

# Tackling Gender Discriminatory Inheritance Law Privately: Lessons from A Survey Experiment in Tunisia

Christina Sarah Hauser, European University Institute



$\frac{2}{3}$   $\frac{1}{3}$



$\frac{1}{2}$   $\frac{1}{4}$   $\frac{1}{4}$



$\frac{2}{7}$   $\frac{2}{7}$   $\frac{2}{7}$   $\frac{1}{7}$

Figure 1: According to Islamic inheritance law, a son obtains *double* the bequest share of a daughter.<sup>1</sup>

## Background

- Gender discrimination correlates negatively with important development outcomes (Duflo 2012, Jayachandran 2015).
- Most Muslim-majority countries apply Islamic inheritance law - historically very progressive but systematically favoring sons over daughters (Sait & Lim 2008).
- Islamic inheritance law has been associated with women's precarization in Egypt, Morocco and Tunisia (CNDH 2015, Khodary 2018, Tanner 2020).
- Legal reform may backfire in the presence of sticky social norms (Rosenblum 2015, Roy 2015 and Bhalotra et al. 2020).

## Tunisia

- Inheritance is the only remaining openly gender discriminatory law in the Tunisian constitution.
- From 2018: social movement demanding gender equality in inheritance.
- Yet, the reform proposal was never voted upon.

## Gifting ("Hiba")

- Art. 200, XII, Tunisian Code Personal Status: individuals can make gifts pre-mortem.
- Law 60 of 28 Oct. 2006: fiscal benefit for gifts to one's children.
- If parents make a gift to their daughter while alive, a more gender equitable inheritance split can be reached.

⇒ "Second-best" alternative to legal reform?

## Research Questions

- To what extent does gifting represent a private alternative to reform of gender discriminatory inheritance law?
- Does information on gifting and/or reform support have a causal impact on individual attitudes towards women's right to inheritance?

## Experimental Design

- Nationwide phone survey, N=1,505 adults
- 2 survey waves, spaced by 4 weeks
- Baseline survey: demographics, religious conservatism, beliefs about others' reform support

- T1: information about gifting
- T2: first belief correction (the actual support for legal reform is 35%), then information on gifting

## Outcomes in Endline 1 and 2

- Ideal bequest split between daughter and son in a hypothetical scenario;
- Own support for reform;
- Willingness to use gifting to reach a more gender equal bequest allocation.

## Hypotheses

- T1 and T2 ↑ ideal bequest and gifting.
- T1 and T2 may ↓ reform support if gifting is seen as a substitute to legal reform.
- Individuals try to comply with the perceived "social norm" ⇒ The belief correction in T2 should affect preferences.

## Results

- Almost 60% underestimate support for inheritance law reform.
- Only about 1 in 3 Tunisian adults is favorable of legal reform – more than 2 in 3 is favorable of using gifting.
- The "gender gap" is small: women are only about 10 percentage points more likely to support reform than men.
- Gifting is widely used (1 in 4 has some experience with it) but women rarely make gifts.
- Especially older age cohorts, wealthy and religious individuals favor gifting. Female respondents favor reform.
- T1: significantly ↑ ideal bequest.
- T2: no overall effect on respondents' preferences.
- T2 heterogeneity: respondents with *correct* beliefs significantly less likely to favor gender equal bequest split and to favor reform.

⇒ Changing the social norm is not effective.

## Why?

- Individuals who expect low reform support are more likely to hold conservative gender norms themselves.
- ⇒ Strong political opinions
- Strong political opinions make preferences less responsive to informational treatments (Alesina et al. 2018, Settele 2022, Haaland & Roth 2023).
- The perceived social norm is not acting as a constraint on individuals' preferences.

## Conclusions

- Perceptions of public reform support predict own reform support but correcting perceptions fails to yield the expected effects.
- Individual political preferences are strong. The perceived social norm is not the binding constraint.
- Overall, demand for legal reform is low. By contrast, self-reported willingness to gift daughters is high.
- The wealthy are relatively more likely to favor gifting. Women are relatively more likely to favor legal reform and in practice, women rarely gift.

⇒ Gifting seems a viable alternative to legal reform - but mostly for a relatively wealthy and gender progressive subsample of the population.

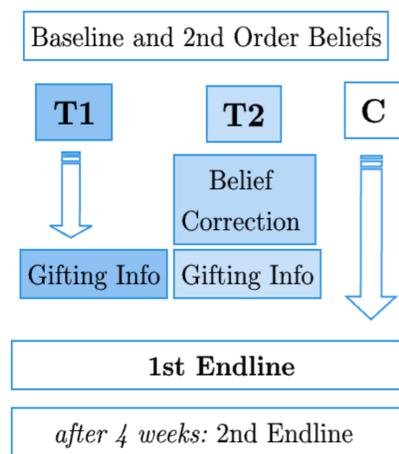


Figure 2: Experimental design

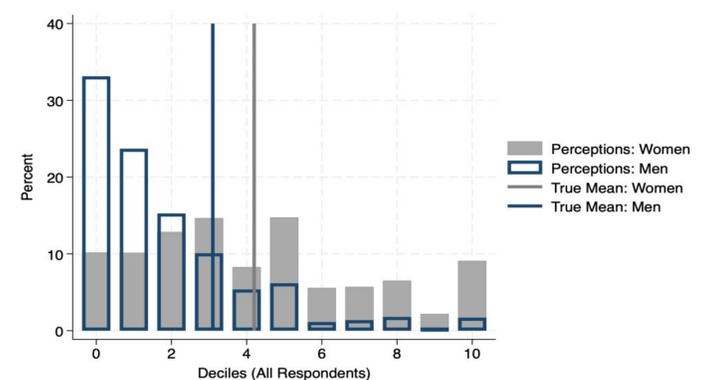


Figure 3: Perceptions of Tunisians' support for legal reform (aggregating both genders and pooling respondents of both genders)

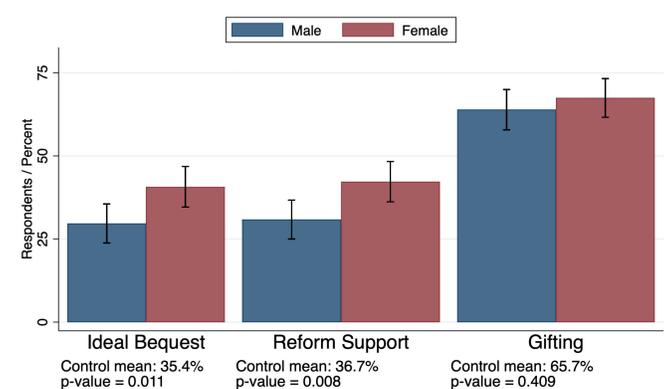


Figure 4: Outcome means (control group)

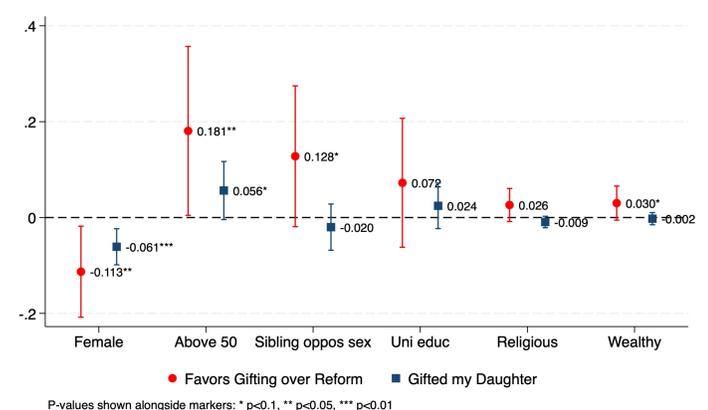


Figure 5: Predictors of favoring gifting over reform and having made a gift to one's daughter (marginal effects from a logit model)

I gratefully acknowledge financial support from the Office of the Chief Economist for the Middle East and North Africa (MNACE) under the regional Labor and Gender Research Programs of the World Bank, the Laboratory for Effective Anti-Poverty Policies (LEAP) and the European University Institute (EUI).

<sup>1</sup>Disclaimer: figure 1 intends to illustrate the legal status quo. There is no intention to make normative statements on gender roles.