

Marriage Laws, Property Regimes and Poverty with Gender

Bias

by

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Abstract

This paper analyses the relationship between property regimes of marriages in Mexico from 1996 to 2013. It starts by describing different marriage property regimes that exist in state laws in Mexico finding that 25% of Mexico's 32 states does not assign a patrimonial regime when the spouses do not decide which regime will govern their marriage. This implies that at the time of divorce many women do not know what their legal rights are as they ignore the property regime in their marriage contract. These property regimes can generate economic inequality between men and women at the time of a marriage's dissolution because custody of children is in 99% of the cases allocated to women, which implies more time devoted to care and less to paid work, and the food pension, when allocated, is for the children not for women's household expenses leaving them more vulnerable in the event of a divorce.

Keywords: matrimonial property regimes, marriage law, poverty, gender inequality

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1. Introduction

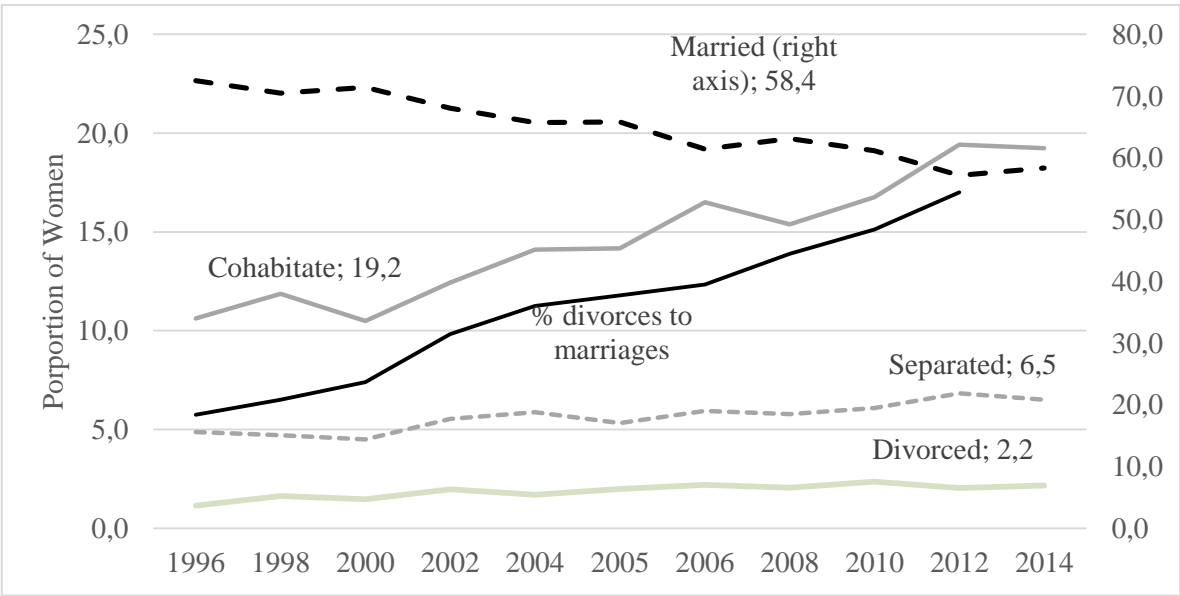
In Mexico, different marital regimes may influence economic inequality and poverty between men and women; for that reason, the statutory provisions that are covered by 32 state civil codes and 8 family codes are linked to asset ownership after a divorce. Marital regimes governing the acquisition of assets and property before, during, and at the dissolution of marriage are very important because they define the economic situation when a person dissolves the bond of marriage or cohabitation.²

According to (Stevenson & Wolfers, 2007), there are many determinates of the divorce that are related to the spouses employment status, schooling level, their age and the number of children in the household. This finding are the same in (Bumpass, Martin, & Sweet, 1991), who also correlate the fact of having low education and being a young women with the risk of divorce, that describes as well the situation of women in Mexico. (Amato, 2010) identifies demographic and economic predictors of divorce, like young age of the couple, unemployment, under education, cohabitation, having drinking problems before marriage, having children from previous relationships, couples of different race, previous marriages, and a history of divorced parents. The author also found that among the impersonal predictors of marriage are domestic violence, the frequency of conflicts, infidelity, and persistent problems in the relationship, lack of commitment, lack of love, and lack of trust in marriage. In addition, it is argued that having cohabited previously can increasing the likelihood of getting divorce (Musick, 2007)The accumulation of these risk factors leads to

² See the legislation list at the end of the Annex.

divorce via a high level of conflict, infidelity, and lack of commitment. Whereas (Amato, 2010) did not find an effect on divorce due to working wives, (Fernández, 2013) did, she analysed the situation of women in the labour force in the US through several generations, controlling for women’s education, number of children, and age, where it is seen that social attitude towards women working is a relevant factor because before 1945 only 20% of people in the survey agree with women working if they have husbands that can support them and in 1998 more than 80% agreed. The author argues that issues like marriage law has already been analysed in the USA, but we do not find any quantitative study in Mexico, we just found extensive summaries of marriage and divorces laws, for instance (Alvarez, 2005)

Figure 1. Divorces to marriages, and proportion of women by marital status, (percentages).



Source: Own elaboration with data from INEGI, Divorce and Marriage Statistics.

Given the increasing tendency of young couples of living together without getting married (See Figure 1), joint with the increasing number of divorces our interest is to answer the following questions: *are current marriage laws increasing vulnerability in the event of a*

divorce? Is this related to property regimes? Are women more vulnerable than men before and after the separation or divorce?

The paper is ordered as follows; section 2 presents the analysis of property regimes in Mexico, section 3 explains the official data sources of marriage and divorces in Mexico. In section 4 we introduce the methodology that we use for the analysis. Section 5 has the results and section 6 the conclusion.

2. PROPERTY REGIMES IN MARRIAGE

From a legal perspective, Mexico has three matrimonial regimes: conjugal society (conventional and legal), legal society, and property separation, with exceptions like the regime of assets community. Civil and Family codes (CF) of federal entities contemplate at least two of them. The Federal Civil Code (FCC) includes only two matrimonial regimes; Article 178 provides that the contract of marriage must be under the conjugal society system or under the property separation regime (Álvarez, 2005).

The Regime of Property Separation

The regime of property separation involves the properties which the spouses obtained before, during, and after the marriage, stating that they are owned by the person who bought them. Article 112 of the FCC states that in this regime, the spouses retain the ownership and management of the assets that respectively belong to them; therefore, all the fruits and accessions to such property will not be common, but the exclusive domain of the

owner. In the same code, Article 213 states that it will also proffer to each of the spouses wages, salaries, emoluments, and profits obtained for personal services for the performance of a job or a profession, a trade or in industry.

The Conjugal Society Regime

The conjugal society regime can be composed of the property (assets) of those who are getting married and the property acquired in the future. According to Article 183 of the FCC, the marital community marriage is governed by the prenuptial agreement or marriage contract that grants the consorts, and in matters not expressly stipulated, by the provisions relating to the partnership agreement.

The prenuptial agreement, according to Articles 178 and 179 of the FCC, are covenants that the grantors celebrate to form the property regime of their marriage and regulate the administration of the property; such agreements may be granted before the marriage or during it and can include not only the property that the couple own at the time of making the agreement or marriage, but also the property acquired after. Article 189 of the FCC points out that the marriage in community property must contain at least a list of eight points describing the legal arrangements of assets;³ this is relevant because in the case of

³ 1) A detailed list of property that each spouse leads in the marriage society, expressing its value and the taxes reported; 2) a specified list of personal property that each spouse introduces into society; 3) a detailed note of debts held by each spouse before the marriage celebration, stating whether society is going to respond for them, or only those that are contracted during the marriage, either by both spouses or by either of them; 4) an explicit statement of whether the common society must include all property of each spouse or just part of it, in this last case specifying what assets will have to enter into the society; 5) explicit statement of whether the community property must include all the properties of the consorts, or only their products; in both, otherwise clearly be determined that the property or its products correspond to each spouse. 6) a statement of whether the work product of each spouse belongs exclusively to whoever earned it or whether to give the product involved to the other spouse and in what proportion; 7) a conclusive statement about who should be the society administrator, clearly expressing the powers granted; 8) a statement about whether future property purchased by the spouses during the marriage would belong exclusively to the purchaser, or if it should be divided between them, and in what proportion.

divorce that leads out of a community property regime, the list will define who owns the assets. (Traczynski, 2011) found that when exception rates of bankruptcy are made more favourable to individuals, divorce tends to increase; this can be interpreted as spouses feeling safer in terms of asset ownership, which was before only available to married couples.

Article 98, paragraph V, in the FCC provides that the registrar-recorder must be especially careful about the marriage, explaining to interested parties all they need to know to ensure that the agreement is properly formulated. This recommendation is not in all state codes and is one reason why many spouses are misinformed about what the matrimonial regime is or its capitulations. There is no legal obligation to provide information to the parties about the property regime before they marry, so many spouses ignore the patrimonial regime or the prenuptial agreement (capitulation). Therefore, some states assign a default regime.

The Regime of Legal Society

The legal society regime is not covered by the FCC, but only Jalisco has it in its property regimes. The Civil Code of the State of Jalisco establishes in Article 289 that the legal society regime is the formation of a common heritage different from own assets of the consorts and which management and domain correspond to both spouses equally, with the limitations established in the law. Regarding the ending of this type of marriage, Article

188 specifies that marriage termination can be requested by one of the spouses for reasons that are more likely to resemble a firm than a marriage.⁴

The different property regimes in marriage can also be terminated by divorce or death of one spouse. Article 197 of FCC states that “The marital community regime can be terminated by the dissolution of marriage, by choice of the consorts, by death, or by judgment declaring the presumption of death of the absent spouse” (Codigo Civil Federal, 2013).

The Regime of Assets Community

The Civil Code of Quintana Roo, Article 722, states, "If the house where the marital home is established is not a family heritage, but is the property of one spouse or both in co-ownership, or is owned by the community property, it cannot be sold without the consent of the two spouses." Similarly, the Federal District Civil Code also protects the family heritage and states in Article 727 that the assets subject to the estate of the family are inalienable, imprescriptible, and not subject to attachment or tax. This means that if a house is sequestered in mercantile action and if the heritage of the family, which is the nullity of the constitution of that heritage, is not enacted, the property is inalienable and infeasible, subject to the provisions of the article above mentioned.

Family Code

⁴ The reasons are (1) if the managing partner for its notorious negligence or clumsy administration threatens to ruin his partner or significantly decrease marital community; (2) when the managing partner, without the express consent of the spouse, assigns the property belonging to the community property to its creditors; (3) if the managing partner is declared bankrupt, or contested; and (4) for any other reason that justifies the judgment of a competent court.

In addition, the Family Code of the State of Sonora defines cohabitation. Article 191 states that cohabitation is the voluntary union of a man and a woman free of marriage impediments by undissolved link or relationship to integrate a family, mutual respect, and mutual protection as well as the possible perpetuation of the species. The cohabitation must meet certain requirements to be legally accepted. Article 106 of the same code provides that it is necessary to manifest prolonged cohabitation, exclusively and permanently for three consecutive years or since the birth of the first child, whichever is earlier.

Like Quintana Roo in the Civil Code, the State of San Luis Potosi in the Family Code of (CF of SLP), Article 53 states: “The house in which it is established the conjugal dwelling and personal property belonging to them, whether owned by one of the spouses or both, and is not constituted the family property, may not be sold except with the express consent of the two, nor may such property be taxed or seized by creditors of the husband or wife, or both.” These articles are intended to defend the family estate, which is not the case in all civil and family codes of Mexican states.

In most civil legislation, men and women have equal rights and responsibilities for managing assets during marriage and at its dissolution. Article 172 of the Federal Civil Code states that the husband and wife with age of majority have the ability to manage, hire, or dispose of their own property and bring an action or oppose exceptions without the need for such purpose or the consent or authorization of husband or wife, except for acts of administration and ownership of the common property. As (Pedrero Nieto, 2005) stated, management of the household is correlated with the woman’s years of schooling; in the context of the current research, this means that in a divorce, management of assets and the household can be hindered if the woman has little education.

Table 1. *Marriage property regimes.**

Federal Entity	Legislation	Asset separation	Conjugal Society		Legal Society	Asset Community	Concubine
			Conventional	Legal			
Aguascalientes	CC	X	X	X*			C
Baja California	CC	X	X				NR
Baja California Sur	CC	X	X				C
Campeche	CC	X*	X				NR
Coahuila	CC	X*	X				NR
Colima	CC	X	X				NR
Chiapas	CC	X	X				C
Chihuahua	CC	X	X*				C
Distrito Federal	CC	X	X				C
Durango	CC	X	X				NR
Guanajuato	CC	X*	X				C
Guerrero	CC	X*	X				NR
Hidalgo	CF	X	X	X*			C
Jalisco	CC	X	X		X*		NR
México	CC	X*	X				NR
Michoacán	CF	X*	X				C
Morelos	CF	X	X*				C
Nayarit	CC	X	X				C
Nuevo León	CC	X	X*				C
Oaxaca	CC	X	X	X*			NR
Puebla	CC	X	X*				C
Querétaro	CC	X	X			X*	C
Quintana Roo	CC	X				X*	C
San Luis Potosí	CC	X	X*				C
Sinaloa	CC	X	X				C
Sonora	CF	X	X	X*			C
Tabasco	CC	X	X*				NR
Tamaulipas	CC	X	X	X*			C
Tlaxcala	CC	X*	X				C
Veracruz	CC	X	X*				C
Yucatán	CF	X*	X				C

Federal Entity	Legislation	Asset	Conjugal Society	Legal	Asset	Concubine
Zacatecas	CF	X*	X			C

*Source: Federal Civil Code (FCC), State Civil Code (CC), Family Code (CF), Concubine (C), not included (NR), * By default.*

Researching every state code, we construct a summary of codes that regulate marriage and divorce and establish property regimes, showed in Table 1. Indicated in boldface with an asterisk is the patrimonial regime that assigns the family or civil code by default when election by spouses was omitted, and which is in most cases conjugal society. The summary implies that 25% of the states does not assign a patrimonial regime; rather, partners are required to choose one, but in 75% they do (24 of the 32 states), this means that he judge decides the property regime when the spouses did not specified which regime will govern the marriage, therefore the law always assigns a property regime. In the case of cohabitation, despite many young people are now living as a non-marital couple, only 68.75% of states (22) has a special section for concubines or mentions them in their articles (indicated with a C in Table 1).

Patrimonial Regimes in United States Marriages

We found relevant to succinctly look into the marriage law in the United States, because different from Mexico, it is governed by common law, and being our main neighbouring country some migrants marry or divorce there. Countries governed by common law determine the law applicable to the economic regime of marriage, in the case of personal property, according to the respective domicile of the spouses. Regarding property, applicable law governs in the respective location. The concept of domicile corresponds in

this case to habitual residence. If the spouses have a different address in the United States, domicile refers to the last common domicile of the spouses (Hertel, 2009).

The separation of property is the "legal regime" in almost all countries governed by common law. Marriage has no effect on property or spouses' ability to dispose of property. Therefore, the common law does not include the concept of economic regime in marriage (Hertel, 2009). However, in the case of divorce, the court may assign the assets of one spouse to the other spouse, applying the equity principle.

Very different from Mexico, in the case of divorce, the share of the assets that courts assign to the lower income spouse or spouse responsible for household chores is now significantly higher than in other times. This can also lead to a division of the property in half, since the courts, under the principle of equality; consider sharing the home and education of the children along with the professional activity (House of Lords, 2000). In this respect, the common law approach is similar to property acquired.⁵

In nine U.S. states, marriage is regulated by the marital community, not separate property, as a legal property regime: Arizona, California, Louisiana, New Mexico, Nevada, Texas, Idaho, Washington (State), and Wisconsin. In California, marriage is usually under the community property regime. California Family Code, Section 760, states: "Unless otherwise provided by law differently, all property, real or personal, while you are residing in the State shall be marital community." So, the property acquired by the spouses during the marriage is considered marital community.

⁵⁵ The British decision that established jurisprudence, House of Lords, 26.10.2000 – White v. White [2000] 2 FLR 981. <http://www.publications.parliament.uk/pa/ld199900/ldjudgmt/jd001026/white-1.htm>

Prenuptial contracts

In California, premarital or prenuptial agreements are widely used before marriage to express what the couple want regarding property. As in Mexico, Section 770 of the California Family Code states what will be owned by each of the spouses: (1) all property acquired before marriage, (2) all property acquired during marriage by gift, bequest, inheritance, or succession, and (3) the rents, royalties, and profits of the property listed above; it also allows agreements between spouses during marriage (postnuptial agreements). It is rare in the case of Mexico to write pre-matrimonial agreements to protect the assets even though in more than 52% of the cases conjugal society is chosen by spouses.

Fostering prenuptial contracts may be good practice to create awareness in spouses of the responsibilities and rights they may face during the marriage and in the case of an exit from the marriage (Rainer, 2007). Mostly young brides, who can be blind-sided by their treatment during the marriage and see no option out of it, tolerate mistreatment and wait until the dissolution; this situation leads to vulnerability for them and their children.

In the case of Mexico the Article 213 of the FCC states that the property of each of the spouses will include salaries, wages, and profits earned by personal services and performance of a job or a profession, in trade or industry. We know women lack many of these assets; therefore, it would be helpful if the states of Mexico adopted articles like Article 281 of the Civil Code of Nayarit, which contains recommendations to help eliminate bad practices that create situations of social inequality for Mexican women. This civil code states that in case of divorce the spouses may sue each other for compensation of

up to 50% of the value of the goods that were acquired during the marriage, provided that they have been married under the regime of separation of property, the plaintiff was dedicated during the marriage predominantly to household labour and childcare, and during the marriage, the plaintiff did not acquire nor purchase goods that are noticeably less than those of the counterparty. Nevertheless, the regime of property separation is not chosen by the majority of Mexican couples as seen in Table 2 in next section.

3. An Overview of Marital Regimes, Marriage and Divorce Tendencies in Mexico

3.1 Data Sources

Data about marriage and divorce in Mexico has several problems, even when the National Statistical Office (INEGI) has made available the data sets of marriages and divorces, they contain many missing values, as well as changes in the methodology to register data occurrences. The registries of marriages are available from (INEGI, 1993-2014), and for divorce from (INEGI, 1996-2013). Before 2010 the law allowed only marriages of couples of different sex: men and women, from 2010 the registries record the sex of the spouses, having three variables for that, which are sex, role of the person (gender), and type of agreement in the role so couples of the same sex can decide which gender role they will take (see Table A1 in the Annex). In addition the marital regime is available only from 2009, and just for the marriage data base with 13% of non-specified regime (see Table 2). Regime was initially recorded as conjugal community, property separation, and mixed, which was considered a blended of the first two regimes, but it is not recorded as such

anymore. In Table 2 we can see that in the last six years the marital regime mostly chosen by Mexican couples is the conjugal society.

The data base has no records of cohabitation, because only marriage is recorded in this data and legal issues of cohabitation are not. Moreover, in the previous section (see Table 1) we found that only in 68% of the States cohabitation is legally binding. In Spain, for instance, the separation of cohabitation is recorded and the demand for custody and pension of children of no married couples has increase, coupled with the decrease in divorce rates (Larraneta, 2017).

Table 2. *Marriage per matrimonial regime (percentage).*

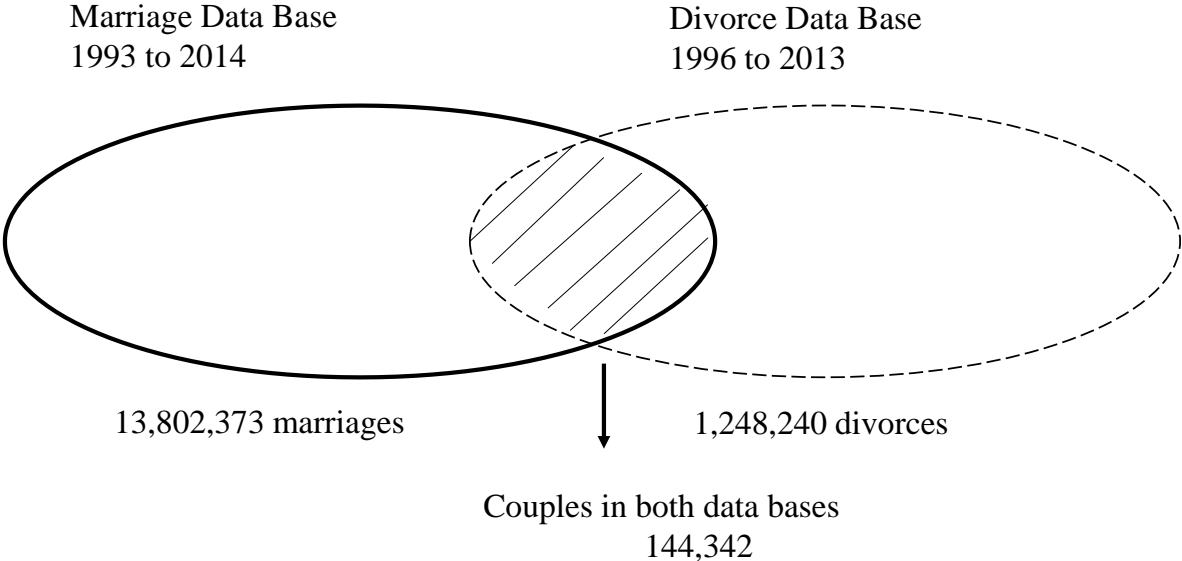
Year of Marriage	Conjugal community	Separation of property	Mixed	Not specified	Total
2009	32.20	18.04	27.56	22.21	100.00
2010	62.91	16.43	0.01	20.66	100.00
2011	56.92	28.37	0.01	14.70	100.00
2012	59.49	31.86	0.00	8.64	100.00
2013	62.46	28.92	0.00	8.62	100.00
2014	62.32	28.85	0.00	8.82	100.00
Total	56.18	25.49	4.47	13.86	100.00

Source: Own elaboration using marriage registries, INEGI.

To analyse weather marital regimes have an effect on vulnerability at the time of divorce, the number of observations that result is very reduced because registry offices do no not assign a folio to follow-up with a code the marriage trajectories, therefore we match the data base of marriages with divorces by characteristics that are common to both data bases, which are date of marriage, place of marriage, date of birth of the spouses and nationality. The result is that from 13,802,373 marriages and 1,248,240 divorces, only 144,342

registries match (see Table A2 in the Annex). In the marriage database we found that people got married from 1993 to 2014 whereas in the divorce data, people got divorce from 1996 to 2013, but got married since 1920 to 2013, therefore the scope is reduced to those marriages that coincide with the divorce data base (see Figure 2). Another restriction as we explained before is that marriage regime is recorded in the data registries from 2009.

Figure 2. Analysis of Data Bases of Marriage and Divorce



Source: Authors’ elaboration.

Couples matched in both data bases are 144,342; from those, only 9,440 belong to year 2009 onwards when marital regime is recorded (See Table 3).

Table 3. Data of Marriage per matrimonial regime (percentages)

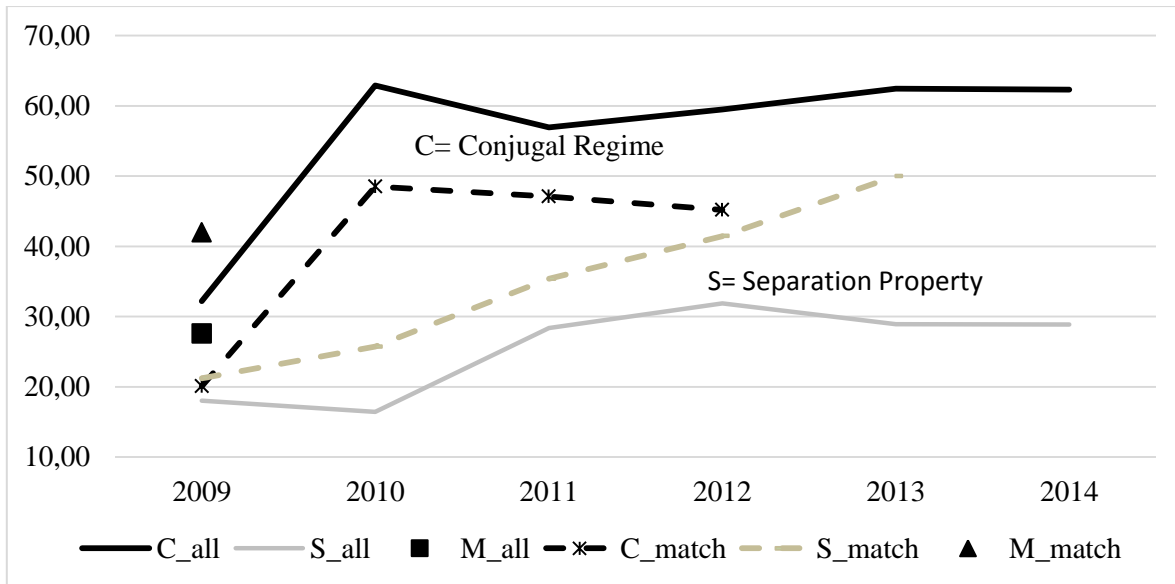
Year of Marriage	Conjugal community	Separation of property	Mixed	Not specified	Total
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2009	20.08	21.23	41.97	16.72	100
2010	48.51	25.71	-	25.78	100
2011	47.10	35.37	-	17.54	100
2012	45.20	41.45	-	13.35	100
2013	-	50.00	-	50.00	100
<hr/>					
Total	34.53	26.06	20.00	19.41	100

Source: Own elaboration with data from INEGI, Divorce and Marriage Statistics.

To use the data of the 9,440 matched records that report divorce and the marital regime to resemble the sample of the 144,342 matched records we would need to have statistical validity that the distributions are statistically not different. Starting for a graphical exploration we can see in Figure 3 that the percentages across time of marriage by marital regime seem more alike for conjugal society than for property separation, mostly from 2012.

Figure 3. Comparing Marital Regime Distribution in Marriage Data, and Data matched with divorce record (percentages).



In the literature of marriage (Mitchell, 2010) has highlighted the problems of missing values in the records, and questioning how much can we trust in research done using this type of records. In the current research, given that we want to explore the influence of marriage regime, we are limited due to data. Nevertheless we make use of the analysis of the first section and use Table 1 to code the regimes by State and fill that gap in the data registries.

The marriage data reports the sex of the couple from 2010, the age of the spouses, nationality, the place and date when they were married, the place where they live at the time of marriage, their occupation and school level, there are no records about the number of children they have at the time of marriage, neither socioeconomic characteristics.⁶ The divorce database reports the same variables except for the marital regime. It also includes

⁶ Of the 13,802,373 observation, there are 12,641,396 missing values of the locality where the get married, so the place of marriage is constructed only with the code of the State and the Municipality. There are 32 states and 2457 Municipalities in México.

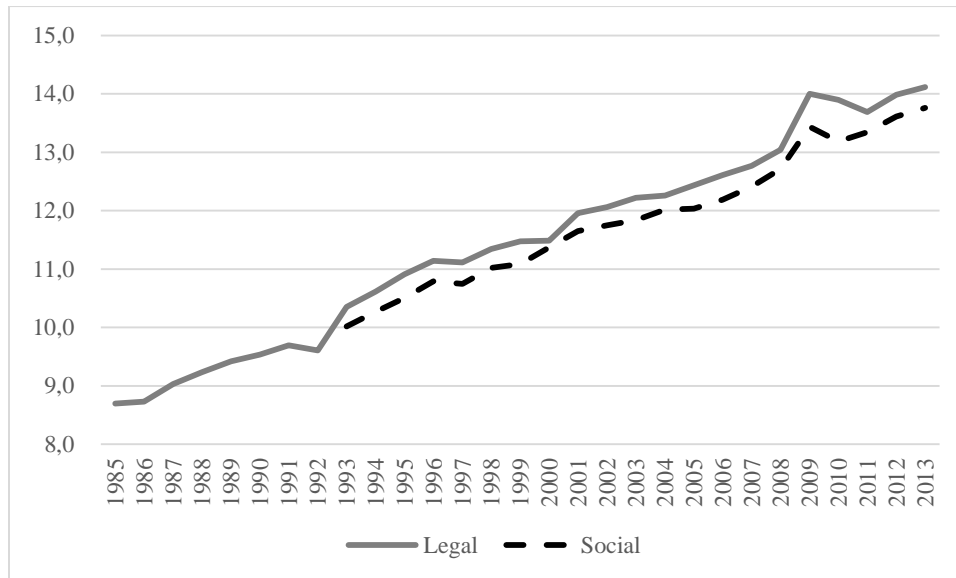
age at divorce, residence at the time of divorce, who has the custody and the parental right of the children, who will get the food pension, the number of children in the marriage, who is a minor and who are in custody status, who started the demand for divorce, who won the sentence and the reason for divorce.⁷

3.2. Characteristics of marriages and divorces in Mexico from 1993 to 2013

Using the marriage and divorce records from 1993 to 2013, we found that the proportion of divorces compared to marriages has increase, as shown before in Figure 1 in 1993 there were 5 divorces out of 100 marriages in the year, whereas in 2013 the number reach to 19 out of 100. Given that the registry offices do not codify the couples married and divorced with a tracking number, this percentage gives a shot in time of people who divorce and marry every year, but it does not tell us how many people married in a given year have divorced, and after how many years, but Figure 4 shows the average duration of marriage, and it has increase from 9 to 14 years. In addition there is no much difference between the time the spouses separate socially and the time they make the divorce effective, meaning they are legally separated. What is missing in the statistics is the date the problems started, preceding the social separation.

Figure 4. Average duration of marriage

⁷ From the 1,248,240 observations there are 1,140,150 missing values of the locality where they got divorced, therefore, analogous to marriage so the place of marriage is constructed only with the code of the State and the Municipality. There are 32 states and 2457 Municipalities in México.



Source: Own elaboration with data from INEGI, Divorce Statistics.

As we explain in section 1, many are the factors involved in the risk of divorce, from property ownership, working status to infidelity, and in the data base of divorces in México the couples that both work at the time of divorce has slightly increase through time, reaching percentages around 62 to 63 in the last five years, and the percentage where only men work has decrease to 32%. These tendencies are not surprising as women participation in the labour force has increase and we use the working status as a control variable in next section. What is striking is the fact that the main cause of divorce reported in the survey is “*common agreement*”, this response oscillated at around 70% up to 2011, and the other two causes are “*Two or more years separation independently of the cause*” (13%) and “*Unjustified Household Abandonment 3-6 month*” which afterward was overpass by “*Unilateral and voluntary*”.⁸ Of the 26 causes, just those four were mostly chosen. It is

⁸ According to Friedberg and Stern (2005), researching the United States see that divorces increased after the modifications to the law to promote divorce unilaterally, but they also argue whether this change in the law was a natural response to the pressure that existed to promote divorce unilaterally. In the case of Mexico we

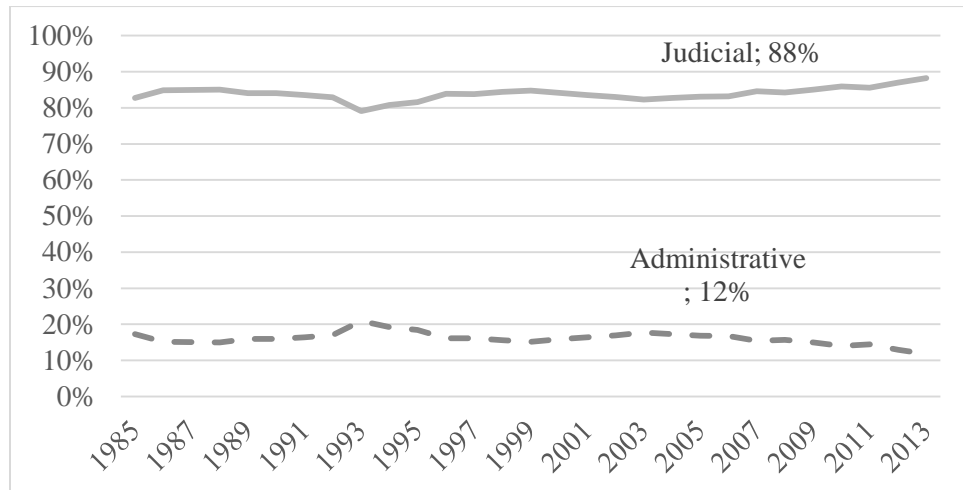
almost null that causes like violence, intentional crime, or crime against the spouse were picked (see Table A3 in the Annex).

Our understanding of the law explained in the section 2 lead us to belief that spouses do not state the real cause of divorce because if violence where the main cause, the years difference from the demand and the sentence of divorce would be longer in Figure 4, more expensive and time consuming and the spouses who suffer violence would not resist that period, the enacting of unilateral divorce as legal makes divorce easier. For instance, (Friedberg, 1998) found that unilateral divorce increased the number of divorces in the US by 6 percentage points; this type of divorce establishes that the spouse who wants to stay in the marriage should compensate the one who wants to leave. Even more in Mexico, if common agreement where the real cause, we would see that around 75% of the cases would be administrative, this means that spouses agree on the divorce and go to the Registry Office to have an administrative divorce, but we can see in Figure 5 that above 80% of the divorces are judicial, meaning there is a legal demand involved, and it has remain still during all the period of study. This contrast with countries like Spain that have implemented “notarial divorces” where elderly couples, with adult children just agree and go with a notary and get divorced (Larraneta, 2017), so there is no need to demand or blame any of the spouses for a cause, like in England (Economist, 2017) where there is currently a debate on the need to reform the law, and avoid blaming one of the spouses.

Figure 5. Type of divorce⁹

can see that after the law approved unilateral divorce, people choose this response as the cause of the divorce, and decrease the response of “abandonment and separation”.

⁹ The judicial divorces are recorded in the Family Courts, Civil, and Mixed. Whereas the administrative divorces are handled in the Registry Office.



Source: Own elaboration with data from INEGI, Divorce Statistics.

Another striking fact is that in 98.9% of the cases the law sentence favours the spouse whom initiated the divorce, and in 71.9% of the cases both spouses initiated the demand, that is congruent with both agreeing in getting divorced, but that does not mean that is the real cause of divorce, somehow the causes of divorce are not well documented. Table 4 show that wives initiated more often the demand of divorce than men, 16.4% versus 10.9%, respectively.

The administrative records of local judges for divorces and marriages have missing information and insufficient quality. Improving the quality will help generate correct estimations and therefore public policy to provide legal advice to couples.

Table 4. People who initiated the demand of divorce versus who won the sentence

		Who won the sentence		
		Husband	Wife	Both
Initiate	Husband	10.8%	0.1%	0.0%
	Wife	0.2%	16.2%	0.0%

Both 0.3% 0.5% 71.9%

Source: Own elaboration with data from INEGI, Divorce Statistics.

4. Methodology to Assess the relationship between marital regimes and vulnerability

Following standard literature of comparing the spouses before marriage and after marriage, which is the question three in the first section is not possible to answer with the data available, so we proceed to set the values of proxies that would help us to answer question one and two.

Let y_{it}^c be the income of the person i =female or male, at time t , when he or she is c =single, married or divorce.

If the person works in the remunerated market he or she receives w_{it}^c and devotes l_{it}^c share of time to work. ¹⁰If the person does not work the $l_{it}^c=0$ and $y_{it}^s=0$, if the person works with no remuneration $w_{it}^c=0$ and $y_{it}^s=0$.

Single person income

¹⁰ You can think of the hours of the day as 1 where 1/3 is for remunerated work, 1/3 for sleeping, and 1/3 for the rest (pleasure, household chores, help others, etc.). Therefore, a person who works could be said to receive labour income of $(1/3)*w_{it}^c$. Working half time means $(1/6)*w_{it}^c$.

The net income of an adult single person at the time of marriage (without taking into account parents transfers or presents) and his/her own expending g_{it}^s is regarded as simple

$$\text{as } y_{it}^s = w_{it}^s \cdot l_{it}^s - g_{it}^s$$

Spouses' income

The income of an adult married person would depend on three items: 1) his/her working status, 2) the marriage regime because assets can be shared or not, and 3) the expenses of the household, resulting in $y_{it}^m = w_{it}^m \cdot l_{it}^m - g_{it}^m$, where the expenses include household maintenance expenses (h), minor children expenses (c), and adult children expenses (a),

$g_{it}^m = g_{it}^{mh} + g_{it}^{mc} + g_{it}^{ma}$. Of course with time, during the marriage, part of the income is used to buy durable assets (A), and these assets after divorce will be divided according to the marriage regime.

Divorcees' income

Analogous to the income of an adult married person, the income of a divorced person would depend on his/her working status, the marriage regime, the food pension received (f) and the expenses in the house which will be higher when the person has the custody of the children and the availability of hours to work are lower, considered as a penalization (p):

$y_{it}^d = w_{it}^d \cdot l_{it}^d \cdot (1-p) + f_{it} - g_{it}^d$, where $g_{it}^d = g_{it}^{dh} + g_{it}^{dc} + g_{it}^{da}$. Where the food pension is added to the person that receives it, and accumulated in the expenses of the house if the person pays it.

Comparison of incomes

During the marriage the spouses can enjoy a better or a worse income status depending on their income situation, if when single, the person's income was y_{it}^s , it can be compared with $\frac{(y_{female,t}^m + y_{male,t}^m)}{m}$, where m is the number of the member in the family who depend on the income of spouses.¹¹ Where income is zero if the person do not have a remunerated job. And this income should be compared with the per capita income of the spouses after divorce and allocation of custody and food pension. In the best of the cases it would be preferable to have also the wealth or assets accumulation (A) during the marriage and how this is going to be divided:

$$y_{it,percapita}^d = \begin{cases} [w_{it}^d \cdot l_{it}^d \cdot (1-p) + f_{it} - g_{it}^d + p] / (m-1) & \text{if } custody = 1 \\ w_{it}^d \cdot l_{it}^d - g_{it}^d & \text{if } w_{it}^d \cdot l_{it}^d \cdot (1-p) - g_{it}^d \end{cases}$$

In section 3 we explain that the variables recorded in the marriage and divorce registries do not include socioeconomic characteristics, like wages, income, the amount of assets, previous children of other unions, or whether the person work during the marriage. All that information is missing, and the available information to assess whether the person is better or not after divorce is just the working status before and after marriage, the allocation of custody of minor children and the allocation of food pension. Table 5 shows that that on average people who work at the time of marriage is 96.54% men and 38.29% women, but at the time of divorce this percentage drops for men and increases for women reaching 95.53% and 62.79% respectively. Nevertheless when we just observe the people who is

¹¹ The per capita income can be divided accordingly to nutrition needs and there is a whole literature in terms of poverty indexes where we can use equivalence of scale or returns to scale in household production when we are dealing with Income and Expenditure Surveys, but in this Marriage and Divorce surveys we lack all that information. As explain in section 3, we just have the number of children and if the person works at the time of marriage or divorce.

matched in both data bases, the percentage of women who work at the time of marriage is 48.06% and at the time of divorce it increases to 66.25%, whereas the percentage for men increases but stays steady from 93.7% to 95.76%.

Table 5. People who work (percentages)

	<u>All individuals in data bases</u>				<u>Matched individuals in data bases</u>			
	<u>At the marriage</u>		<u>At the divorce</u>		<u>At the marriage</u>		<u>At the divorce</u>	
	He	She	He	She	He	She	He	She
Works	96.54	38.29	95.53	62.79	93.7	48.06	95.76	66.25
Do not work	3.13	61.35	4.47	37.21	5.57	51.13	4.24	33.75
Non specified	0.33	0.36	0	0	0.73	0.81	0	0

Source: Own elaboration with data from INEGI, Divorce and Marriage Statistics.

This indicates that at the time of divorce 66.25% of women have a double burden, working in the labour force and being allocated the custody of the children, and as we will see in the estimations, the probability of women receiving the food pension decreases if she works.

4.1 Estimation description

To answer the question about the relationship between the property regime of marriage and the vulnerability at the time of divorce we use two different measures of marriage regime:

- 1) The regime in the marriage registries available from 2009.
- 2) Dummy variables that indicate the number the regime assigned by default when the spouses did not choose one at the time of marriage, these dummies are one of the results of Table 1, and are applied to all years of the data set.

The available outcome variables from the Registry Office that can be used as a proxy of vulnerability of the split family at the time of divorce are 1) who gets the pension and 2) the

custody of the minor children. By law all children whose age is below 18 years old should be on the custody and parental care of an adult and receive a food pension, this is congruent with the observations of the records, so at least in theory, 100% of the cases assign both accordingly, but in real life we do not have a registry about whether this is accomplished, parents can default. In Table 6 we can see that when there are no minor children at home, the mother or the father can receive the pension. The fact that 64.9% of the cases the mother receives the custody of the children implies that they have to devote time to care, and less time to paid work (Pedrero Nieto, 2005), notwithstanding the food pension is in 90% of the cases for the children and only in 8% for the mother and the children (59.01 and 5.27, respectively). This is a first source of vulnerability, because those mothers that are dedicated to household chores, only without outside income, would not receive any pension even when they have children that are not minors.

Table 6. Allocation of Custody and Food Pension after Divorce (percentages)

Custody	Who Receives the food pension						Total
	Children	Wife	Husband	No one	Children and Wife	Children and Husband	
No one	0	1.17	0.06	25.1	0	0	26.33
Mother	59.01	0	0	0	5.27	0.62	64.9
Father	3.61	0	0	0	0.12	0.09	3.82
Both	4.22	0	0	0	0.45	0.09	4.75
Other	0.08	0	0	0	0	0	0.08
Non specified	0	0.01	0	0.1	0	0	0.11
Total	66.92	1.18	0.06	25.2	5.85	0.79	100

Source: Own elaboration with data from INEGI, Divorce Statistics.

In Table 7 we can observe that when the custody is not assigned because there are not minors, those households, that allocate food pension to the wife or husband have on

average around 2 adult children, and those who do not allocate pension have an average of 1.6 adult children. Having children in college age where parents get divorce and the mother is a house wife, may throw children out of the school if the father do not have the obligation to support them. In Mexico the credit to study college is not as well established as in the USA, and housewives are not suitable for credit, it is more likely that the children enter to the labour force than to keep studying (SEP, 2006).

Table 7. Average Number of Children in the Household by Custody and Food Pension

Custody	Children classification/e	Who Receives the food pension					
		Children	Wife	Husband	No one	Children and Wife	Children and Husband
No one	Minor		0.00	0.00	0.00		
	Adult		2.32	2.06	1.63		
Mother	Minor	1.68				1.70	1.69
	Adult	0.21				0.23	0.20
Father	Minor	1.81			1.00	1.83	1.86
	Adult	0.36			0.00	0.39	0.27
Both	Minor	1.95			1.00	1.88	1.88
	Adult	0.27			0.00	0.22	0.24
Other	Minor	1.78				2.17	2.14
	Adult	0.35				0.31	0.00
Non specified	Minor		0.00	0.00	0.00		
	Adult		2.71	2.00	4.13		

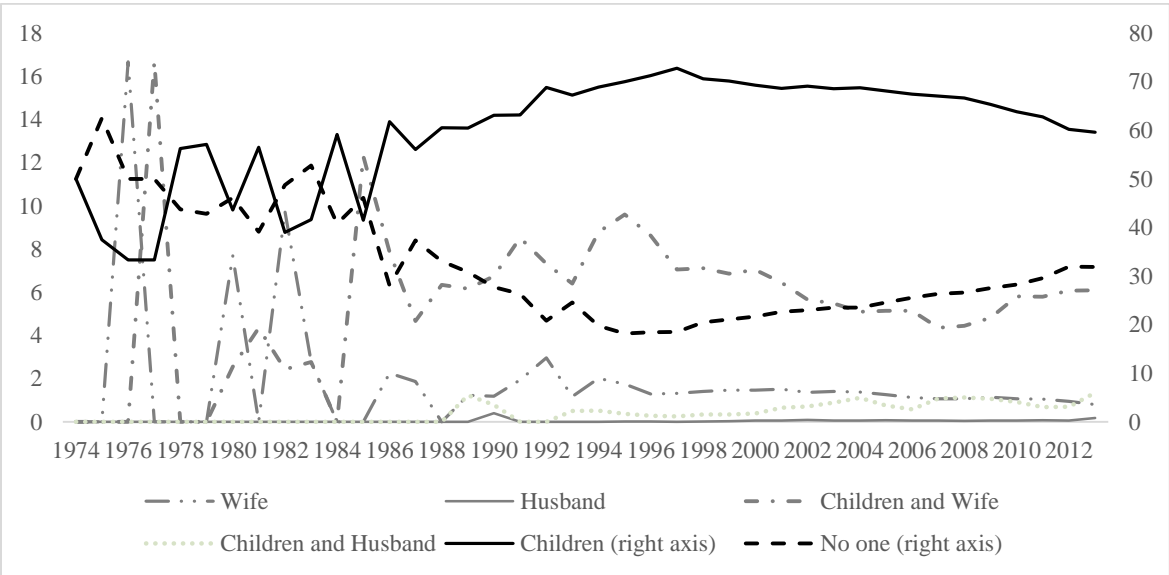
e/ A child is consider an adult when reaching age 18.

Source: Own elaboration with data from INEGI, Divorce Statistics.

It is observed that across time the tendency of allocation of food pension has remain favouring minor children, but not the wife (see Figure 6). Currently the divorce registries

do not document household socioeconomic characteristics to proxy the poverty of the family. As said before, according to the law, all minor children (under the age of 18) should be assigned to a tutor, which could be any of the parents or another adult; and in more than 90% of the cases are assigned to the mother, but the food pension is not. We test first whether this allocation varies in more or less degree with the marital regimen using the Pearson test of association.

Figure 6 Allocation of Food Pension after Divorce (percentages)



Source: Own elaboration with data from INEGI, Divorce Statistics.

4.2 Association Tests Between Custody or Food pension and Marriage Regime

To test whether the allocation of the custody or the pension is related to the marriage regime, we perform a test of independence using Pearson Chi-square and dividing the sample in four different forms: 1) when there are no children, 2) when there are only adult children, 3) when there are only minor children and 4) when there are children. Basically

the null hypothesis is H_0 : marital regime is independent of custody (pension) allocation versus the alternative

H_1 : marital regime is associated with custody (pension) allocation .

If we denote i as the row, where i can take the values of the marital regime (X), which in the first data set will be common assets, separation, mixt and non-assigned, and in the second data set i will take the values of not assigned, separated, and common assets. Whereas the column j in the case of custody (Y) can take the values of no one, mother, father, both, other, non-specified, and in the case of food pension allocation (Z) column, k can take the values of children, wife, husband, children and wife, children and husband, no one. Such that:

$P(X = i)$ = probability that marriage regime is type i ,

$P(Y = j)$ = probability that person j receives the custody

$P(Z = k)$ = probability that person k receives the food pension ,

$P(X = i, Y = j)$ = probability that in marriage type i , person j receives the custody

$P(X = i, Z = k)$ = probability that in marriage type i , person k receives the food pension

Therefore, the first null hypothesis is stated as:

$H_0 : P(X = i, Y = j) = P(X = i)P(Y = j)$ versus $H_0 : P(X = i, Y = j) \neq P(X = i)P(Y = j)$

And the second as

$H_0 : P(X = i, Z = k) = P(X = i)P(Z = k)$ vs $H_0 : P(X = i, Z = k) \neq P(X = i)P(Z = k)$

Let $\pi_{ij} = P(X = i, Y = j)$, $\pi_{i\bullet} = \sum_j \pi_{ij}$ the sum over row i and $\pi_{\bullet j} = \sum_i \pi_{ij}$ the sum over

column j . Where $\hat{\pi}_{ij} = \frac{O_{ij}}{n}$, n is the total number of observations, and O_{ij} is the number of

observations of type i and allocation j . The test statistic of Pearson, called Chi-squared of

independence is $\chi^2 = \sum_i \sum_j \frac{(O_{ij} - E_{ij})^2}{E_{ij}}$, where E_{ij} is the expected value of observation O_{ij} .

The degrees of freedom are $\chi^2 \sim (I - 1)(J - 1)$, see (Greene, 2008). The same applies for the

probability of food pension $\pi_{ik} = P(X = i, Z = k)$. The results are shown in Table 8.

Table 8. Pearson Chi-square and P-Value to test Independence of Marital Regime and allocation of Custody and Pension.

Household	Data 1: 2009-2013	
	Custody	Pension
Without children	NA	chi2(6) = 11.5704 Pr = 0.072
With Adult Children	NA	chi2(6) = 9.1066 Pr = 0.168
With Minor Children	chi2(9) = 77.3936 Pr = 0.000	chi2(6) = 61.3909 Pr = 0.000
With Children	chi2(12) = 106.6454 Pr = 0.000	chi2(15) = 105.7813 Pr = 0.000

Note: Data set 1 reports the marriage regime in the records only from 2009.

Household	Data 2: 1993-2013	
	Custody	Pension
Without children	NA	chi2(4) = 277.7797 Pr = 0.000
With Adult Children	NA	chi2(8) = 652.1818 Pr = 0.000
With Minor Children	chi2(6) = 2.2e+03 Pr = 0.000	chi2(6) = 2.1e+03 Pr = 0.000
With Children	chi2(10) = 3.7e+03 Pr = 0.000	chi2(10) = 4.4e+03 Pr = 0.000

Note: Data set 2 uses the marriage regime assigned by defaults in the State where the person lives

NA: Custody do not apply to this case

Source: Own elaboration with data from INEGI, Divorce and Marriage Statistics.

No Children

When there are no children the custody is obviously not allocated but the pension is 98.5% not allocated and the rest 1.5% is to the mother, of those 0.62% is allocated when she is married by common assets; using data set 2 with dummies shows that the pension is not allocated in 97.3% of the cases, and 2.56% to the mother and 0.11% to father. In this case the pension is more often allocated to the mother and father when the State assigns separation of assets. The Pearson test rejects that there is no association between regime and pension, so we conclude there is a significant association.

Adult Children (children 18 years old or older)

When there are adult children custody is not allocated but pension is 1.02% to the mother and 0.34%, in data set using the regimes reported, but the test do not reject the independence. When using the dummies it is allocated only in 6.75 % to the mother and exceptional 0.07% to the mother and children and 0.40% to the father. The test rejects independence, meaning there is an association between regime and allocation of pension.

Minor Children (children younger than 18 years old)

To make easier the finding we report the percentages without parenthesis for the first data set, and in parenthesis for the dummies data set of default allocation. In the case of the households where there are minor children, the custody is 100% allocated, from this allocation 87.97 % (88.84%) is to the mother, and of that, the majority 29.57% (39.74%) happens when she is married by common assets according to the registries (dummies). In both cases the test shows association of regime and custody allocation. With respect to pension, it is allocated to the minor children 90.14% (91.02%) from those, the majority

31.22% (40.70%) is when there are common assets. In both cases the hypothesis null of independence is rejected, meaning there is association between regime and allocation of food pension.

All Children

Analogous we report the dataset 2 in parenthesis; in this case when we include the households that have children, 75.95% (74.23%) of the time custody is assigned to the mother, of that, the majority 25.53 % (33.28%) is allocated to her when she is married by common assets. The test proves there is an association between regime and allocation of custody. In the case of the food pension, this is allocated in 79.97% (78.03%) to the children, and the majority of it 27.88% (34.92%) when the spouses are married by common assets. In both cases the test of association is rejected, concluding the marital regime and the food pension allocation are not independent.

4.3 Multi Logit Model

We now proceed to estimate a multilogit model using as dependent variable the person who received the food pension, we don't present the models of receiving the custody, because given that in more than 90% of the cases the mother receives the custody, the model is not statistically significant. The model for food pension is the following:

$$\ln \Omega_{mb}(x) = \ln \frac{P(y = m | x)}{P(y = b | x)} = x' \beta_{mb} \text{ where } m \text{ is the person who receives the pension and}$$

$b=$ is the comparison group, which in this case is children. Therefore the model to be estimated using this four categories corresponding to each quadrant is:

$$P(y = m | x) = \frac{\exp(x' \beta_{mlb})}{\sum_{j=1}^4 \exp(x' \beta_{jlb})}$$

x includes covariates that we found to be important for explaining the allocation, like number of minor and adult children, whether the spouses work at the moment of the marriage, who initiated the demand of divorce, lasting years of the marriage, years of schooling of the spouses and age, and we control for time and state variability.

5. Estimation Results

The categories compared were chosen according to what is reported in the questionnaire because we tried to merge some of them but a Wald test reported that none of the categories could be mixed (see Table 9).

Table 9. Wald Test

Alternatives tested	chi2	df	P>chi2
wife- husband	292.155	15	0
wife- no one	6108.27	15	0
wife-children and wife	134.625	15	0
wife-children and husband	137.557	15	0
wife- children	129.554	15	0
husband- no one	112.983	15	0
husband-children and wife	144.178	15	0
husband-children and husband	128.382	15	0
husband- children	132.07	15	0
no one-children and wife	361.802	15	0
no one-children and husband	358.16	15	0
no one- children	362.513	15	0
children and wife-children and husband	2676.41	15	0
children and wife - children	5549.03	15	0
children and husband - children	2049.89	15	0

Ho: All coefficients except intercepts associated with a given pair of alternatives are 0 (i.e., alternatives can be combined).

The results are in Table 10. The variable use to test the influence of the regime from 1993 to 2013 are the default regimes that the State assigns when spouses do not choose one. The separate property and common assets are compared to the no allocation of regimen in the State where spouses got married.

Property separation and common assets versus base category

We found that when property separation is allocated by default versus no allocation, it is less likely that the wife receives the food pension, the regime favours the children and husband, or husband alone.

Property common assets versus base category

When there are no minor children the husband has higher odds than the wife to be allocated the food pension, and this default regime favours more the husband with children than children alone.

Spouses initiating the demand for divorce

With or without children, in all cases the probability of being allocated the food pension is higher for the wife when she initiated the demand for divorce. Remember that the spouse who initiate the demand, in 99% of the cases the Law favours her/him. When both spouses initiate the demand for divorce, the probability of allocation the food pension is higher first for the wife, and afterwards for the wife and the children.

Presence of children in the household

When there are minor children in the households is 99% for sure that the food pension is allocated to them whether the father or the mother wins the demand for divorce, children will be in theory assigned the food pension, we outline “in theory” because there is not a data base to see whether in fact the children are receiving the food pension. When there are no minor children, but only adult children, the food pension seems to be likely allocated to wife or husband, which would be unfair to the wife if the adult children, let’s say 18 years old in college have to be maintained by her.

Years of schooling and working status

The more years of schooling the husband or wife have, it is less likely that they have minor children and the less likely to receive the food pension, the same is seen in Table 9 for the working status, if the wife works or has more years of schooling the probability of receiving the food pension is lower.

Age of the spouses

The age seems to have no effect in the husband at all to receive the pension, but in the case of the wife, the older she is, the higher the probability that the children receive the food pension.

Social duration of the marriage

The longer the marriage last the higher the probability is allocated to the children, the lower the probability that the food pension is assigned to the wife, and I is more likely that the pension is allocated to the children and husband, than to children and wife.

As time pass by

Another finding that call the policy makers attention is that as the time pass by from 1996 to 2013, it is more likely that the food pension favour children, children and the husband, but never the wife.

6. Conclusions

In Mexico, in theory, marriage law protects both men and women. State laws establish that the property inherited or received by gift must belong only to the person receiving it. There are regulations in this regard, but often the problem is the lack of information of the spouses about marital regimes and the consequences of choosing one of them. In other cases, the spouses select the regime either by obligation or because they were not aware they should choose a matrimonial regime; when this happens, 75% of states in civil and family codes assign a property regime to the marriage.

Using the marriage and divorce data bases for Mexico in the period 1993 to 2013, and matching both data bases we use the allocation of custody and food pension which are the only variables available to consider whether after divorce one of the spouses is vulnerable. The analysis of the association between food pension and regime concludes that there is a statistical significant association between both, and the food pension allocation varies according to the default regime assigned by the state, when spouses are married by common assets the children receive more often the pension, and when they are married by separate regime the mother and father rather than children alone received it. The independent test also shows that the allocation of custody and the marriage regime are

associated, and custody is allocated more often to the mother, and this percentage is higher when the couple is married by common assets.

The multi-logit model that estimates the probability of receiving food pension shows that it is more often received by the children independently of the regime, but it favours more the children and the mother when she initiated the demand for divorce. The allocation of food pension does not favour the wife the higher her schooling level is, or if she works. As time goes by the allocation of food pension has shift to favour more the father than the mother; but it has given preference all the time to minor children, at least in theory, because there is not a data base that has the real amount and accomplishment of the food pension.

We conclude that regimes play a role in vulnerability at least in the allocation of custody and food pension, and that the Law as it is now gives more responsibility to women than to men in the case of divorce, we acknowledge the limitations of this study due to the data availability, and we express some policy recommendations:

- 1) With regards to data bases, there is the need for the registry offices to record in the marriage and divorce surveys the socioeconomic characteristics of the espouses, including the number of children at the time of marriage, income and assets that spouses are bringing into the marriage, or at least approximated percentages, whether the person worked during the marriage, and most important, to assigned a folio or code that follow up the trajectory of the marriage. It is shocking not to be able to track the couple marriage and its divorce, whereas other institutions do, for instance, changing “civil status” in Mexico, for any banking institution, school registry and sporting event is updated as single, married, widow, free union, and divorce; and even more informal

institutions as the sporting club register a folio because if a person has children during the time of the membership, the children should be recorded under the same folio until they are adults, so why not to record with a tracking folio marriages and divorces so that we can implement useful public policies.

- 2) The real causes of divorce should be documented because now the survey is a bias towards the answer “Mutual agreement”, and that is a result of the decision of divorce, but not the cause of divorce. This response might be hiding several couples’ problems that people keep behind in order to make divorce easier.
- 3) Given that there is no legal obligation to provide information to the parties about the property regime before they marry, and so many spouses ignore the patrimonial regime, there should be pre-marriage appointments in the office registries to explain the future spouses and be sure that they understand the law; including that within the marriage Article 172 of the Federal Civil Code establishes equal rights and obligations of the spouses should be emphasized, and the possibility of signing a pre-nuptial contracts that is established in the Mexican Law should be available to future spouses.

Considering that women bear the custody of children with or without food pension and with or without working, this perpetuates the children and family to an impairment of assets and consequently less access to food and education, the family would rarely have access to opportunities that prevent them from falling into poverty. These circumstances may lead more women than men into poverty. This paper is a first step to detect one determinant of gender inequality that exists in different states of Mexico after divorce. It is necessary to establish new laws and strategies to ensure equal opportunities for spouses, whether they work in the remunerated labour force or take charge of the household and caring for sons

and daughters. There is the need for states to promote inclusive measures that consider the unpaid household work of women during all years of marriage .

Table 10. Multi Logit estimation of Food Pension and Marital Regime

Food Pension	B	SE(BE)	RRR	B	SE(BE)	RRR
Children receive the food pension	(base outcome)					
	Wife receives the food pension			Husband receives the food pension		
Separate Assets	-0.69	0.55	0.50	0.32	0.57	1.38
Common Assets	1.5132*	0.77	4.54	2.6994***	0.78	14.87
Wife Initiate Divorce	1.9912**	0.70	7.32	0.86	0.71	2.37
Both Initiate Divorce	1.3708*	0.54	3.94	0.60	0.55	1.82
Minor Children	-41.33	479.80	0.00	- 42.42	3,709.89	0.00
Adult Children	-0.6099***	0.07	0.54	-0.6465***	0.07	0.52
Wife Schooling	-0.02	0.08	0.98	- 0.06	0.08	0.94
Husband Schooling	0.05	0.08	1.06	0.03	0.08	1.03
Husband Age	0.01	0.03	1.01	- 0.00	0.03	1.00
Wife Age	-0.1804***	0.03	0.83	-0.1954***	0.03	0.82
Husband Works	-0.08	0.51	0.92	- 0.27	0.53	0.76
Wife Works	-1.07	0.61	0.34	- 0.59	0.62	0.55
Social Duration of Marriage	-0.2544**	0.08	0.78	- 0.15	0.08	0.86
Year	-0.3334***	0.08	0.72	-0.2294**	0.08	0.80
State	-0.02	0.03	0.98	- 0.02	0.03	0.98
Constant	685.8997***	169.49	7.60E+297	476.1499**	170.79	6.20E+206

Table 10. Multi Logit estimation of Food Pension and Marital Regime (continuation)

Food Pension	B	SE(BE)	RRR	B	SE(BE)	RRR
	Children and Wife receive the pension			Children and Husband receive the pension		
Separate Assets	0.1154***	0.01	1.12	0.6373***	0.05	1.89
Common Assets	-0.2277***	0.01	0.80	0.9027***	0.04	2.47
Wife Initiate Divorce	0.5410***	0.02	1.72	- 0.08	0.05	0.92
Both Initiate Divorce	0.0488*	0.02	1.05	-0.3114***	0.04	0.73
Minor Children	0.00	0.01	1.00	0.00	0.02	1.00
Adult Children	0.00	0.01	1.00	-0.0419*	0.02	0.96
Wife Schooling	0.0269***	0.00	1.03	- 0.00	0.00	1.00
Husband Schooling	0.0135***	0.00	1.01	-0.0255***	0.00	0.97
Husband Age	0.00	0.00	1.00	- 0.00	0.00	1.00
Wife Age	0.0093***	0.00	1.01	0.00	0.00	1.00
Husband Works	0.02	0.02	1.02	0.1787***	0.05	1.20
Wife Works	-0.4518***	0.01	0.64	-0.3038***	0.03	0.74
Social Duration of						
Marriage	-0.0143***	0.00	0.99	0.0785***	0.00	1.08
Year	-0.0135***	0.00	0.99	0.0789***	0.00	1.08
State	0.0036***	0.00	1.00	0.0250***	0.00	1.03
Constant	23.9158***	1.92	2.43E+10	-1.6e+02***	5.61	0.00

Table 10. Multi Logit estimation of Food Pension and Marital Regime (continuation)

Food Pension	B	SE(BE)	RRR
No one receives the food pension			
Separate Assets	-0.52	0.55	0.60
Common Assets	1.9926**	0.77	7.33
Wife Initiate Divorce	1.21	0.70	3.35
Both Initiate Divorce	0.95	0.54	2.60
	-		
Minor Children	32.3956***	2.06	0.00
Adult Children	-0.6439***	0.07	0.53
Wife Schooling	-0.09	0.08	0.91
Husband Schooling	0.07	0.08	1.07
Husband Age	0.00	0.03	1.00
Wife Age	-0.1956***	0.03	0.82
Husband Works	-0.17	0.51	0.84
Wife Works	-0.16	0.61	0.85
Social Duration of Marriage	-0.2055*	0.08	0.81
Year	-0.2639**	0.08	0.77
State	-0.02	0.03	0.98
Constant	551.5239**	169.45	3.30E+239
Statistics			
N	765052.00		

ANNEX

Table A1: Role and Sex of the spouses

Year of the marriage	Sex: Men & Women		Sex: Men		Sex: Women	
	Gender: Men & Women	Same	Gender: Men & Women	Same	Gender: Men & Women	Same
2010	567,943			380		309
2011	570,152			457		345
2012	584,498			489		447
2013	582,077			650		537
2014	576,026		29	851		44 763
Total	2,880,696	0	29	2,827	44	2,401

Table A2. Observations in Data Bases according to matching records

Year of Marriage	Only the Divorce Data Base	Only the Marriage Data Base	In both Data Bases	Total	Year of Marriage	Only the Divorce Data Base	Only the Marriage Data Base	In both Data Bases	Total
1920	279	0	0	279	1968	3,882	0	0	3,882
1921	9	0	0	9	1969	4,547	0	0	4,547
1922	8	0	0	8	1970	5,718	0	0	5,718
1923	14	0	0	14	1971	6,514	0	0	6,514

Year of Marriage	Only the Divorce Data Base	Only the Marriage Data Base	In both Data Bases	Total	Year of Marriage	Only the Divorce Data Base	Only the Marriage Data Base	In both Data Bases	Total
1924	4	0	0	4	1972	8,799	0	0	8,799
1925	6	0	0	6	1973	9,095	0	0	9,095
1926	6	0	0	6	1974	10,805	0	0	10,805
1927	6	0	0	6	1975	11,412	0	0	11,412
1928	1	0	0	1	1976	11,970	0	0	11,970
1929	9	0	0	9	1977	13,041	0	0	13,041
1930	6	0	0	6	1978	14,086	0	0	14,086
1931	11	0	0	11	1979	16,009	0	0	16,009
1932	3	0	0	3	1980	17,477	0	0	17,477
1933	9	0	0	9	1981	19,606	0	0	19,606
1934	7	0	0	7	1982	21,270	0	0	21,270
1935	10	0	0	10	1983	21,677	0	0	21,677
1936	8	0	0	8	1984	23,655	0	0	23,655
1937	10	0	0	10	1985	26,517	0	0	26,517
1938	6	0	0	6	1986	28,180	0	0	28,180
1939	25	0	0	25	1987	31,771	0	0	31,771
1940	28	0	0	28	1988	33,193	0	0	33,193
1941	31	0	0	31	1989	35,306	0	0	35,306
1942	46	0	0	46	1990	38,622	0	0	38,622
1943	49	0	0	49	1991	41,261	0	0	41,261
1944	70	0	0	70	1992	44,834	0	0	44,834
1945	73	0	0	73	1993	46,919	659,562	5	706,486
1946	68	0	0	68	1994	49,711	671,637	3	721,351
1947	106	0	0	106	1995	50,246	658,108	6	708,360
1948	110	0	0	110	1996	51,038	670,517	6	721,561

Year of Marriage	Only the Divorce Data Base	Only the Marriage Data Base	In both Data Bases	Total	Year of Marriage	Only the Divorce Data Base	Only the Marriage Data Base	In both Data Bases	Total
1949	171	0	0	171	1997	51,900	707,816	24	759,740
1950	209	0	0	209	1998	41,454	691,422	13,212	746,088
1951	217	0	0	217	1999	40,286	729,985	14,056	784,327
1952	276	0	0	276	2000	38,709	693,228	14,397	746,334
1953	316	0	0	316	2001	34,805	652,036	13,613	700,454
1954	477	0	0	477	2002	30,313	604,443	12,363	647,119
1955	524	0	0	524	2003	27,643	573,313	10,954	611,910
1956	619	0	0	619	2004	26,250	590,575	10,115	626,940
1957	749	0	0	749	2005	24,545	586,972	8,828	620,345
1958	831	0	0	831	2006	22,153	579,420	7,618	609,191
1959	982	0	0	982	2007	20,248	589,085	6,207	615,540
1960	1,225	0	0	1,225	2008	17,699	584,808	4,580	607,087
1961	1,312	0	0	1,312	2009	13,869	556,130	2,798	572,797
1962	1,495	0	0	1,495	2010	10,750	567,320	1,314	579,384
1963	1,802	0	0	1,802	2011	7,226	570,611	345	578,182
1964	2,183	0	0	2,183	2012	3,063	585,421	15	588,499
1965	2,506	0	0	2,506	2013	356	583,261	3	583,620
1966	2,897	0	0	2,897	2014	0	577,713	0	577,713
1967	3,223	0	0	3,223					
					Total	1,131,462	13,683,383	120,462	14,935,307

Note: Only 4,475 observations that are in both data bases have available the marital regime from 2009

Source: Own elaboration with data from INEGI, Marriage and Divorce Statistics.

Table A3. Causes of Divorce from 2006 to 2013 (percentages).

Causes	2006	2007	2008	2009	2010	2011	2012	2013	Not specified
Mutual Consent	72.81	72.48	72.75	69.40	67.95	68.73	65.59	57.28	54.94
Two or more years separation independently of the cause	10.01	11.02	13.07	12.81	12.31	13.13	13.79	10.42	-
Unjustified Household Abandon 3-6 month	6.75	5.79	4.86	3.98	3.45	2.82	2.55	2.19	10.07
One year separation for a justified cause	5.63	6.07	5.21	3.63	3.45	3.11	1.57	1.40	0.48
Non-economic contributions to the household, sentenced by judge	1.38	1.24	1.11	0.87	0.80	0.72	0.62	0.53	0.37
Threatened and violence	1.31	1.30	1.13	0.91	0.89	0.75	0.71	0.58	2.06
Sexual infidelity or adultery	0.74	0.69	0.59	0.51	0.61	0.56	0.48	0.41	0.95
Unilateral and voluntary	-	-	0.10	6.58	9.47	9.12	13.62	25.92	-
Incompatibility	0.39	0.51	0.33	0.55	0.38	0.38	0.39	0.58	3.49
Violence	0.19	0.16	0.20	0.17	0.16	0.14	0.12	0.11	0.01
Gambling, alcoholic or drug addiction	0.17	0.20	0.14	0.10	0.09	0.09	0.05	0.05	0.15
Corruption and/or Child mistreatment	0.06	0.07	0.04	0.05	0.02	0.02	0.01	0.02	0.03
Mental disease with no cure or declared by a judge sentence	0.06	0.04	0.05	0.03	0.02	0.02	0.01	0.01	0.29
Crime against the spouse	0.05	0.04	0.05	0.05	0.03	0.02	0.02	0.02	0.01

Causes	2006	2007	2008	2009	2010	2011	2012	2013	Not specified
Intentional crime	0.05	0.04	0.03	0.03	0.02	0.02	0.02	0.02	0.01
Calumny	0.03	0.03	0.03	0.04	0.02	0.03	0.04	0.02	-
Absent due to suspected death	0.03	0.02	0.03	0.01	0.01	0.02	0.01	0.01	0.16
If one spouse demand divorce without justified cause, the other spouse can divorce after three months of the last sentence	0.03	0.03	0.04	0.02	0.02	0.01	0.02	0.01	-
Chronic disease, non-cure, or impotency	0.02	0.02	0.01	0.01	0.01	0.00	0.01	0.01	-
Prostitution proposal	0.01	0.01	0.01	0.01	0.01	0.01	0.00	0.01	0.02
Illegitimate child	0.00	0.00	0.03	0.03	0.05	0.05	0.03	0.04	0.05
Bigamy	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.01	-
Blocking a licit activity	0.00	-	-	-	-	-	-	-	-
Not travelling with the spouse when changing residence	0.00	-	-	-	-	-	-	-	-
Assistant fertility without consent	-	-	-	0.00	-	-	-	0.00	-
Bisexuality: declared or changing sex	-	-	-	-	-	-	0.00	0.01	-
Non specified	0.27	0.24	0.18	0.21	0.22	0.23	0.34	0.33	26.91
Total	100	100	100	100	100	100	100	100	100
Source:	Own	elaboration	with	data	from	INEGI,	Divorce	Statistics.	

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