Intrahousehold Property Ownership and Family Members' Outcomes: Evidence from the 2011 Judicial Interpretation of the Chinese Marriage Law

Abstract

Professor Emma Zang will introduce multiple studies examining the impact of the 2011 judicial interpretation of the Chinese Marriage Law, which altered intrahousehold property rights, on family members' well-being and behaviors. Although the focus on macro-level gender inequality continues, relatively few studies have focused on intrahousehold gender inequality, especially intrahousehold property ownership, in China. Using data from the China Family Panel Studies and 150,000 court records of divorce proceedings, these studies employ quasi-experimental and computational approaches to compare the outcomes of members in households affected by the legal change with those in unaffected households. The findings show that the 2011 judicial interpretation led to diminished well-being for women in a typical Chinese household where the deed to the marital home was solely in the husband's name. It also reduced their fertility and increased their labor force participation. In the longer term, affected couples turned to adaptive behaviors more in line with premarital agreements and traditional practices, such as transferring the family home to their children. These adaptive behaviors increased the prevalence of child homeownership, which decreased children's undesirable behaviors such as quarreling with their parents. In divorce court cases, preliminary findings show that the legal change resulted in men being more likely to obtain family homes and child custody. These studies demonstrate how a seemingly gender-neutral policy can generate gendered consequences.