Full sample:	1 - 68	
Trimmed sample:	12 - 58	
Estimated break date:	2007	
но:	No structural break	
Test	Statistic	p-value
swald	188.0611	0.0000

GRAPH 6.1.2 Morocco, Penn World Table, Unknown Break Date



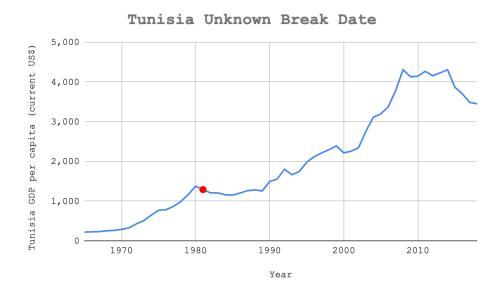
The historical GDP data has been estimated overtime, and thus appears to smooth the growth curve substantially more that the actual GDPpc data we have available from the World Bank. When we run the unknown structural break test for Tunisia's GDPpc, we get a 0.0000 p-value for a break at 1981. This was the year of the first major reform in Tunisian PSL since 1956, but it is unlikely that would cause an immediate break in the growth rate. Also, as seen in

GRAPH 6.1.3, it appears as though there is a minor decrease in GDPpc before the growth increases again, so the break detected could be a negative break, again for unknown reasons.

CHART 6.1.3 Tunisia, World Bank, Unknown Break Date

Test for a structural break:	Unknown break date	
Number of obs =	54	
Full sample:	6 - 59	
Trimmed sample:	15 - 51	
Estimated break date:	1981	
Но:	No structural break	
Test	Statistic	p-value
swald	148.8993	0.0000

GRAPH 6.1.3 Tunisia, World Bank, Unknown Break Date



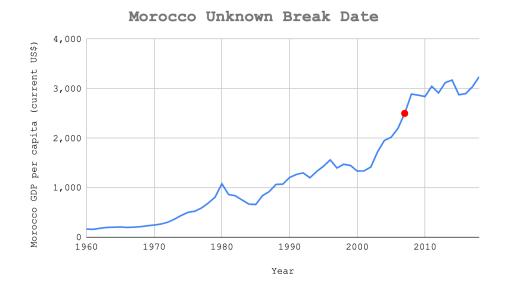
On the other hand, when we run the unknown structural break test for Morocco we get a break date at 2007 again with a p-value of 0.0000. This p-value strongly infers the likelihood of a significant break in the data. This aligns with the prior unknown structural break test run on the

historical data in CHART 6.1.2 and the Mudawana reforms of 2004. Charrad's research of this conveyed a delay in implementation of the new laws by judges as well as a lack of awareness of the reforms among the public, pointing to a possible reason for a lag in economic effect.

CHART 6.1.4 Morocco, World Bank, Unknown Break Date

Test for a structural break:	Unknown break date	
Number of obs =	59	
Full sample:	1 - 59	
Trimmed sample:	10 - 51	
Estimated break date:	2007	
Ho:	No structural break	
Test	Statistic	p-value
swald	21.1539	0.0000

GRAPH 6.1.4 Morocco, World Bank, Unknown Break Date



6.2. Case Studies

6.2.1. Tunisia: To test the theory that PSL reforms affect economic growth enough for a statistical significant break in the data, we run a known structural break test for the year of the reform, one year later, three years later, and five years later. We do this following the 'tsset' command using:

Estat sbknown, break(target year)

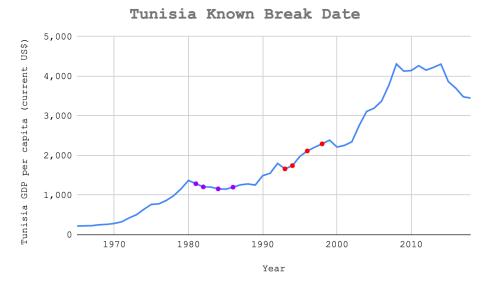
The results, as seen in CHART 6.2.1, convey a p-value of 0.0000 in 1981, 1982, 1984, 1986, 1994, 1996, and 1998 at a 95% confidence level. First of all, this is extremely unlikely that there are seven statistically significant breaks in a 54 variable data set. While one or two of these may have some grounds, there is no mathematical explanation for all of these to be break dates.

That being said, it is possible that 1981 is a break date as seen in the unknown structural break test in CHART 6.1.3. There could also possibly be break between 1993 and 1998, but the data is too inconclusive to determine a break. GRAPH 6.2.1 conveys a stronger jump in GDPpc in the mid 2000's, but there is no reform in PSL there to analyze. Despite the lack of consistency in the data, Charrad concludes that 1993 reform in family legislation has made small incidents of positive change in women's equity without making a truly significant change. It is possible that the correlation between PSL reform and economic growth is not as strong as I hypothesized.

CHART 6.2.1 Tunisia, World Bank, Known Break Date

Test for a struc	Known b	oreak da	te					
Number of obs = 54								
Sample:	1965 -	2018						
Но:	No str	uctural	break					
Break date:	1981	1982	1984	1986	1993	1994	1996	1998
Chi ² =	148.8	112.99	86.91	38.39	4.55	8.26	22.52	20.34
Prob > Chi ² =	0.000	0.000	0.000	0.000	0.103	0.016	0.000	0.000

GRAPH 6.2.1 Tunisia, World Bank, Known Break Date



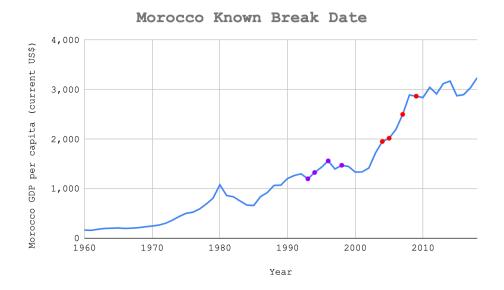
6.2.2. Morocco: When we run the known structural break test on the Moroccan PSL reforms for the year of the reform, one year later, three years later, and five years later, he results, as seen in CHART 6.2.2, convey a p-value of 0.0000 in 1993, 1994, 1996, 1998, 2004, 2005, 2007, and 2009 at a 95% confidence level. This would make all eight tested years a statistically significant break in the GDPpc growth overtime which would be a statistical anomaly.

Beyond the issues in the execution in known structural break test, Morocco's PSL reforms align with both unknown structural break tests. The 2004 reforms were the greatest change in Morocco legislatively, but the observable affects were limited. Judges who had been practicing using prior Shari'a law, may be reluctant to change to the modern teachings and rule in favor of the reform. It is clear that if the state's population doesn't support a PSL reform, it is much less likely to be impactful on the nation regardless of contents of the reform.

CHART 6.2.2 Morocco, World Bank, Known Break Date

Test for a struct	Known b	reak da	te					
Number of obs = 59								
Sample:	1960 -	2018						
Ho:	No structural break							
Break date:	1993	1994	1996	1998	2004	2005	2007	2009
Chi ² =	28.91	24.50	22.54	22.91	24.45	18.83	21.15	12.34
Prob > Chi ² =	0.000	0.000	0.000	0.000	0.000	0.0001	0.000	0.002

GRAPH 6.2.2 Morocco, World Bank, Known Break Date



7. Conclusion

Without the ability to analyze every country and case individually, I am not able to determine an accurate causal relationship between personal status law and economic growth without confounding variables. Most elements of gender inequity in a country, whether health, education, or law affect one another and intertwine such that unravelling individual causal relationships is impossible. Analysis of personal status law and economic growth is an attempt to separate out just one correlation, but this limits the lengths to which I can draw conclusions. Also, the cultural climate, or public opinion of the rights of women and personal status law of women in a country might also be a confounding variable that affects this relationship.

Even comparing GDP growth graphs of countries with significant change in PSL against countries without a significant change in PSL is not without limitations as we cannot produce a controlled counterexample for a country case study. Therefore the true downfall of this thesis lies in the inability to determine the truth of the past without an attempt to replicate it in the future.

The other major shortcoming of this thesis is data analysis anomalies in the known structural break test. A deep dive search of Stata resources and statistical structural break analysis was inconclusive of a solution to better compare GDPpc and PSL. If this research were to be replicated a new method of data analytics is recommended, or a different statistical program altogether.

Altogether, the qualitative evidence better supports a strong positive correlation between personal status law reforms and economic growth. The quantitative data shows some promise of a correlation in Morocco but less of a relation in Tunisia. Overall, this compilation or research does not disprove the hypothesis that progressive PSL reforms affects a growth in national GDP via gender equity, but it certainly does not strongly support it. The greater presence of anecdotal

evidence than mathematical proof is a major concern in any scientific argument. While this may not be a causal relationship, the economic growth and gender equity and unarguable positive developments for Arab societies and nations around the world.

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