

Marriage, prenuptial agreements and wealth in France (1855 - 2010)

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Abstract

This paper investigates the evolution of prenuptial agreements, matrimonial property regimes and dowries in France over the period 1855-2010. These trends indicate that the financial characteristics of marriage have significantly changed over time. First, we note that prenuptial agreements have been widely used by the French couples to amend the default matrimonial property regime, in order to limit the husband's discretion over the couple's financial affairs or to protect the surviving spouse for instance. Second, this paper highlights the evolution of matrimonial property regime and especially the decline of community regimes. This recent individualisation of wealth contrasts with the preeminence of community regimes since the creation of the Civil Code in 1804. This evolution can be seen as a female empowerment as married women become more emancipated from the authority of fathers and husbands. More generally, this paper shows that the evolutions of matrimonial decisions needs to be considered when studying historical trends about wealth.

Keywords: wealth, marriage, prenuptial agreements, matrimonial property regimes, dowry, inheritance

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1 Introduction

The history of wealth and inheritance in France brings to light an interesting paradox. On the one hand, the French legislation promotes gender equality in terms of rights by establishing the gender neutrality of the estate laws since 1789. On the other hand, the surviving spouse was not considered as a heir until the end of the nineteenth century. As a consequence, the surviving spouse (the wife in most cases) had no claim to the estate of the deceased partner. Moreover, during marriage, the wife had very limited power on the household wealth since the administration of all assets (the community assets but also the separate assets of both spouses) lay with the husband. This inequality was particularly substantial given that the default regime of married couples from 1804 to 1965 was the community of movables and acquisitions in which most assets are community assets.

This paper investigates this paradox by studying the long-run evolutions of marriage, prenuptial agreements and matrimonial property regimes in France. Most papers in the economics literature ignore the legal status of couples and consider, at best, marriage as a necessary step to formalise a relationship between two partners. As a consequence, we know little about the economic content of marriage, its evolutions over time and its effects on wealth. However, these aspects of marriage matter for several reasons. First, the economic content of marriage allows us to take into consideration how the French couples deal with this gender inequality. Indeed, the prenuptial agreement is a way to reestablish some equality between spouses by protecting some assets (dowries¹), opting for alternative matrimonial regimes or by including clauses to protect the surviving spouse. Second, the economic content of marriage goes hand in hand with the analysis of dowry payments and wealth. More generally, the increase of wealth to income ratios in most rich countries (Piketty and Zucman (2014)) raises the question of the evolution of its nature, including the way assets are held within the household (separately by one spouse or jointly by the couple). Dynastic or individualistic wealth holding may lead to opposite conclusions not only in terms of public policies and more generally in terms of economic modeling². Third, the analysis of the legal status of couples is a necessary complement to research about the marriage market and the collective models. The matrimonial property regime is a crucial parameter which can affect the bargaining power of spouses. Specifically, community or separate property regimes impact the distribution of resources between spouses not only during marriage but also when the couple separates (by divorce or death).

¹Throughout this paper, we will call “dowries” all the gifts transmitted at marriage. Our data do not allow us to distinguish dowries from brideprices.

²See the controversy between Kotlikoff and Summers (1981) and Modigliani (1986, 1988) about the share of inheritance in the US aggregate wealth for example.

The main contribution of this paper is to provide homogenous series about marriage, prenuptial agreements³ and matrimonial property regimes in France from the middle of the nineteenth century. We complete these series by analyzing the evolution of dowries and wealth at marriage. To construct these series, we use both administrative and survey data. By using aggregate data, this paper differs from the microeconomic approach of papers like Botticini (1999), Hamilton (1999) or Ashraf, Bau, Nunn, and Voena (2015) for instance. Actually, we face a trade-off: on the one hand, by using macro data, we know that we will not be able to test microeconomic mechanisms; on the other hand, our data (mostly administrative) allow us to provide analysis on longer periods than what we can generally do with micro data and to have a better understanding of the scope of the phenomena.

The long-run analysis of marriage and prenuptial agreements indicates that the economic content of marriage has significantly changed over time. We distinguish 4 phases. First, until the 1880s, marriage contracts and dowries are widespread in France. We note large heterogeneity across regions depending on the type of legislation in place before the introduction of the Civil Code in 1804. Second, from the 1880s to World War I, the number of marriage contracts declines and the value of dowries significantly rise. While the decrease of prenuptial agreements is more pronounced in rural areas and among poor families, the dowry inflation is more marked for upper-class families in which this practice becomes a key aspect of matrimonial strategies. Third, the stability of the share of marriage contracts between 1914 and 1965 hides important transformations: the disappearance of dowries and the economic and legal empowerment of women. Since 1965, we observe two complementary trends: the rise of the separate property regime for married couples and the expansion of cohabitation and civil union. These evolutions lead to a growing wealth individualisation for couples as the share of community assets decline. We draw several conclusions from these evolutions. The female empowerment is more ambiguous when the evolution of the economic content of marriage is taken into consideration. Moreover, the rise and fall of dowries put into perspective the transformation of wealth in France during this period.

The remainder of this paper is structured as follows. Section 2 presents the related literature. Section 3 provides definitions of matrimonial property regimes. In section 4, we present the data. Section 5 presents and interprets the results.

³Throughout this paper, the expressions “prenuptial agreement” and “marriage contract” will be synonym.

2 Related literature

Marriage and matrimonial property regimes are directly linked to the long-run evolution of wealth and inheritance for at least three reasons. First, the long-run evolutions of matrimonial property regimes are complementary of Piketty and Zucman (2014) since we show that the increase of wealth-to-income ratios goes hand in hand with changes in the way assets are held by the members of the household. Specifically, it seems difficult to compare the dynastic nature of wealth which was prevalent during the nineteenth with the individual wealth of the early twenty-first century. Moreover, the choice of a matrimonial property regime affects wealth inequality between spouses during marriage and at divorce or death. While community regimes divide accumulated wealth on a 50-50% between spouses, separate property regimes maintain the initial inequality. Therefore, without information about the intra-household distribution, we ignore an important aspect of wealth inequality. Research about gender wealth inequality is not new. Based on UK estate data, Atkinson and Harisson (1978) and Harbury and Hitchens (1979) estimate the share of women at the top of the distribution and notice a female empowerment during the first half of the twentieth century. More recent papers follow a similar approach with different results. Bourdieu, Postel-Vinay, and Suwa-Eisenmann (2008) for France between 1820 and 1939 find that more women died without estate but for those with positive estate, the gap between men and women decreases. Edlund and Kopczuk (2009) for the US find a hump shaped curve for the fraction of women among the rich decedents between 1930 and 2000. Our paper takes somehow a step back and highlights the relationship between the matrimonial regimes and the gender wealth inequality. Interestingly, Lampman (1962) develops this intuition and notes a higher share of women among the top wealth holders in the US states where the community property prevails. Moreover, the share of women at the top of the wealth distribution may be considered as incomplete information if we ignore the wife's property rights during marriage. This limitation is particularly important in France given the weak position of married women until the middle of the twentieth century. The study of matrimonial property regime is therefore a first and necessary step to study more comprehensively the intra-household wealth distribution.

Inheritance is also closely related to the issue of marriage and prenuptial agreements because of dowries. In Becker's (1981) seminal model, the dowry payments are a way to clear the marriage market: when grooms are scarce, brides are forced to increase dowries (and vice-versa). However, this model does not consider the gender specificity of the timing of intergenerational transfers. Parents generally provide dowries to their daughters and bequests to their sons (Goody (1973); Zhang and Chan (1999); Botticini and Siow (2003)). Even if wealth trans-

fers between families at the time of marriage have almost disappeared in rich countries, they have been prevalent until the first half of the twentieth century. In many developing countries, these transfers are still in use and are even rising in India (Deolalikar and Rao (1998), Anderson (2003)). Most empirical studies in western countries focus on premodern societies (Goody (1973); Cox (1995); Botticini (1999); Micheletto (2011)). We generally consider that the payment comes from the bride's side and represents a financial contribution of the bride to the household in exchange for being (financially) supported by her husband. The situation is however more complex. In France, Laroche-Gisserot (1988) and Derouet (1993) show that, until the French Revolution, the dowry payments are a way to disinherit the daughters. The equality between inheritors (and so between daughters and sons)⁴, brought by the Revolution, transforms the dowry into a pre-mortem inheritance and as an instrument of the matrimonial strategy. During the nineteenth century, it is frequent that both the bride and the groom receive dowries especially when they live far away from their parents (Derouet (1993), Groppi and Fine (1998)). The dowry is therefore not gender specific but rather attached to the decision regarding the estate. In most cases, the dowry was not saleable and so was a way to favor the lineage over the spouse. It was more important to consider the returns to the dowry (annuities) than the value of the dowry itself. The nature of the dowry differs depending on the social class and on the region⁵. Piketty (2011) constructs long-run series of inherited wealth for France without decomposing inter vivos gifts by their nature. One of our contributions is to provide homogenous series about dowries and also wealth at marriage in order to complete the analysis of prenuptial agreements.

3 Marriage and prenuptial agreements: definitions

3.1 Prenuptial agreements

The role of a marriage contract is to define the property rights of each spouse. Specifically, it contains 4 types of information: the matrimonial property regime, the list of assets of the bride and the groom when they marry, the dowries and the clauses (e.g. the rules applying to the household wealth when one of the spouses dies⁶). The marriage contract is the only way to avoid the default regime applying to the married couples. As a consequence, we need to know both the features of the legal regime and the alternatives to the legal regime. In theory, a

⁴The equality was however not always perfect since the parents have a testamentary freedom over a small fraction of their estate.

⁵The dowry payments can come from the groom's side in some regions (Fine, 1987) while in some others the payments directly go to the groom's father (Fine, 1982).

⁶This aspect of marriage contracts was important because, until the end of the nineteenth century, the widow was not consider an heir unless it was mentioned in the marriage contract

marriage contract can lead to a continuum of matrimonial property regimes. In practice, most couples choose their regime from a menu of existing options.

From the creation of the Civil Code in 1804 to the reform of the matrimonial property regimes in 1965, the wife has limited rights on the household wealth and even on her separate assets. Specifically, the Civil Code gives full power to the husband and considers the married women as legally “incapable”⁷. He can manage, use and sell the community assets without the approval of his wife. Moreover, he can use his own separate assets but also those of his wife. Conversely, the wife needs the approval of her husband to sell her separate assets. With the default regime, in which most of the assets are community assets, this characteristic of the Civil Code creates a sizable imbalance between husband and wife. As a consequence, the choice of a regime which reduces the size of the community limits the power of the husband. Appendix A sums up the women’s property rights depending on the matrimonial property regime.

The importance of prenuptial agreements also lies in their effects on inheritance⁸. Until the end of the nineteenth century, the surviving spouse was not considered as a heir. In other words, the union between families and their wealth comes to an end with the death of the spouse. The prenuptial agreement was a solution because it was possible to introduce clauses in order to protect the surviving spouse. In 1891, the surviving spouse acquires usufruct rights on the decedent’s estate. However, the law which gives full rights of ownerships was only passed in 2001. Next to common children, the surviving spouse now inherits 25% of the decedent’s estate in full ownership (50% alongside parents) or 100% in usufruct.

3.2 Matrimonial property regimes

The wealth of a couple can be decomposed into three parts: the community assets jointly held by the spouses, the husband’s separate assets and the wife’s separate assets⁹. The size of these parts varies depending on the matrimonial property regime.

3.2.1 Community regimes

Community of movables and acquisitions This regime was the default regime from the creation of the Civil Code in 1804 to 1965. All the financial assets are community assets whatever their status (inherited, acquired before or after the marriage). The real-estate assets

⁷The article 1124 of the Civil Code gives very limited rights to wives since they needed the agreement of their husband in most situations (even for the administration of their own inherited assets, for instance). This legal incapacity was also applied to children, criminals and mentally ill people.

⁸See Beckert (2008) for a detailed description.

⁹The reallocations of the spouses’ separate assets are tracked because the separate assets remain separate independently on the way it was used. For example, if a bequest is used to buy an asset during marriage, it does not become a community asset. The community will owe the spouse who received this bequest the value of this bequest. This tracking also applies to assets or cash that the spouses brought at marriage

acquired during the marriage are also community assets. Only the real-estate assets acquired before the marriage or inherited are separate assets. Each spouse is the sole owner of his/her separate assets but the returns to these assets fall into the community property as well as all incomes received by each spouse. In case of divorce or death, the community assets are divided on a 50-50% basis.

Community of acquisitions From 1966, this regime becomes the default matrimonial property regime. The share of community assets is smaller since it only includes acquired assets during marriage whatever their nature (financial or non-financial). All the inherited assets as well as the assets acquired before marriage are separate assets. The rules applying to the community or separate assets are the same as above.

Full (or universal) community All the assets whatever their nature (financial or non-financial, inherited or acquired before or during the marriage) are community assets. The main goal of this regime (rarely chosen) is to protect the surviving spouse from the other heirs.

3.2.2 Separate property regime

In absence of any partnership of acquests (*société d'acquêts*) the wealth is divided into two components: the wife's assets and the husband's assets. For all the assets acquired during the marriage, the financial contribution of each spouse is clearly determined. Moreover, this regime protects the wealth of each spouse from the other partner. In case of second marriages, the separate property regime favors the children of the first marriage with respect to the current spouse. This regime is especially useful for the self-employed people because it allows them to protect their non-professional wealth.

3.2.3 Dowry regime

The dowry regime does not only imply the existence of a dowry. Actually, dowries can be transmitted independently on the matrimonial regime. This regime implies strict rules about the dowry. It is a way to protect the bride's wealth from her husband. In absence of any partnership of acquests, there are only two types of assets: the wife's assets and the husband's assets. More importantly, the wife's assets are divided into two categories:

- the dotal assets, strictly tracked: neither saleable nor mortgageable by the husband (even with the approval of his wife); managed or used by the husband as a usufructuary asset during the marriage. These assets are returned to the wife (in case of divorce) or her heirs (in case of death).
- the non-dotal assets, on which the wife has the same rights as in the separate property

regime: she can manage and use all her assets but can only dispose of financial properties. For the real-estate assets, the approval of the husband is necessary.

We distinguish the separate property and the dowry regimes because of the asymmetrical feature of the dowry regime: a dowry received by the wife, if it is not a real estate asset, can be managed and sold by the husband if the couple opts for the default regime. However, the husband is the sole owner and administrator of his own dowry or bequests whatever the matrimonial regime. The dowry regime was suppressed by the 1965 reform.

4 Data

4.1 Marriages

The information about the annual number of marriages is available during all the period. These information comes from administrative data (marriage registers). These data also allow providing evidence the geographical distribution of marriages (by *département*). Appendix B provides information about the data sources.

4.2 Prenuptial agreements and matrimonial property regimes

4.2.1 Administrative data (1855-1972)

From 1855 to 1965, the existence of a prenuptial agreement is mentioned in the marriage registers¹⁰. Then, from 1966 to 1972, the information about the number of marriage contracts is released by both the Ministry of Finances and the notaries (Fauchaux (1972)). In these administrative data, the annual number of both marriages and prenuptial agreements is exhaustive¹¹. We are therefore able to estimate the flow of marriages for which marriage contracts have been established over this period. These administrative data also allow us to establish a geographical decomposition of this flow.

The information about the type of matrimonial property regimes is exclusively based on the information released by the notaries. Specifically, in 1898, 1962 and between 1966 and 1972, the notaries were asked to provide data about all the marriage contracts and the type of matrimonial property regimes for the current year. In 1898 and 1962, the matrimonial property regimes are classified into 4 categories: community of acquisitions, separate property regime,

¹⁰The information is also available in fiscal data but the number of prenuptial agreements does not exactly coincide with marriage registers because the fiscal data only include the prenuptial agreements for which the administrative fees have been paid.

¹¹Actually, from 1966 to 1972 we only rely on data released by the notaries for which there is, in average, a 10% non-response rate. However, the non-responses are randomly distributed and are not likely to bias our estimates.

dowry regime and full community. From 1966 to 1972, they add the community of movables and acquisitions (because of the 1965 reform of the default regime). We use the evolution of the share of marriages with prenuptial agreement at the regional level (*départements*) and the surveys about matrimonial regimes to estimate a complete series for the matrimonial regimes at the national level over the period 1855-1972. Specifically, we assume a linear evolution of the distribution of matrimonial property regimes (among the marriages with prenuptial agreement) at the regional level. Appendix C.1.1 provides tabulations of these estimations and Appendix C.2 describes the methodology used for the estimations of the series.

We do not have information about the clauses included in the marriage contract. Boudjaaba (2011) indicates that clauses in order to protect the surviving spouses were frequently included in the prenuptial agreements (whatever the matrimonial property regime). In most cases, the spouses mutually agreed to give the surviving spouse the usufruct on the decedent's separate assets. Clauses could also be used to exclude some assets from the community or to include some separate assets into the community. As a consequence, the share of community assets could be biased but the direction and the size of the bias is unclear without detailed evidence.

4.2.2 Surveys (1972-2010)

Since 1972, marriage contracts are not mentioned in administrative data. In order to extend our series after 1972 we use two surveys providing information about the matrimonial property regimes. First, the wealth survey *Patrimoine* (INSEE) provides information about the matrimonial status of the couples (cohabitation, civil union or marriage) and the matrimonial property regime in case of civil union or marriage (default, separate property, full community or other regimes)¹². We also use the 2010 wave of the *Emploi du Temps* survey (INSEE-INED) in which similar information is available.

The main assumption we make is about the stability of matrimonial regimes. Specifically, we want the couples married in the 1970s but observed in the surveys between 1992 and 2010 to be representative of the couples married in the 1970s. In other words, we assume that the separation rate (divorce or death) is independent from the matrimonial regime. We test this assumption by comparing our estimates for the early 1970s with the last administrative data in 1972. We find non-significant differences between the two types of data for the share of married couples with separate property regimes (6.5% of married couples in the administrative data against 5.9% with our simulation) as well as for other characteristics like the age at marriage.

The change of the source of data however leads to a break in the series for the share of

¹²These variables are absent for the first wave of this survey, in 1986, so we only use the 1992, 1998, 2004 and 2010 waves

prenuptial agreements. Specifically, we certainly underestimate the share of marriage contracts in the survey data since we cannot observe all marriage contracts. Indeed, we only know the matrimonial property regimes of married couples. We deduce that there is a marriage contract when the matrimonial property regime is different from the legal regime. However, we cannot apply this definition when the couples keep the same matrimonial property regime in their marriage contracts. This practice was rare before 1965 but became more frequent afterwards. Complementary data suggests that we underestimate the share of marriage contracts by 20-25%. However, this underestimation is not likely to change the observed trend. Appendix C.2 provides more details about the estimations based on survey data.

4.3 Dowries and inter vivos gifts (1882-1977) and wealth at marriage (1894-1962)

The information about dowries is complementary from those about matrimonial property regimes for two reasons: first, a marriage contract is necessary to transmit a dowry; second, dowries can be used as a proxy for the wealth of a couple (or of their parents') and so as information about the characteristics of the married couples opting for a contract. Fiscal data provide information about the number and the values of inter vivos gifts and their types (dowries or not) at the aggregate level for the period 1882-1977¹³. We are therefore able to estimate the annual flow of dowries as a share of all gifts or of all wealth transmissions (gifts and bequests)¹⁴.

The information about wealth at marriage (net of dowries, if any) is available from 1894 to 1962 and comes from fiscal data. These information is important at divorce or death (especially for the community regimes) to distinguish the separate assets from the community assets. We have annual data for the share of marriage contracts with positive wealth at marriage, the value of wealth and the level of taxation (flat tax).

Appendix C.1.2 provides detailed tabulations for dowries and wealth at marriage.

¹³From 1882 to 1964, the information comes from fiscal returns. Then in 1977 there we use a survey conducted by the fiscal administration on gifts and inheritance. After 1977, there is no distinction based on the type of gifts (dowries or standard gifts).

¹⁴The same marriage contract can include several dowry payments. Administrative data (Bulletin de Statistique et de Législation comparée, vol. 3, 1899) indicates that only 53% of all contracts include dowries in 1898 with large variations across regions (Table 10 in Appendix C.1.2).

5 Results

5.1 Basic description

Figure 1 describes the annual number of marriages and the marriage rate in France for the period 1855-2014. Except during and immediately after the World Wars¹⁵, marriage appears relatively steady from 1855 until 1945 when measured in terms of annual number of marriages or marriage rates (number of marriages / population). The increase in the number of marriages between 1965 and 1975 is mainly explained by the marriages of the baby-boomers. After 1975, we observe a decline in both the number of marriages and the marriage rate. This decline is to be put in perspective with the generalisation of pre-marital cohabitation and with the creation of the civil union in France in 1999. As a consequence, the role of marriage changes from the 1970s. However, the analysis of the economic content of marriage provided in the remainder of this paper indicates that, even before its decline, marriage significantly changed over time.

Between 1855 and 1885, the economic content of marriage presents several stable features. First, the annual flow of marriages with prenuptial agreements is around 40% (Figure 2). The most frequently chosen matrimonial regimes in case of prenuptial agreement are the community of acquisitions (80%) and the dowry regime (20%) (Figure 3(b)). There is however a large heterogeneity for both levels of prenuptial agreements and type of matrimonial property regimes across regions which can be seen as a consequence of the unification of the French legal system in 1804 with the Civil Code. Before 1804, several legal systems coexist. The regions where the prenuptial agreements are more frequent are the former regions where the law is written (mainly in the south of France) as opposed to regions with a legal system based on customary law. The dowry regime is common in the former (and in Normandy) and the prenuptial agreements necessary to transmit wealth. Because of these traditions the share of marriage contracts is still high in these regions during the nineteenth century. Moreover, it was also common in these regions to favor the sons in the distribution of inheritance. In a way, with the principle of equality in intestacy law imposed by the Civil Code, the prenuptial contracts and dowries are the last way for families to have a direct control over their children's wealth.

During the period 1885-1914, the prenuptial agreements experience a continuous decline. In 1914, only 20% of married couples establish a marriage contract. The distribution of matrimonial property regimes remains roughly similar: around 80% of married couples with a prenuptial agreement opt for the community of acquisition regime. Complementary analyses indicates un

¹⁵The effects demographic consequences of WWI on marriage in France has been studied by Abramitzky, Delavande, and Vasconcelos (2011) among others.

uneven decline of the prenuptial agreements. First, the dowry inflation during this period suggests that prenuptial agreements remain widely used by the wealthy families. The average value of dowries almost doubles between 1882 and 1913 (Figure 4). Specifically, we observe a large decline of the number of dowries (from 103,000 in 1882 to 47,000 in 1913) and, at the same time, a stability of the aggregate values of dowries (Figure 5). Dowries represent 55% of all inter vivos gifts during this period and around 9% of inheritance (defined as the sum of all inter vivos gifts and bequests). The share of dowries is even higher in Paris where it represents 75% of all inter vivos gifts¹⁶. This dowry inflation is heterogeneous across social classes and is more pronounced at the top of the distribution¹⁷. The value of wealth at marriage in case of prenuptial agreement follows a similar pattern even if the rise is more modest (increase by 20% between 1894 and 1913)¹⁸. Second, the geographical heterogeneity persists but the decline of prenuptial agreements is more significant in the regions (mostly rural) where the rate was very high, especially in the South West. Two complementary mechanisms are at stake here: urbanisation which weakens the link between parents and children and so the influence of parents on the matrimonial decisions of their children (Derouet (1993))¹⁹.

Between 1914 and 1965, the share of prenuptial agreements stabilises around 20% and becomes more homogeneously distributed across regions. World War I causes a change in the sex ratio (with a scarcity of males), far more dramatic than the Franco-Prussian war and World War 2. While it had considerable consequences on marriages, divorces or assortative mating?, WWI does not seem to affect prenuptial agreements or dowries²⁰. The World War I causes a dramatic drop in the number of both marriages and prenuptial agreements between 1914 and 1918 followed by a catch-up effect after the end of the war for marriages but not for prenuptial agreements. After a period of stability, the number of prenuptial agreements decreases during the 1930s. The effect of World War II on marriages has been much less significant but follows similar patterns. This stability is however misleading. First, the relative stability of the share of prenuptial agreements hides the decline of both dowry and community of acquisitions regimes and the progressive rise of the separate property regime (Figures 3(a) and 3(b)). Specifically, in 1962, 56% of couples opting for a marriage contract choose the community of acquisitions regime against 39% for the separate property regime. The dowry regime has almost disappeared at this date.²¹ Second, we notice a progressive decline of dowries until their disappearance during

¹⁶Table 10

¹⁷Chaline (1979), Daumard (1970) and Voilliard (1979)

¹⁸See Appendix C.1.2

¹⁹The decline of notaries and so of their influence on matrimonial decisions could be seen as a complementary explanation (see Moreau (1989) and Barrière (1987))

²⁰We address this issue in section 5.2.2

²¹The distinction between the separate property regime and the dowry regime could be seen as **arbitrary** because most assets are separated in both regimes. However, we prefer to distinguish them because of their

the 1970s. Specifically, Figure 5 shows that the dowry payments (as a share of inheritance) fall from 9% during the 1910s to 6% in the 1920s and to less than 2% in the 1960s.

The 1965 reform of matrimonial property regimes causes a rapid decline of prenuptial agreement. Before 1965, most couples opt for a marriage contract to choose the community of acquisitions regime. Starting 1966, this regime becomes the default regime so there is no need for prenuptial agreement for couples who would have chosen it. In the late 1960s, the share of marriages with prenuptial agreements falls to 10%. Since then we observe a continuous and progressive rise of prenuptial agreements. In 2010, the share of marriages prenuptial agreements is back to 20%, similar to levels observed before the 1965 reform²². This return of prenuptial contracts is mainly due to the significant increase of the separate property regime which becomes the main alternative to the legal regime (Figures 3(a) and 3(b)). The 1977 administrative survey about inheritance confirms the disappearance of dowries during the 1970s. Again, this change does not mean that inter vivos transmissions disappear since gifts dramatically increase over the period to reach 45% of all inheritance flows in 2008.

The emergence of cohabitation (Toulemon (1996)) and civil union reinforces the trend observed for married couples since cohabitation is *de facto* a way to separate property and the default matrimonial regime of civil unions is that of separate property (since 2006). As a consequence, the growing wealth individualisation would be underestimated by only observing married couples. Figure 6 emphasizes the rapid increase of the share of non-married couples from 1975. In 2011, only 75% of French couples are married and almost 4.5% opt of the civil union. Given that the share of married couples with separate property regime equals 10% in 2010 (Frémeaux and Leturcq (2013)), this means that around only two-thirds of all couples opt for the community of acquisitions regime. Moreover, the return of inherited wealth, the increase of age at marriage and the growing proportion of remarriages contribute to increase the share of separate assets even when couples choose the default regime. In other words, the decline of community assets (as a share of all household assets) is likely to be even more pronounced than the evolution of marriage and matrimonial regimes might suggest.

5.2 Interpretations

What do we learn from these findings? Two conclusions can be drawn from these long-run series. First, it allows us to provide new conclusions about the female empowerment in France

cultural aspect (md)

²²After 1972, we use surveys to estimate the evolution of marriage contracts. Complementary data suggest that we underestimate the share of marriage contracts by 20-25% because we cannot observe all marriage contracts. However, this underestimation is not likely to change the upward trend. See section 4.2.2 for more details.

on the long-run. Second, the rise and fall of dowries helps us to better understanding the transformations of wealth transmissions.

5.2.1 The ambiguous empowerment of French women

The seminal papers about the gender wealth inequality measure the female empowerment as the increasing share of women among the wealthiest decedents in estate data. This measurement is however incomplete because it does not consider the imbalances in terms of property rights among men and women. Specifically, the Civil Code gives full power to the husband (he could manage, use and sell the community assets without the approval of his wife) and considers the married women as legally incapable (they could not sell her own separate assets without the approval of her husband).

The evolution of the legislation clearly demonstrates a female empowerment in France²³. Several laws, passed during the first half of the twentieth century, increased the wives' rights²⁴. The balancing of spouses' rights only reaches its peak with the 1965 reform of matrimonial property regimes²⁵. The goal of this law is twofold. First, the legal matrimonial regime becomes the community of acquisitions regime. The size of the community assets is reduced. Specifically, all the financial assets acquired before marriage or inherited are excluded from the community assets. The community assets only include acquired assets during marriage. Second, the wife now has equal rights compared with her husband. She can not only manage and sell her separate assets (without the approval of her husband) but there is also a joint management of the community assets.

The frequent use of prenuptial agreements indicates a rejection of the default regime in which the quasi full community of assets guaranteed redistribution between spouses but also an imbalance of power. Prenuptial agreements have been widely used to reduce the size of the community assets, and so the power of the husband, as well as to protect the surviving spouse (through clauses)²⁶. Our series show that until the 1880s around 40% of married couples established a marriage contract. Then its decline has not affected the wealthy households for whom the choice of the matrimonial regime matters, particularly to protect the inherited

²³DiMatteo (2013) suggests that female empowerment in Ontario was rather the consequences of socioeconomic changes than legal ones. It is likely that the situation in France supports this theory but a clear answer to this debate is beyond the scope of this paper.

²⁴In 1895, the wife is allowed to depose or withdraw money from the household's saving account. In 1907, the wife can freely use her earnings and can alienate the assets acquired with these earnings. More importantly, the legal incapacity of wives is suppressed in 1938; women acquire the right to vote in 1944. Moreover, two laws, in 1891 and 1925, improve the right of the surviving spouse by giving them usufruct rights. During all the nineteenth century, the usufruct rights could exist but only in case of a specific clause in the marriage contract.

²⁵The first discussions about this reform started in 1932 with the Renault bill.

²⁶Prenuptial agreements have been less widely used in the United States because married women were able to control their assets in most states as soon as the 1830-1840s (Married Women's Property acts) but also because testamentary freedom leads to a more frequent use of will (compared with settlements).

assets (including dowries) from falling into the community assets. The drop of prenuptial agreements after the 1965 reform confirms that the reduction of the community assets was the main objective of couples who wanted to depart from the default scheme. One could see the rise of the separate property regime as a final stage of female empowerment. Indeed, the gains from community regimes (protection of the spouse who has not financially contributed to the wealth accumulation) decrease when the spouses' contributions are similar. The increasing female labor supply and the decreasing gender wage gap over the past decades are clear evidence of this situation. However, in Frémeaux and Leturcq (2013), we show that the choice of separate property is more frequent for unequal couples and even more when the husband is favoured. Specifically, in the French wealth survey, 28% of couples declared unequal wealth when they met in 1992 against 40% in 2010. For married couples with separate property regimes, these shares reach 53% in 1992 and 78% in 2010. In two-thirds of the cases the husband is wealthier. In Frémeaux and Leturcq (2015), we decompose the wealth of French households along the dimension of individual or joint ownership of assets and we provide evidence of a growing gender wealth gap between 1998 and 2010.

All in all, the long-run analysis of the matrimonial strategies indicates that the female empowerment in France is more ambiguous than estate data could suggest. While their weak legal status has been progressively improved, the equality in terms of property rights between spouses does not guarantee actual wealth equality.

5.2.2 The rise and fall of dowries

Dowry payments are a central aspect of the prenuptial agreements. Specifically, it was necessary to establish an agreement in order to prevent dowries from falling into the community assets because most dowries were financial assets or cash. Dowries were frequent before the nineteenth century and were used as a way to disinherit the daughters in regions where inheritance were unequally distributed among children. Even if aggregated data about dowries are only available since 1882, the gift to bequest ratio in the first half of the nineteenth century (around 40%) suggests substantial wealth transmissions at marriage. Our series show that dowries were still a key element of the matrimonial strategies until the beginning of the 20c. Then, they progressively decline during the first half of the 20c.

We distinguish two main periods in our series. First, the decline of prenuptial agreements from the 1880s comes along a rise of dowries. Specifically, the large decline of the number of dowries and, at the same time, the stability of the aggregate values of dowries leads to an inflation of their average value. How can we explain these evolutions? The absence of

demographic shock²⁷ implies economic explanations. First, dowries become a key element of the matrimonial strategies of wealthy families. Anderson (2003) explains the dowry inflation as a response to a modernization process in which there is increasing income dispersion for a given level of inherited wealth. Similarly, Chojnacki (2000) invokes the competition on the marriage market between old noble families and newer ones as an explanation to the dowry inflation in early Renaissance Venice. The growing wealth inequality in France during this period and the progressive fall of aristocratic fortunes (Piketty, Postel-Vinay, and Rosenthal, 2006) makes this explanation plausible. Second, the changes in the wealth composition of households are likely to have affected the type of transmission. Dowries are rarely real estate or lands (4% and 10% of all dowries in 1898, respectively). The decline of the share of agricultural lands in the French national wealth during the period and the rise of net foreign assets (Piketty and Zucman (2014)) may have made easier the transmission of gifts. More generally, industrialisation and urbanisation affect the role of lands as inherited assets. Derouet (1993) shows that when the children move to urban areas, their parents are forced to transmit gifts (and especially dowries) rather than their lands at death. As a consequence, while urbanisation can weaken the link between parents and children and have a negative effect on the use of prenuptial agreements, it can lead to an increase of dowries in wealthier families. This effect may only be transitory and the dowry payments may decrease once parents and children belong to urban classes (Goody (1983)). Third, part of this evolution is due to the 1901 tax reform. While the taxation of bequests becomes progressive, gifts still benefit from quasi proportional tax rates as well as other tax advantages. This partly explains why the share of all gifts (including dowries) rapidly increases around 1900²⁸.

Second, we notice a progressive decline of dowries from the WWI until their disappearance in the 1970s. The absence of effects of WWI on prenuptial agreements and dowries after the war is intriguing (even more when we consider its effects on other aspects of marriage). For dowries specifically, we could have expected the scarcity of men to imply a dowry inflation received by women to clear the marriage market (“marriage squeeze” effect Rao (1993)). Even though the data availability is limited and we cannot distinguish the dowry receiver by gender, the relative stability of dowries between the pre-war and the post-war period²⁹ suggests a rejection of this assumption. Our analysis of the effect of WWI is however limited (mostly because of the data availability) and this issue should be addressed in future research. The

²⁷The Franco-Prussian war could have been a credible candidate but it does not fit with the timing of the decrease.

²⁸Since 1942, the same graduated tax schedule apply to both gifts and bequests. However, in practice, bequests are more taxed than gifts.

²⁹Table 8 in appendix indicates 46,962 dowries in 1913 (for 313,036 marriages) against around 50,000 dowries in the early 1920s (for around 400,000 marriages)

decline of wealth-to-income ratios during this period (caused by the destructions of capital and the implementation of progressive taxation on inheritance and income in France) may explain this decline since these economic shocks lead to the financial ruin of upper class families for whom the dowries were frequent. However, the relative stability of inter vivos gifts (20-25% of all inheritance flows) rather indicates the transformation of the wealth transmissions between parents and children. More specifically, the necessity for the bride's parents to provide a replacement income at marriage to compensate economic inactivity becomes less relevant as the attitudes towards the role of wives evolve with the rise of female employment and the decrease of fertility. The economic literature also explains the decline of dowries by a substitution between dowries and human capital. Ashraf, Bau, Nunn, and Voena (2015) evoke this channel to explain the heterogeneous increase across ethnic group of female educational enrollment in developing countries. The rise of female educational enrollment in France during this period gives credit to this explanation. The role of education on the marriage market Chiappori, Iyigun, and Weiss (2009) may be a complementary explanation

The 1977 administrative survey about inheritance confirms the disappearance of dowries during the 1970s. Again, this change does not mean that inter vivos transmissions disappear since gifts dramatically increase over the period to reach 45% of all inheritance flows in 2008³⁰. Two competing explanations are at stake: the increase of life expectancy creates incentives of parents to transmit wealth when they are still alive and the fiscal incentives implemented in the 1990s and the 2000s.

6 Concluding comments

The series about marriage contracts and matrimonial property regimes highlight some striking facts. These series emphasize the decline of community regimes and the rise of separate property from the 1960s leading to the individualisation of wealth within couples. These series also reveal that the French couples frequently use the prenuptial agreements as a way to depart from the French legislation. The goals may vary: reducing the size of the community, balancing the power of spouses during the marriage or at death, protecting some assets through dowries... Therefore, ignoring the economic content of marriage in the analysis of wealth or gender inequality leads to forget some decisive aspects. The female empowerment is more ambiguous when the economic content of marriage is taken into account. Moreover, we also highlight the changing nature of dowries which were prevalent in France until the beginning of the twentieth century before their

³⁰Estimates for the US, through online IRS data, indicates that the gift-bequest ratio equals 20% in 2008. However, the data relates to a limited part of the US decedents less than 2%.

decline during the following decades. However, the importance of gift-bequest ratio over the recent years might suggest rather a transformation than a disappearance.

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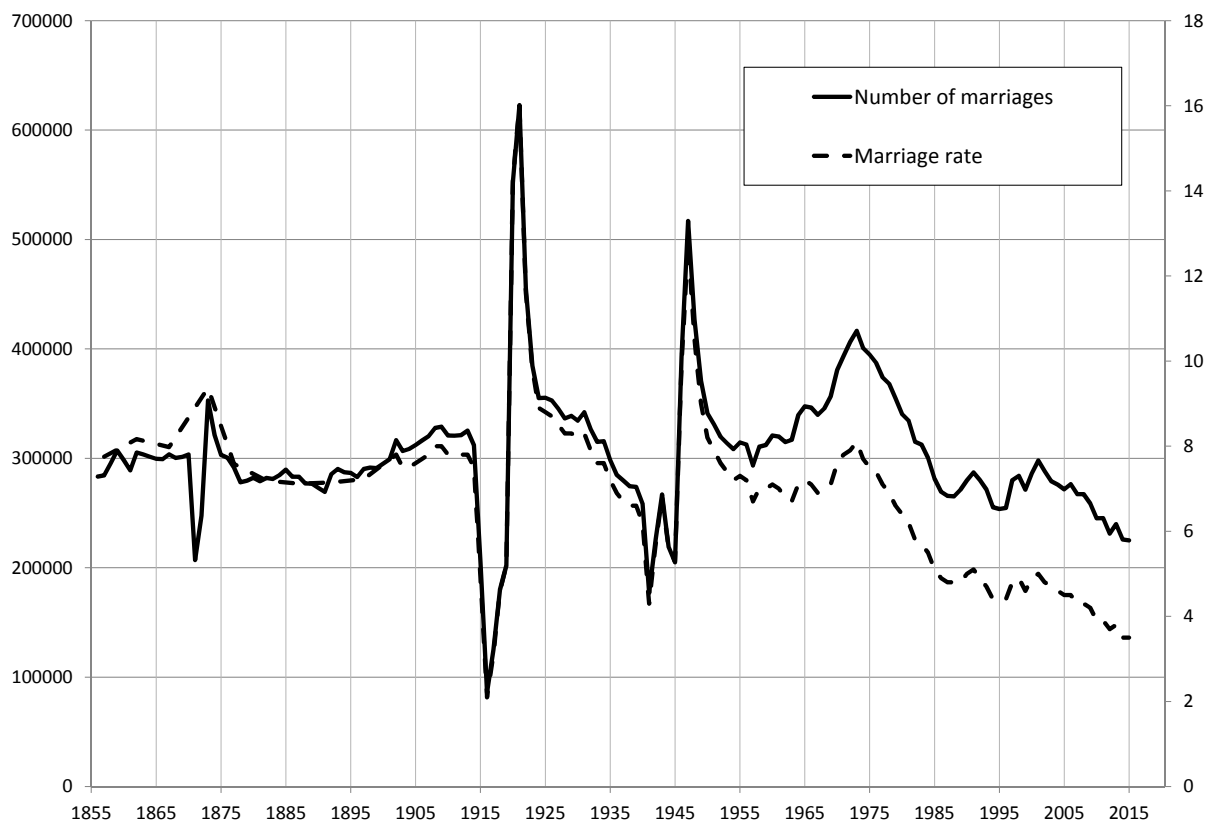
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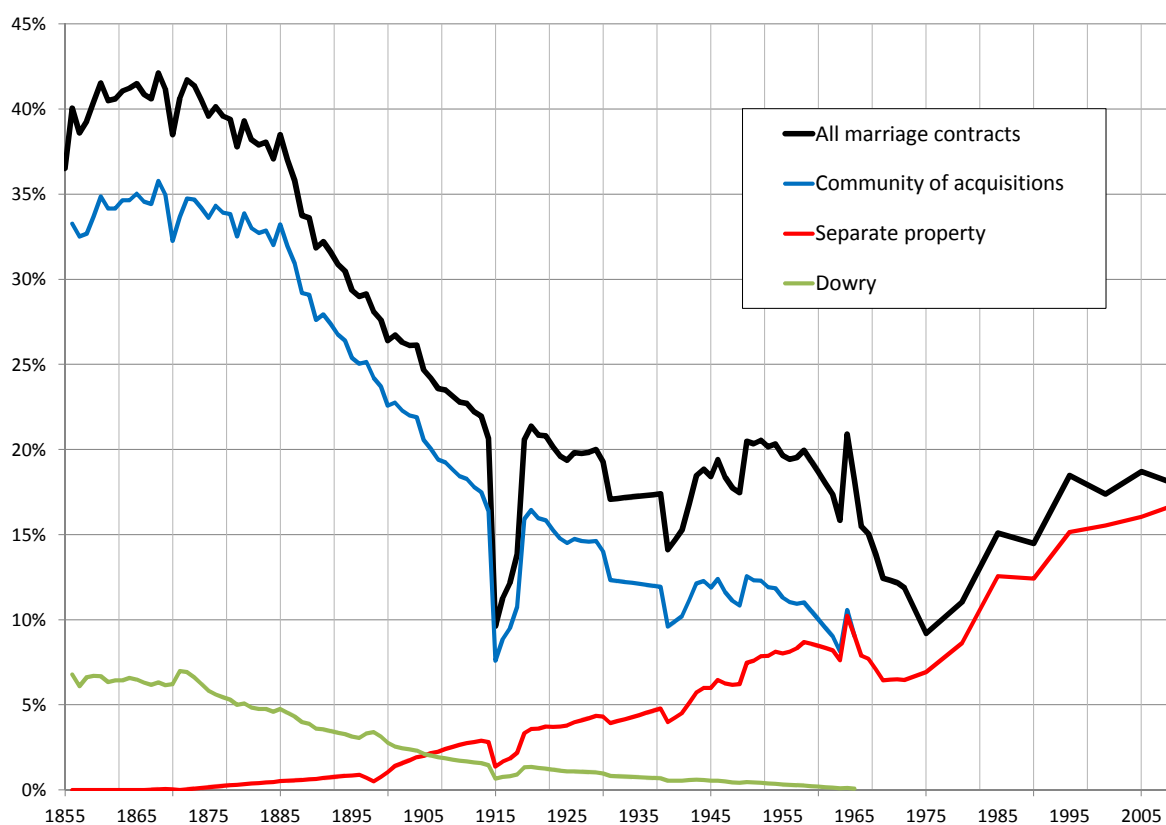
Figure 1: Marriages and marriage rate (1855 - 2014)



Source: marriage registers

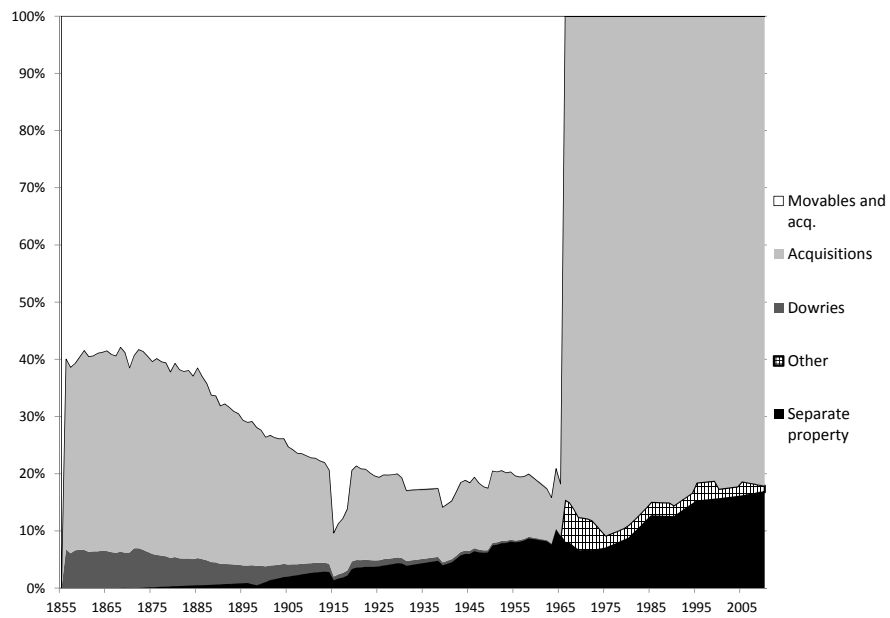
Note: marriage rate = number of marriages / population (in thousands)

Figure 2: Annual flow of marriage contracts by matrimonial property regimes (1855 - 2010)



Source: administrative data from 1855 to 1972; *Patrimoine et Emploi du temps* surveys after 1972

Note: we only represent the main matrimonial property regimes: community of acquisitions, dowry and separate property regime before 1965; separate property regime after 1965.



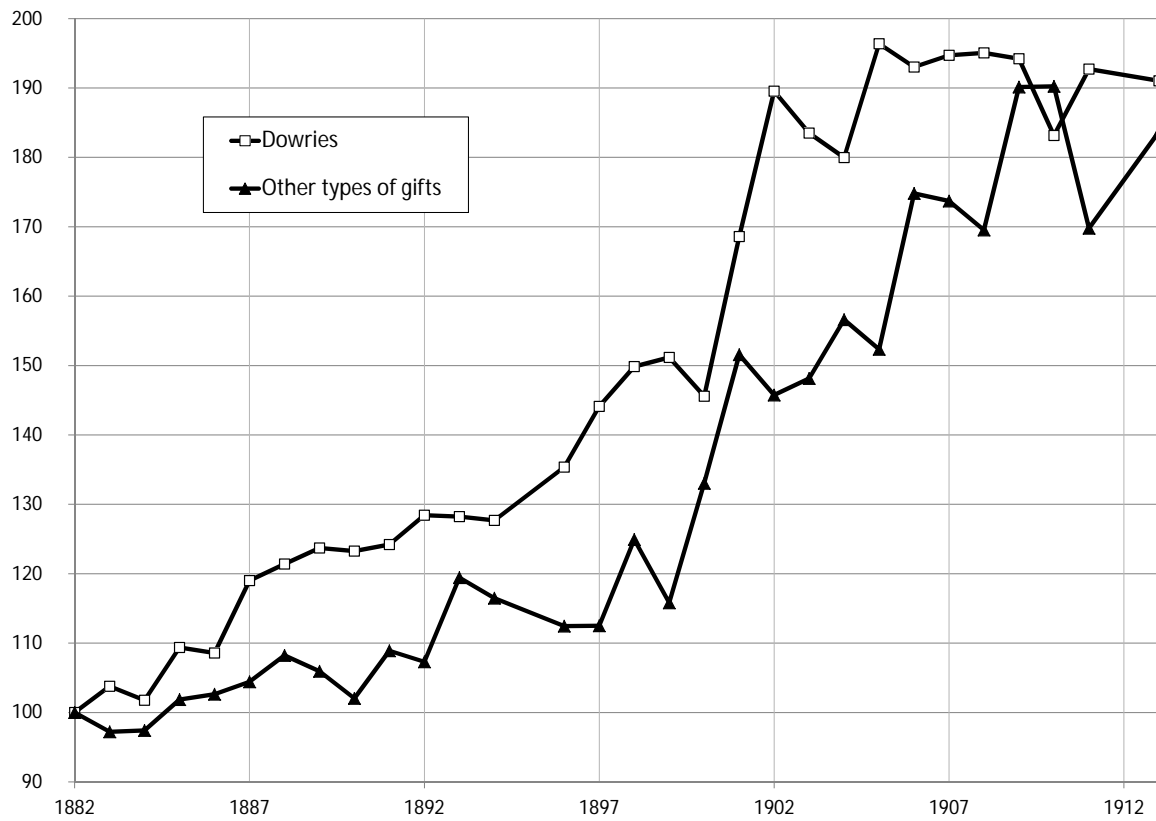
(a) All married couples



(b) Married couples with prenuptial agreements

Figure 3: Matrimonial property regimes

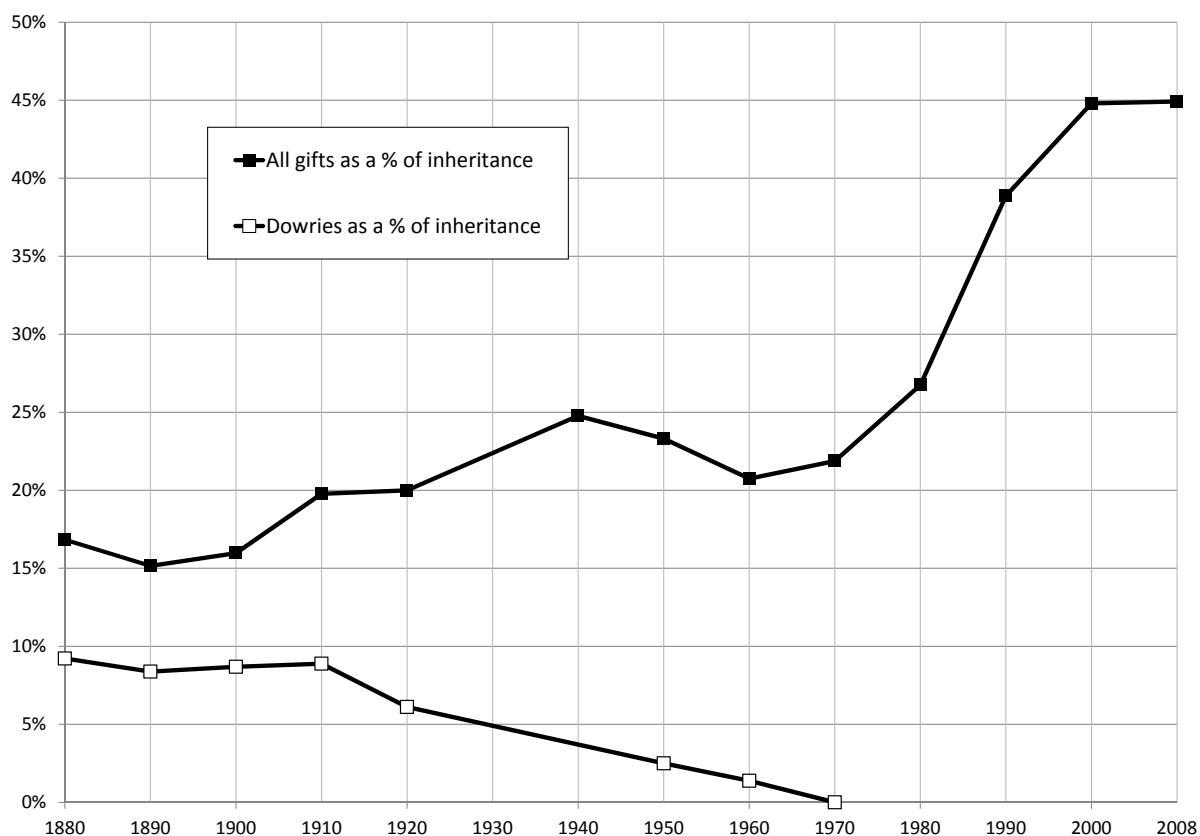
Figure 4: Evolution of the average value of dowries and other types of gifts (1882 - 1913)



Source : Ministry of Finances - Bulletin de statistique et de législation comparée / Statistiques et Etudes Financières (1882 - 1964)

Note : index base 100 in 1882; value in constant 1900 old francs

Figure 5: Inter vivos gifts and dowries as a % of inheritance (1882 - 2010)

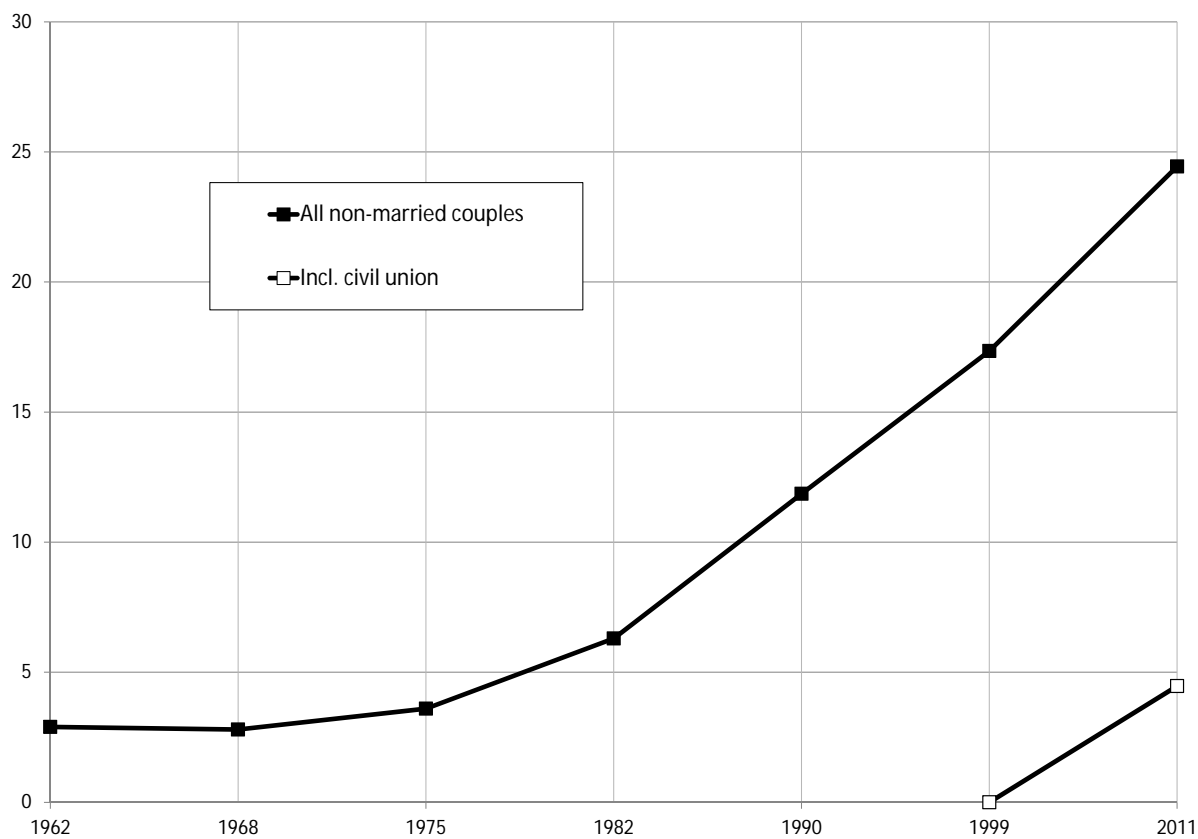


Source: Ministry of Finances - Bulletin de statistique et de législation comparée / Statistiques et Etudes Financières (1882 - 1964); administrative data on inheritances and gifts (DMTG): 1977, 1984, 1987, 1994, 2000, 2006; national accounts: 2008

Definition : inheritance = inter vivos gifts (dowries or standard gifts) + bequests

Note : the distinction between the type of gifts (dowries or standard gifts) is available until 1977; estimates are decennial averages

Figure 6: Share of non-married couples among all couples (1962-2011)



Source: census and *Famille* survey;

Note : the non-married couples include cohabiting couples and civil union. We present the share of civil union in 2011 (only available year).

Appendices

A The rules of matrimonial property regimes: summary

Table 1: Wives' rights across matrimonial regimes before 1965

	Separate assets		Community assets
	Movables	Non-movables	
Movables and acq.	See "Community assets"	Manageable by women and saleable (with the husband's consent)	Saleable by the husband
Acquisitions	Manageable by the wife but saleable by the husband (without his wife's consent)	Manageable by the wife and saleable (with the husband's consent)	Saleable by the husband
Separate property	Manageable and saleable by the wife	Manageable by the wife and saleable (with the husband's consent)	No community assets
Dowry			
<i>Dotal assets</i>	Husband's property until the middle of the 19 th century then non-saleable	Non saleable (even with the consent of both spouses)	No community assets
<i>Non dotal assets</i>	Manageable and saleable by the wife	Manageable by the wife and saleable (with the husband's consent)	

Note: For the separate property and the dowry regimes, some assets can be held jointly. The administration of these assets lays with the husband. In case the husband wants to sell his wife's non movable assets, her consent is necessary.

Table 2: Wives' rights across matrimonial regimes after 1965

	Separate assets	Community assets
Movables and acq.	Manageable by the wife and saleable (without the husband's consent)	Coadministration for the main decisions
Acquisitions	Manageable by the wife and saleable (without the husband's consent)	Coadministration for the main decisions
Separate property	Manageable by the wife and saleable (without the husband's consent)	No community assets

B Data sources

B.1 Marriages, prenuptial agreements and matrimonial property regimes

Data about marriages are exclusively administrative (civil registry of marriages) and are available online: [INSEE website](#)

The presence of marriage contracts was mentioned in the civil registry of marriage until 1965. Data are available (at the national and regional levels - *départements*) in two publications of the Ministry of Finances and INSEE:

- Statistique générale de la France (1855-1931)
- Bulletin de Statistique (1938-1964)

From 1966 to 1972, the information is not publicly available and comes from Faucheux (1972). There are two different sources:

- Ministry of Finances (1966-1968)
- Registries of notaries (1966-1972)

The type of matrimonial property regimes of married couples is only available in reports released by the notaries in 1898 (Bulletin de Statistique et de Législation comparée, vol. 3, 1899) and in 1962 (Compte général de la Justice, 1966, pp. 441-443 or Carbonnier (1964)). From 1966 to 1972, the information is available in Faucheux (1972).

After 1972, we use surveys (*Patrimoine* and *Emploi du Temps*) in which there is information about matrimonial property regimes.

B.2 Wealth at marriage and inter vivos gifts

The information about wealth at marriage is available from 1894 to 1962 and has been published by the Direction de l'Enregistrement, des Domaines et du Timbre. There are two series of publication:

- Bulletin de Statistique et de Législation comparée
- Statistiques et Etudes Financières

The information about inter vivos gifts is available from 1826 to 1964 and has been published by the Direction de l'Enregistrement, des Domaines et du Timbre. The decomposition between dowries (gifts by marriage contracts) and the other types of gifts is available from 1882 to 1964. There are two series of publication:

- Bulletin de Statistique et de Législation comparée
- Statistiques et Etudes Financières

After 1964, we can only rely on surveys (DMTG) from the Ministry of Finances (1977, 1984, 1987, 1994, 2000 and 2006) but there is no decomposition by types of gifts (except in 1977). For 2008, we rely on Piketty (2011)'s estimates based on national accounts.

C Data appendix

C.1 Raw data

C.1.1 Marriages and matrimonial property regimes

Table 3: Marriages and marriage rate (1855-2014)

	Number of marriages	Average age at first marriage		Marriage rate
		Women	Men	
1855	283 335	na	na	7.8
1856	284 401	na	na	
1857	295 510	na	na	
1858	307 056	na	na	
1859	298 417	na	na	
1860	288 936	na	na	8.2
1861	305 203	na	na	
1862	303 514	na	na	
1863	301 376	na	na	
1864	299 579	na	na	
1865	299 242	na	na	8.0
1866	303 634	na	na	
1867	300 333	na	na	
1868	301 225	na	na	
1869	303 482	na	na	
1870	207 003	na	na	9.4
1871	247 562	na	na	
1872	352 754	na	na	
1873	321 238	na	na	
1874	303 113	na	na	
1875	300 427	na	na	7.6
1876	291 393	na	na	
1877	278 094	na	na	
1878	279 580	na	na	
1879	282 276	na	na	

	Number of marriages	Average age at first marriage		Marriage rate
		Women	Men	
1880	279 046	na	na	7.2
1881	282 079	na	na	
1882	281 060	na	na	
1883	284 519	na	na	
1884	289 555	na	na	
1885	283 170	na	na	
1886	283 208	na	na	7.1
1887	277 060	na	na	
1888	276 848	na	na	
1889	272 934	na	na	
1890	269 332	na	na	
1891	285 458	na	na	
1892	290 319	na	na	7.1
1893	287 294	na	na	
1894	286 662	na	na	
1895	282 918	na	na	
1896	290 171	na	na	
1897	291 462	na	na	
1898	291 000	na	na	7.2
1899		na	na	
1900	299 084	na	na	
1901	316 540	na	na	
1902	306 682	na	na	
1903	308 510	na	na	
1904	312 134	na	na	7.6
1905	316 195	na	na	7.7
1906	320 208	na	na	7.8
1907	327 723	na	na	8.0
1908	328 877	na	na	8.0
1909	320 871	na	na	7.8
1910	320 644	na	na	7.8

	Number of marriages	Average age at first marriage		Marriage rate
		Women	Men	
1911	321 089	na	na	7.8
1912	325 272	na	na	7.8
1913	312 036	na	na	7.5
1914	205 000	na	na	4.9
1915	86 000	na	na	2.1
1916	125 000	na	na	3.1
1917	180 000	na	na	4.6
1918	202 000	na	na	5.2
1919	552 683	na	na	14.3
1920	622 724	na	na	16.0
1921	455 543	na	na	11.6
1922	384 585	na	na	9.8
1923	355 066	na	na	8.9
1924	355 401	na	na	8.8
1925	352 830	na	na	8.7
1926	345 415	na	na	8.5
1927	336 364	na	na	8.3
1928	338 804	na	na	8.3
1929	334 322	na	na	8.2
1930	342 059	na	na	8.3
1931	326 661	na	na	7.9
1932	314 980	na	na	7.6
1933	315 668	na	na	7.6
1934	298 482	na	na	7.2
1935	284 895	na	na	6.9
1936	279 902	na	na	6.7
1937	274 506	na	na	6.6
1938	273 917	na	na	6.6
1939	258 429	na	na	6.2
1940	177 000	na	na	4.3
1941	226 000	na	na	5.7

	Number of marriages	Average age at first marriage		Marriage rate
		Women	Men	
1942	267 000	na	na	6.8
1943	219 000	na	na	5.6
1944	205 000	na	na	5.3
1945	393 000	na	na	9.9
1946	516 882	24,3	27,4	12.8
1947	427 113	24,0	27,2	10.5
1948	370 769	23,8	26,9	9.0
1949	341 091	23,5	26,5	8.2
1950	331 091	23,3	26,2	7.9
1951	319 651	23,3	26,2	7.6
1952	313 892	23,2	26,1	7.4
1953	308 426	23,2	26,0	7.2
1954	314 453	23,2	26,0	7.3
1955	312 703	23,2	26,0	7.2
1956	293 450	23,4	26,1	6.7
1957	310 509	23,3	26,0	7.0
1958	312 133	23,2	26,0	7.0
1959	320 821	23,1	25,8	7.1
1960	319 944	23,1	25,7	7.0
1961	314 841	23,0	25,7	6.8
1962	316 873	23,0	25,5	6.7
1963	339 463	22,8	25,1	7.1
1964	347 525	22,7	25,0	7.2
1965	346 308	22,7	24,9	7.1
1966	339 746	22,7	24,9	6.9
1967	345 578	22,7	24,9	7.0
1968	356 615	22,7	24,8	7.1
1969	380 829	22,7	24,8	7.6
1970	393 686	22,6	24,7	7.8
1971	406 416	22,6	24,6	7.9
1972	416 521	22,5	24,6	8.1

	Number of marriages	Average age at first marriage		Marriage rate
		Women	Men	
1973	400 740	22,5	24,5	7.7
1974	394 755	22,5	24,6	7.5
1975	387 379	22,5	24,6	7.4
1976	374 003	22,6	24,7	7.1
1977	368 166	22,7	24,8	6.9
1978	354 628	22,8	25,0	6.6
1979	340 405	22,9	25,0	6.4
1980	334 377	23,0	25,1	6.2
1981	315 117	23,1	25,3	5.8
1982	312 405	23,3	25,5	5.7
1983	300 513	23,6	25,7	5.5
1984	281 402	23,9	25,9	5.1
1985	269 419	24,2	26,3	4.9
1986	265 678	24,5	26,5	4.8
1987	265 177	24,8	26,8	4.8
1988	271 124	25,0	27,1	4.8
1989	279 900	25,3	27,3	5.0
1990	287 099	25,6	27,6	5.1
1991	280 175	25,8	27,8	4.9
1992	271 427	26,1	28,1	4.7
1993	255 190	26,4	28,4	4.4
1994	253 746	26,7	28,7	4.4
1995	254 651	26,9	28,9	4.4
1996	280 072	27,4	29,4	4.8
1997	283 984	27,6	29,6	4.9
1998	271 361	27,7	29,8	4.6
1999	286 191	27,8	29,9	4.9
2000	297 922	28,0	30,2	5.0
2001	288 255	28,1	30,2	4.8
2002	279 087	28,3	30,4	4.7
2003	275 963	28,5	30,6	4.6

	Number of marriages	Average age at first marriage		Marriage rate
		Women	Men	
2004	271 598	28,8	30,8	4.5
2005	276 303	29,1	31,1	4.5
2006	267 260	29,2	31,2	4.3
2007	267 194	29,5	31,4	4.3
2008	258 739	29,6	31,6	4.2
2009	245 151	29,8	31,7	3.9
2010	245 334	30,0	31,8	3.9
2011	231 100	30,1	31,9	3.7
2012	239 840	30,2	32,0	3.8
2013	225 784	30,5	32,3	3.5
2014	225 000	na	na	3.5

Source : Insee - Marriage registers; France metropolitan area

Note : Marriage rate = number of marriages / population (in thousands); same-sex marriages are excluded; na : not available

Table 4: Marriage contracts (1855-1972)

	Number of marriages	Number of marriage contracts	Share of marriage contracts
1855	283 335	103 428	36.5%
1856	284 401	113 922	40.1%
1857	295 510	114 066	38.6%
1858	307 056	120 624	39.3%
1859	298 417	120 536	40.4%
1860	288 936	120 019	41.5%
1861	305 203	123 571	40.5%
1862	303 514	123 234	40.6%
1863	301 376	123 763	41.1%
1864	299 579	123 500	41.2%
1865	299 242	124 154	41.5%
1866	303 634	124 044	40.9%
1867	300 333	121 944	40.6%
1868	301 225	126 872	42.1%
1869	303 482	124 918	41.2%
1870	223 705	86 088	38.5%
1871	262 476	106 689	40.6%
1872	352 754	147 125	41.7%
1873	321 238	132 905	41.4%
1874	303 113	122 871	40.5%
1875	300 427	118 947	39.6%
1876	291 393	116 940	40.1%
1877	278 094	110 086	39.6%
1878	279 580	110 149	39.4%
1879	282 776	106 856	37.8%
1880	279 046	109 684	39.3%
1881	282 079	107 731	38.2%
1882	281 060	106 451	37.9%
1883	284 519	108 266	38.1%
1884	289 555	107 325	37.1%

	Number of marriages	Number of marriage contracts	Share of marriage contracts
1885	283 170	109 002	38.5%
1886	283 208	104 792	37.0%
1887	277 060	99 190	35.8%
1888	276 848	93 423	33.7%
1889	272 903	91 694	33.6%
1890	269 332	85 791	31.9%
1891	285 458	91 925	32.2%
1892	290 319	91 725	31.6%
1893	287 294	88 733	30.9%
1894	286 662	87 407	30.5%
1895	282 918	83 034	29.3%
1896	290 171	84 091	29.0%
1897	291 462	84 924	29.1%
1898	287 179	80 670	28.1%
1899	295 752	81 660	27.6%
1900	299 084	78 910	26.4%
1901	303 469	81 053	26.7%
1902	294 786	77 528	26.3%
1903	295 996	77 288	26.1%
1904	298 721	78 052	26.1%
1905	302 623	74 685	24.7%
1906	306 487	74 148	24.2%
1907	314 061	74 029	23.6%
1908	315 641	74 163	23.5%
1909	307 687	71 151	23.1%
1910	307 710	70 120	22.8%
1911	308 018	69 938	22.7%
1912	312 139	69 384	22.2%
1913	298 866	65 598	21.9%
1914	168 923	34 880	20.6%
1915	75 242	7 243	9.6%
1916	108 099	12 180	11.3%

	Number of marriages	Number of marriage contracts	Share of marriage contracts
1917	158 431	19 248	12.1%
1918	178 283	24 673	13.8%
1919	446 985	91 950	20.6%
1920	622 724	133 034	21.4%
1921	455 543	94 975	20.8%
1922	384 585	79 982	20.8%
1923	355 066	71 552	20.2%
1924	355 401	69 716	19.6%
1925	352 830	68 326	19.4%
1926	345 415	68 391	19.8%
1927	336 364	66 468	19.8%
1928	338 804	67 179	19.8%
1929	334 322	66 810	20.0%
1930	342 059	65 987	19.3%
1931	326 661	55 779	17.1%
1938	273 917	47 638	17.4%
1939	247 358	34 932	14.1%
1941	216 770	33 043	15.2%
1942	257 271	43 234	16.8%
1943	210 151	38 809	18.5%
1944	199 361	37 572	18.8%
1945	376 033	69 246	18.4%
1946	516 882	100 253	19.4%
1947	427 113	78 451	18.4%
1948	370 769	65 779	17.7%
1949	341 091	59 569	17.5%
1950	331 091	67 810	20.5%
1951	319 651	64 971	20.3%
1952	313 892	64 482	20.5%
1953	308 426	62 183	20.2%

	Number of marriages	Number of marriage contracts	Share of marriage contracts
1954	314 453	63 878	20.3%
1955	312 703	61 410	19.6%
1956	293 450	57 009	19.4%
1957	310 509	60 650	19.5%
1958	312 133	62 290	20.0%
	320 821		
1962	316 873	54 974	17.3%
1963	339 463	53 770	15.8%
1964	347 525	72 638	20.9%
1965	346 308	63 035	18.2%
1966	339 746	52 594	15.5%
1967	345 578	51 932	15.0%
1968	356 615	49 329	13.8%
1969	380 829	43 026	11.3%
1970	393 686	44 089	11.2%
1971	406 416	44 947	11.1%
1972	416 521	44 929	10.8%

Source: Statistique de la France from 1855 to 1931, Bulletin de Statistique du Ministère des Finances from 1938 to 1964, transmitted by the DGI from 1965 to 1968 and Conseil supérieur du notariat from 1969 to 1972

Table 5: Matrimonial property regimes (1898)

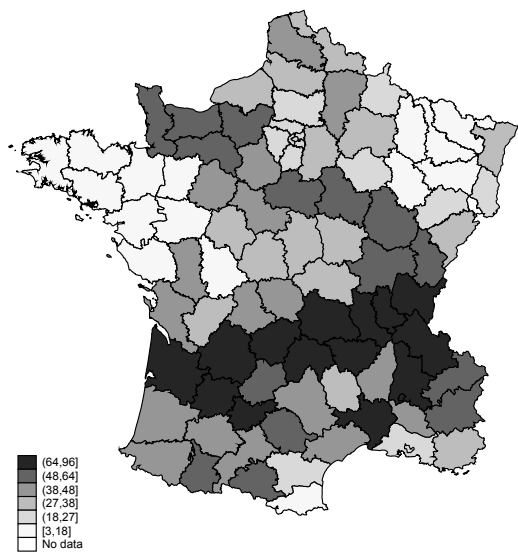
		Community			Separation			Dowry	
	Number of marriage contracts	Movables and acquisitions	Acquisitions	Full	No community	Separation	Without separate assets	With separate assets	With community
Number	82 346	866	67 288	258	1 694	2 128	2 489	2 703	4 560
Share (in %)		1.1%	81.7%	0.3%	2.1%	2.6%	3.0%	3.3%	5.5%

Source: Ministry of Finances

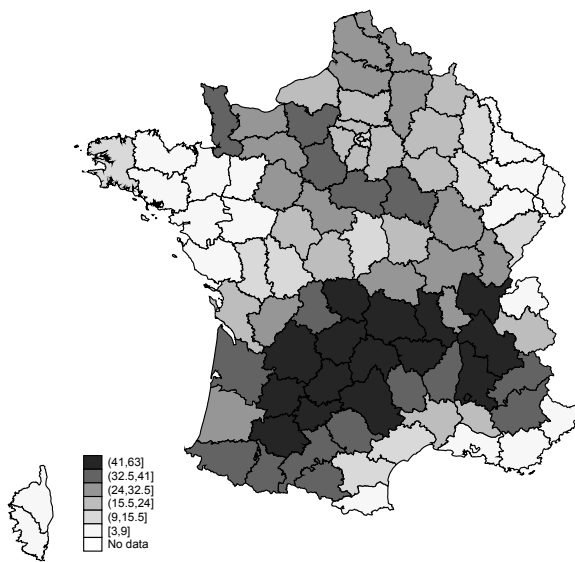
Table 6: Matrimonial property regimes (1962)

		Community			Separation			Dowry	
	Number of marriage contracts	Movables and acquisitions	Acquisitions	Full	No community	Separation with community	Separation without community	Without community	With community
Number	54 974	65	30 687	2 525	23	965	20 473	21	7
Share (in %)		0.1%	55.8%	4.6%	0.0%	1.8%	37.2%	0.0%	0.0%

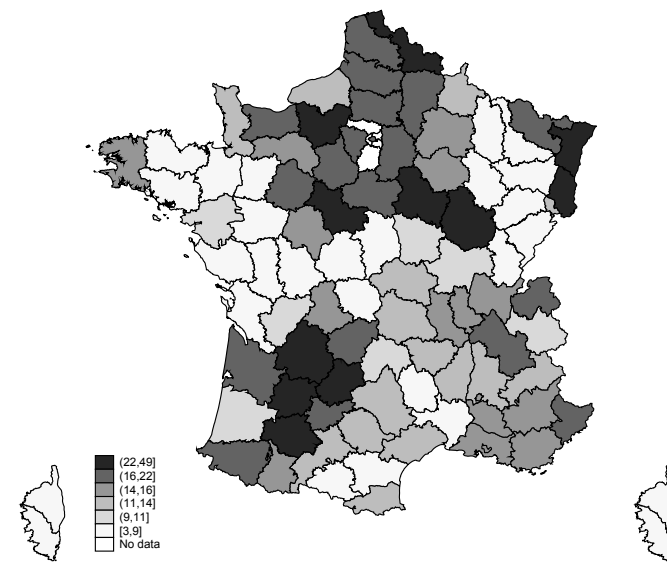
Source: Ministry of Finances



(a) 1856



(b) 1910



(c) 1962

Figure 7: Prenuptial agreements (in %) by *département*

C.1.2 Wealth at marriage, inter vivos gifts and dowries

Table 7: Wealth at marriage (1894-1962)

	Number of marriage contracts	Number of marriage contracts with wealth>0	Share of marriage contracts with wealth>0	Tax rate	Wealth declared in all marriage contracts (1900 billion old francs)
1894	86 532				1.158
1895	84 997				1.163
1896	85 625				1.191
1897	88 704	82 393	93%	0.2%	1.191
1898	86 054	79 651	93%	0.2%	1.183
1899	84 913	79 654	94%	0.2%	1.162
1900	84 006	79 626	95%	0.2%	1.229
1901	83 279	79 053	95%	0.2%	1.203
1902	82 042	77 291	94%	0.2%	1.183
1903	81 105	77 126	95%	0.2%	1.188
1904	79 700	76 580	96%	0.2%	1.230
1905	78 805	75 423	96%	0.2%	1.224
1906	78 706	75 207	96%	0.2%	1.232
1907	76 528	73 251	96%	0.2%	1.224
1908	77 125	73 866	96%	0.2%	1.187
1909	74 912	71 705	96%	0.2%	1.130
1910	73 970	70 668	96%	0.2%	1.183
1911	73 965	70 922	96%	0.2%	1.081
1912	73 418	70 198	96%	0.2%	1.070
1913	69 783	67 182	96%	0.2%	1.066
1914	40 092	38 476	96%	0.2%	0.650
1915	9 377	8 576	91%	0.2%	0.184
1916	14 115	13 258	94%	0.2%	0.227
1917	22 477	21 525	96%	0.2%	0.328
1918	30 844	13 214	43%	0.2%	0.180
1918		16 320		1.0%	0.147

	Number of marriage contracts	Number of marriage contracts with wealth>0	Share of marriage contracts with wealth>0	Tax rate	Wealth declared in all marriage contracts (1900 billion old francs)
1921	99 099	94 667	96%	1.0%	0.703
1922	91 584	82 668	90%	1.0%	0.653
1923	86 186	73 816	86%	1.0%	0.585
1938	47 638	41 666	87%	0.5%	
1939	34 932	31 162	89%	0.5%	
1941	33 043	30 200	91%	0.5%	
1942	43 234	39 676	92%	0.5%	
1943	38 809	35 486	91%	0.5%	
1944	37 572	33 951	90%	0.5%	
1945	69 246	62 047	90%	0.5%	
1946	102 139	68 647	67%	0.5%	
1947	85 099	44 551	52%	0.5%	
1948	71 675	37 040	52%	0.6%	0.120
1949		34 112		0.6%	0.115
1950	67 810	34 181	50%	0.6%	0.119
1951	64 971	32 570	50%	0.7%	0.125
1952	64 482	32 535	50%	0.7%	0.128
1953	62 183	31 430	51%	0.7%	0.139
1954	63 878	32 240	50%	0.7%	0.152
1955	61 410	31 999	52%	0.7%	0.161
1956	57 009	28 987	51%	0.7%	0.151
1957	60 650	30 414	50%	0.7%	0.161
1958	62 290	29 836	48%	0.8%	0.133
1959		30 606		0.8%	0.135
1960		28 267		0.8%	0.133
1961		27 136		0.8%	0.135
1962	54 974	27 912	51%	0.8%	0.142

Source: Direction de l'Enregistrement, des Domaines et des Timbres

Table 8: Dowries and gifts (1882-2008)

	Number of:			Value (in billion current francs from 1882 to 1959; in billion current euros since 1960)						
	Dowries	Other gifts	All gifts	Dowries	Other gifts	All gifts	Bequests (gross)	Bequests (net)	Inheritance (gross)	Inheritance (net)
1882	103 096	70 039	173 135	0.563	0.483	1.046	5.027	4.775	6.073	5.822
1883	101 830	70 760	172 590	0.583	0.479	1.062	5.243	4.981	6.304	6.042
1884	101 612	69 489	171 101	0.560	0.463	1.023	5.078	4.824	6.101	5.847
1885	97 932	69 086	167 018	0.558	0.463	1.022	5.407	5.137	6.428	6.158
1886	97 640	68 955	166 595	0.552	0.466	1.018	5.369	5.101	6.388	6.119
1887	90 624	66 264	156 888	0.551	0.447	0.998	5.409	5.139	6.407	6.137
1888	87 720	64 839	152 559	0.523	0.435	0.958	5.372	5.104	6.331	6.062
1889	85 231	61 657	146 888	0.528	0.414	0.942	5.059	4.806	6.001	5.748
1890	81 569	64 240	145 809	0.514	0.423	0.937	5.811	5.521	6.748	6.458
1891	85 815	63 181	148 996	0.555	0.453	1.008	5.792	5.502	6.800	6.511
1892	85 327	63 816	149 143	0.566	0.447	1.012	6.405	6.085	7.417	7.097
1893	82 679	59 077	141 756	0.531	0.447	0.978	5.741	5.454	6.719	6.432
1894	80 923	59 493	140 416	0.539	0.456	0.995	5.750	5.462	6.745	6.457
1895				-	-	0.995	5.976	5.677	6.971	6.672
1896	79 033	59 090	138 123	0.536	0.421	0.957	5.503	5.228	6.460	6.185
1897	78 675	61 873	140 548	0.551	0.428	0.979	5.622	5.341	6.600	6.319
1898	73 971	59 689	133 660	0.550	0.467	1.017	5.701	5.416	6.719	6.434
1899	74 906	56 823	131 729	0.567	0.417	0.984	5.836	5.544	6.820	6.528
1900	76 374	54 817	131 191	0.557	0.462	1.019	6.737	6.400	7.756	7.419
1901	65 532	49 755	115 287	0.559	0.482	1.041	5.259	4.996	6.300	6.037
1902	61 337	45 274	106 611	0.577	0.414	0.990	4.937	4.691	5.928	5.681
1903	61 673	46 494	108 167	0.561	0.432	0.993	5.016	4.765	6.009	5.758

	Number of:			Value (in billion current francs from 1882 to 1959; in billion current euros since 1960)						
	Dowries	Other gifts	All gifts	Dowries	Other gifts	All gifts	Bequests (gross)	Bequests (net)	Inheritance (gross)	Inheritance (net)
1904	61 415	46 964	108 379	0.543	0.456	0.999	5.330	5.064	6.329	6.063
1905	59 764	46 488	106 252	0.570	0.435	1.005	5.755	5.467	6.760	6.473
1906	57 964	44 449	102 413	0.555	0.487	1.042	5.675	5.391	6.717	6.433
1907	56 443	44 400	100 843	0.551	0.488	1.039	5.901	5.606	6.940	6.645
1908	55 585	43 741	99 326	0.554	0.479	1.033	5.905	5.610	6.938	6.643
1909	54 733	43 467	98 200	0.543	0.534	1.077	6.169	5.861	7.246	6.938
1910	54 729	47 488	102 217	0.527	0.601	1.128	5.331	5.064	6.459	6.192
1911	49 749	42 948	92 697	0.557	0.536	1.093	5.762	5.474	6.854	6.566
1912	51 043			-	-	1.062	5.943	5.646	7.005	6.708
1913	46 962	41 975	88 937	0.530	0.576	1.106	5.532	5.255	6.638	6.361
1914	28 537	26 484	55 021	0.316	0.406	0.722	-	-	-	0.722
1915	3 156	9 871	13 027	0.047	0.127	0.175	-	-	-	0.175
1916	5 627			-	-	-	-	-	-	-
1917	10 359	15 585	25 944	-	-	-	-	-	-	-
1918	13 249	15 190	28 439	-	-	-	-	-	-	-
1919				-	-	-	-	-	-	-
1920				0.257	-	-	-	-	-	-
1921	54 729			0.805	1.260	2.065	-	8.260	2.065	10.325
1922	48 970	51 042	100 012	0.800	1.197	1.997	-	7.988	1.997	9.985
1923	43 404	50 984	94 388	-	-	-	-	-	-	-
1924				-	-	-	-	-	-	-
1925				-	-	-	10.398	9.802	-	-
1926				-	-	-	11.664	11.058	-	-
1927				-	-	-	12.748	12.143	-	-

	Number of:			Value (in billion current francs from 1882 to 1959; in billion current euros since 1960)						
	Dowries	Other gifts	All gifts	Dowries	Other gifts	All gifts	Bequests (gross)	Bequests (net)	Inheritance (gross)	Inheritance (net)
1928				-	-	-	14.196	13.478	-	-
1929				-	-	-	16.607	15.894	-	-
1930				-	-	-	16.664	15.979	-	-
1931				-	-	-	16.901	16.064	-	-
1932				-	-	-	16.055	15.226	-	-
1933				-	-	-	15.354	14.490	-	-
1934				-	-	-	15.745	14.660	-	-
1935				-	-	-	16.034	14.938	-	-
1936				-	-	-	15.919	14.820	-	-
1937				-	-	-	15.920	14.886	-	-
1938	15 301			-	-	-	18.390	17.242	-	-
1939	10 179			-	-	-	17.637	16.696	-	-
1940				-	-	-	14.138	13.420	-	-
1941	10 543			-	-	-	21.703	20.731	-	-
1942	8 659			-	-	-	29.523	28.506	-	-
1943				-	-	-	38.526	37.785	-	-
1944				-	-	5.497	41.084	39.400	46.581	44.897
1945				-	-	19.616	49.263	47.682	68.879	67.298
1946				-	-	19.926	53.184	51.220	73.110	71.146
1947				-	-	21.645	72.218	70.378	93.863	92.023
1948				-	-	30.333	84.344	81.898	114.677	112.231
1949				-	-	34.303	112.272	108.202	146.575	142.505
1950				-	-	48.038	-	127.656	-	175.694
1951	22 089	78 851	100 940	-	-	44.311	-	165.154	-	209.465

	Number of:			Value (in billion current francs from 1882 to 1959; in billion current euros since 1960)						
	Dowries	Other gifts	All gifts	Dowries	Other gifts	All gifts	Bequests (gross)	Bequests (net)	Inheritance (gross)	Inheritance (net)
1952	22 032	65 762	87 794	6.302	46.271	52.573	-	226.880	-	279.453
1953	23 520	70 108	93 628	7.606	59.073	66.679	-	238.854	-	305.533
1954	24 717	68 120	92 837	8.331	57.917	66.248	-	302.545	-	368.793
1955	23 865	67 176	91 041	9.079	65.906	74.985	-	291.613	-	366.598
1956	19 451	66 596	86 047	8.403	95.034	103.437	-	259.391	-	362.828
1957	20 428	67 120	87 548	8.844	81.844	90.688	-	286.688	-	377.376
1958	19 411	66 459	85 870	9.414	86.747	96.161	-	353.680	-	449.841
1959	19 327	60 436	79 763	9.463	69.759	79.222	-	403.573	-	482.795
1960	16 421	58 745	75 166	0.015	0.138	0.153	-	0.655	-	0.808
1962	14 839	65 407	80 246	0.017	0.232	0.250	-	0.929	-	1.178
1964	12 766	79 364	92 130	0.018	0.330	0.348	-	1.285	-	1.633
1977	500	144 362	144 862	-	-	1.776	-	6.343	-	8.119
1984				-	-	5.046	-	17.516	-	22.562
1987				-	-	8.324	-	19.101	-	27.424
1994				-	-	17.062	-	26.835	-	43.896
2000				-	-	31.306	-	38.865	-	70.171
2006				-	-	47.994	-	58.850	-	106.844
2008				-	-	59.133	-	72.510	-	131.643

Source : Ministry of Finances - Bulletin de statistique et de législation comparée / Statistiques et Etudes Financières (1882 - 1964); administrative data on inheritances and gifts (DMTG): 1977, 1984, 1987, 1994, 2000, 2006; national accounts: 2008

Definition : inheritance = vivos gifts + bequests

Note : the distinction between the type of gifts (dowries or standard gifts) is available until 1977

Table 9: Dowries and gifts - Decennial average (1882-2008)

	Value (in billion current francs from 1882 to 1959; in billion current euros since 1960)							Share (in %)		
	Dowries	Other gifts	All gifts	Bequests (gross)	Bequests (net)	Inheritance (gross)	Inheritance (net)	Dowries / all gifts	Dowries / inheritance	Gifts / inheritance
1880	0.552	0.456	1.009	5.245	4.983	6.254	5.992	54.8%	9.2%	16.8%
1890	0.545	0.440	0.986	5.814	5.523	6.800	6.509	55.3%	8.4%	15.2%
1900	0.557	0.467	1.024	5.668	5.385	6.692	6.409	54.4%	8.7%	16.0%
1910	0.396	0.449	0.881	5.642	5.360	6.739	4.454	44.9%	8.9%	19.8%
1920	0.621	1.229	2.031	13.123	11.232	2.031	10.155	30.6%	6.1%	20.0%
1930	-	-	-	16.462	15.500	-	-			
1940	-	-	21.887	51.626	49.922	90.614	88.350			24.8%
1950	8.430	70.319	78.749	-	295.403	-	337.838	10.7%	2.5%	23.3%
1960	0.017	0.233	0.250	-	0.956	-	1.206	6.7%	1.4%	20.7%
1970	-	1.776	1.776	-	6.343	-	8.119	0.0%	0.0%	21.9%
1980	-	-	6.685	-	18.308	-	24.993			26.7%
1990	-	-	17.062	-	26.835	-	43.896			38.9%
2000	-	-	39.650	-	48.858	-	88.508			44.8%
2008	-	-	59.133	-	72.510	-	131.643			44.9%

Source : Ministry of Finances - Bulletin de statistique et de législation comparée / Statistiques et Etudes Financières (1882 - 1964); administrative data on inheritances and gifts (DMTG): 1977, 1984, 1987, 1994, 2000, 2006; national accounts: 2008

Definition : inheritance = inter vivos gifts + bequests

Note : the distinction between the type of gifts (dowries or standard gifts) is available until 1977

Table 10: Value and composition of dowries at the regional level (1898)

	Prenuptial agreements			Dowries				
	All	With dowries	% with dowries	Total value (in thousands francs)	Financial assets	Cash	Urban real estate	Rural real estate
France (all regions)	82 346	43 837	53%	530 227	32%	54%	4%	10%
Ain	1 552	475	31%	3 860	35%	32%	21%	12%
Aisne	1 151	733	64%	9 714	23%	62%	4%	11%
Allier	1 167	792	68%	5 200	38%	33%	3%	26%
Basses-alpes	349	212	61%	733	38%	41%	2%	19%
Hautes-alpes	334	200	60%	626	17%	49%	2%	31%
Alpes-maritimes	190	88	46%	2 050	41%	38%	15%	6%
Ardeche	1 203	487	40%	3 346	26%	54%	5%	14%
Ardennes	366	247	67%	3 771	28%	53%	6%	13%
Ariege	614	483	79%	1 422	21%	62%	3%	14%
Aube	371	176	47%	2 554	23%	67%	2%	8%
Aude	406	330	81%	6 748	46%	33%	5%	16%
Aveyron	1 314	969	74%	4 855	16%	60%	1%	24%
Bouches du rhone	487	130	27%	5 494	38%	42%	18%	2%
Calvados	1 232	302	25%	4 027	40%	42%	5%	13%
Cantal	912	524	57%	3 294	12%	79%	1%	7%
Charente	991	710	72%	4 232	34%	41%	7%	17%
Charente inferieure	1 068	810	76%	4 207	36%	40%	7%	18%
Cher	538	338	63%	2 641	38%	47%	5%	11%
Correze	1 450	1 034	71%	4 529	8%	84%	2%	7%
Corse	160	107	67%	933	25%	59%	7%	9%
Cote d'Or	664	496	75%	5 754	38%	46%	2%	15%

	Prenuptial agreements			Dowries				
	All	With dowries	% with dowries	Total value (in thousands francs)	Financial assets	Cash	Urban real estate	Rural real estate
Cotes du nord	141	50	35%	1 651	30%	58%	2%	10%
Creuse	1 020	821	80%	4 498	13%	70%	2%	15%
Dordogne	2 000	1 508	75%	4 345	17%	68%	3%	12%
Doubs	392	86	22%	1 262	26%	72%	0%	2%
Drome	1 231	475	39%	3 122	14%	57%	6%	23%
Eure	1 014	389	38%	4 197	34%	56%	2%	8%
Eure et loir	725	491	68%	4 529	27%	65%	1%	7%
Finistere	624	393	63%	3 061	31%	53%	3%	13%
Gard	952	688	72%	5 300	40%	42%	8%	9%
Haute garonne	1 443	1 190	82%	6 971	35%	30%	8%	27%
Gers	996	843	85%	4 560	24%	40%	4%	33%
Gironde	2 670	2 061	77%	15 035	37%	46%	8%	9%
Herault	637	442	69%	7 877	35%	41%	8%	16%
Ille et villaine	250	85	34%	2 400	21%	73%	4%	2%
Indre	417	255	61%	1 975	27%	38%	10%	24%
Indre et loire	543	245	45%	3 215	24%	53%	8%	14%
Iserre	2 745	987	36%	4 688	30%	48%	6%	16%
Jura	667	311	47%	1 550	48%	34%	5%	13%
Landes	827	711	86%	2 686	37%	57%	3%	4%
Loir et cher	735	471	64%	2 953	30%	53%	3%	14%
Loire	2 687	676	25%	4 314	15%	67%	5%	12%
Haute loire	1 604	775	48%	2 716	12%	71%	1%	16%
Loire inferieure	282	98	35%	3 115	38%	51%	2%	9%
Loiret	1 089	799	73%	5 995	24%	64%	0%	11%

	Prenuptial agreements			Dowries				
	All	With dowries	% with dowries	Total value (in thousands francs)	Financial assets	Cash	Urban real estate	Rural real estate
Lot	1 063	830	78%	3 300	16%	61%	1%	22%
Lot et garonne	1 408	151	11%	3 713	24%	56%	2%	18%
Lozere	468	287	61%	1 222	15%	63%	2%	20%
Maine et loire	319	140	44%	3 704	43%	47%	6%	5%
Manche	1 724	365	21%	4 032	51%	31%	2%	16%
Marne	683	431	63%	9 463	28%	55%	7%	10%
Haute marne	194	95	49%	2 564	43%	42%	6%	9%
Mayenne	168	72	43%	1 929	26%	63%	5%	6%
Meurthe et moselle	430	175	41%	9 911	53%	44%	1%	2%
Meuse	266	150	56%	3 058	50%	34%	2%	14%
Morbihan	122	35	29%	1 442	39%	34%	3%	24%
Nievre	427	289	68%	2 765	30%	60%	3%	7%
Nord	4 162	951	23%	21 691	15%	72%	4%	9%
Oise	801	527	66%	9 250	27%	55%	4%	14%
Orne	778	340	44%	2 517	37%	47%	1%	15%
Pas de calais	2 500	831	33%	8 782	20%	61%	6%	13%
Puy de dome	2 482	1 562	63%	6 590	18%	52%	8%	22%
Basses pyrenees	956	690	72%	4 937	36%	58%	2%	4%
Hautes pyrenees	563	475	84%	1 979	20%	52%	2%	27%
Pyrenees orientales	151	94	62%	1 506	60%	27%	2%	11%
Rhone	2 731	744	27%	16 400	32%	57%	6%	5%
Haute saone	223	87	39%	3 031	58%	37%	3%	2%
Saone et loire	1 738	662	38%	5 397	33%	50%	3%	15%
Sarthe	882	484	55%	3 673	21%	71%	2%	5%

	Prenuptial agreements			Dowries				
	All	With dowries	% with dowries	Total value (in thousands francs)	Financial assets	Cash	Urban real estate	Rural real estate
Savoie	342	139	41%	784	20%	70%	1%	8%
Savoie (haute)	178	44	25%	366	26%	52%	19%	3%
Seine	4 244	1 895	45%	139 438	37%	59%	1%	2%
Seine inferieure	1 370	705	51%	15 274	40%	53%	2%	5%
Seine et marne	717	475	66%	6 410	25%	68%	4%	3%
Seine et oise	1 128	628	56%	13 264	37%	54%	5%	4%
Deux sevres	414	214	52%	1 456	48%	35%	2%	15%
Somme	1 275	907	71%	9 902	29%	40%	3%	28%
Tarn	980	785	80%	5 226	19%	44%	4%	33%
Tarn et garonne	882	793	90%	3 257	15%	48%	3%	34%
Var	191	121	63%	2 120	32%	35%	15%	18%
Vaucluse	388	222	57%	2 025	27%	51%	8%	14%
Vendee	275	142	52%	1 391	68%	22%	6%	4%
Vienne	280	132	47%	2 028	39%	44%	9%	8%
Haute vienne	1 214	969	80%	5 154	25%	64%	2%	9%
Vosges	234	88	38%	2 784	51%	30%	9%	11%
Yonne	785	618	79%	4 487	40%	41%	2%	16%

Source : Bulletin de Statistique et de Législation comparée, vol. 3, (1899)

Note : Financial assets: bonds, stocks, life insurance contracts, deposits, savings, furnitures...

C.1.3 Supplementary data

Table 11: Labor force composition (1901-2013)

	All workers	Salaried	Non salaried	<i>Including farmers</i>	% salaried	% non-salaried	<i>Including % farmers</i>
1901	19 401	10 085	9 271	5 274	52%	48%	27%
1906	20 482	10 024	10 459	6 151	49%	51%	30%
1921	21 183	11 461	9 723	6 159	54%	46%	29%
1926	21 151	12 007	9 144	5 801	57%	43%	27%
1931	21 159	12 169	8 990	5 532	58%	42%	26%
1936	19 396	10 697	8 699	5 260	55%	45%	27%
1946	20 520	13 392	7 129	3 952	65%	35%	19%
1954	18 824	12 382	6 442	3 984	66%	34%	21%
1962	18 956	13 784	5 174	3 012	73%	27%	16%
1968	20 002	15 388	4 613	2 460	77%	23%	12%
1975	20 940	17 352	3 589	1 652	83%	17%	8%
1982	21 472	17 954	3 517	1 466	84%	16%	7%
1990	22 270	19 204	3 065	1 005	86%	14%	5%
1998	23 870	21 579	2 291	576	90%	10%	2%
2006	26 130	23 794	2 336	478	91%	9%	2%
2013	26 507	23 821	2 686	420	90%	10%	2%

Source: 1901-1990: census; 1998-2013: Insee, labor force surveys

Table 12: Total and urban population (1856-2007)

	All population	Urban popula- tion	Share of urban pop.
1856	35,588	9,719	27.3%
1861	37,386	10,790	28.6%
1872	36,102	11,224	31.1%
1876	36,906	11,971	32.4%
1881	36,672	13,097	34.8%
1886	38,219	13,767	36.0%
1891	38,343	14,311	37.3%
1896	38,518	15,026	39.0%
1901	38,962	15,957	41.0%
1906	39,252	16,537	42.1%
1911	39,602	17,509	44.2%
1921	39,210	18,205	46.4%
1936	41,813	22,120	52.9%
1954	42,705	24,456	57.3%
1962	46,425	39,370	63.2%
1968	49,712	34,834	70.1%
1975	52,592	38,351	72.9%
1982	54,335	39,861	73.4%
1990	56,615	41,898	74.0%
1999	58,518	44,197	75.5%
2007	61,795	47,883	77.5%

Source: census

C.2 Simulations

C.2.1 Administrative data (1855-1972)

The information about the existence of prenuptial agreements is available from 1855 to 1972, the goal here is to estimate the annual distribution of matrimonial property regimes. We note M_t the number of marriages in France in year t and C_t the number of marriage contracts. We note $c_t = \frac{C_t}{M_t}$ the proportion of marriages for which a marriage contract has been established. Appendix C.1.1 indicates that c_t is observed during the periods 1855-1931, 1938-1939, 1941-1958 and 1962-1972. Moreover, we note M_{dt} and C_{dt} the number of marriages and marriage contracts at the regional level (*départements*). c_{dt} is the share of marriage contracts at the regional level. c_{dt} is observed in 1856-1869, 1871, 1876, 1881, 1886, 1891, 1896, 1898, 1901, 1906, 1910, 1912, 1930, 1946, 1949, 1962 and 1966-1972.

There are K types of matrimonial regimes, $K+1$ if we include the default regime³¹. C_t^k is the number of matrimonial regimes of type k at the national level and C_{dt}^k at the regional level, respectively. As a consequence:

$$C_{dt} = \sum_{k=1}^K C_{dt}^k \text{ et } M_{dt} = \sum_{k=1}^{K+1} C_{dt}^k$$

$c_{dt}^k = \frac{C_{dt}^k}{M_{dt}}$ is the proportion of marriages for which the matrimonial property regime k was chosen, at the regional level d in year t . Moreover, we note $\alpha_{dt}^k = \frac{C_{dt}^k}{C_{dt}}$ the share of matrimonial regimes k among all marriage contracts, at the regional level d in year t . α_{dt}^k , C_{dt}^k and c_{dt}^k are observed in 1898 and 1962. The goal is to estimate the evolution of c_t^k . To do so, we have to make two important assumptions.

Assumption 1: α_{dt}^k is linear in t , $\forall d, k$.

This assumption allows us to write $\alpha_{dt}^k = b_d^k + a_d^k \times t$. b_d^k and a_d^k can be estimated thanks to the observation of C_{dt}^k in 1898 and in 1962. By interpolating between 1898 and 1962 and by extrapolating for the periods 1855-1898 and 1962-1965, we can estimate $\widehat{\alpha_{dt}^k}$ for all t ³². We

³¹It is actually possible to establish a prenuptial agreement and to keep the default regime. However, this practice only became frequent after 1966 and was rare before. That is why we consider all prenuptial agreements as modifications of matrimonial property. By doing so we probably underestimate the share of prenuptial agreements.

³²The French territory has been modified during the period 1855-2010. First of all, the *départements Alpes Maritimes, Savoie* and *Haute Savoie* were annexed to France in 1860 (*Treaty of Turin, 1860*). For these regions, we only extrapolate until 1860. Moreover, the *départements Haut Rhin* and *Bas Rhin*, as well as a large part of *Moselle* and a small part of *Meurthe* were annexed to Germany between 1870 and 1918. The remaining parts of *Meurthe* and *Moselle* were then merged into one *département, Meurthe-et-Moselle*, until today. When France got back these regions, the *Haut Rhin* and *Bas Rhin* *départements* became again the *départements* they were before 1870. However, the parts of *Meurthe* and *Moselle* that were given back to France had been merged into one *département* called *Moselle*. To maintain a geographical stability over the period, we consider all the territories of *Meurthe* and *Moselle* as a whole geographical entity. However, we do not have data about these regions in 1898.

know C_{dt} for the years: 1856-1869, 1871, 1876, 1881, 1886, 1891, 1896, 1898, 1901, 1906, 1910, 1912, 1930, 1946, 1949, 1962 and 1966-1972. We estimate the missing years by interpolation. As a consequence, we can build: $\widehat{C}_{dt}^k = \widehat{\alpha}_{dt}^k \times C_{dt}$. Based on these estimates at the local level, we aggregate of each type of matrimonial regime at the national level: $\widehat{C}_t^k = \sum_d \widehat{C}_{dt}^k$. This gives us an estimates of the proportion of each type of matrimonial regime at the national level: $\widehat{c}_t^k = \frac{\widehat{C}_t^k}{\widehat{M}_t}$. This means that \widehat{C}_t^k is not necessary linear in t . In the end, we easily obtain an estimate of \widehat{c}_t car : $\widehat{c}_t = \sum_{k=1}^K \widehat{c}_t^k$.

Assumption 2 $\frac{\widehat{c}_t^k}{\widehat{c}_t}$ is a good proxy of $\frac{c_t^k}{c_t}$

According to this assumption and by using the observations of c_t (for the periods 1855-1931, 1938-1939, 1941-1958 and 1962-1972), we can adjust the estimate \widehat{c}_t^k :

$$\widehat{c}_t^k = c_t \times \frac{\widehat{c}_t^k}{\widehat{c}_t}$$

\widehat{c}_t^k is our estimate of the proportion of each type of matrimonial regime among marriages in France.

Table 13: Simulations of marriage contracts and matrimonial regimes (1855-1972)

Year	Marriage contracts (all matrimonial reg.)	Separate property	Dowry	Community of acquisitions
1855	0.365			
1856	0.401	0.000	0.068	0.333
1857	0.386	0.000	0.061	0.325
1858	0.393	0.000	0.066	0.327
1859	0.404	0.000	0.067	0.337
1860	0.415	0.000	0.067	0.349
1861	0.405	0.000	0.063	0.342
1862	0.406	0.000	0.064	0.342
1863	0.411	0.000	0.064	0.346
1864	0.412	0.000	0.066	0.346
1865	0.415	0.000	0.065	0.350
1866	0.409	0.000	0.063	0.346
1867	0.406	0.000	0.062	0.344
1868	0.421	0.000	0.063	0.358
1869	0.412	0.001	0.061	0.350

Because there were few separate property regimes among marriage contracts at this period, we assume that we would have observed only community regimes. These assumptions are necessary to extrapolate the proportions of each type of matrimonial regimes before 1970.

Year	Marriage contracts (all matrimonial reg.)	Separate property	Dowry	Community of acquisitions
1870	0.385	0.000	0.062	0.323
1871	0.406	0.000	0.070	0.337
1872	0.417	0.000	0.069	0.347
1873	0.414	0.001	0.066	0.347
1874	0.405	0.001	0.062	0.342
1875	0.396	0.002	0.058	0.336
1876	0.401	0.002	0.056	0.343
1877	0.396	0.002	0.054	0.339
1878	0.394	0.003	0.053	0.338
1879	0.378	0.003	0.050	0.325
1880	0.393	0.003	0.051	0.339
1881	0.382	0.004	0.048	0.330
1882	0.379	0.004	0.048	0.327
1883	0.381	0.004	0.048	0.329
1884	0.371	0.005	0.046	0.320
1885	0.385	0.005	0.047	0.332
1886	0.370	0.005	0.045	0.319
1887	0.358	0.006	0.043	0.309
1888	0.337	0.006	0.040	0.292
1889	0.336	0.006	0.039	0.291
1890	0.319	0.006	0.036	0.276
1891	0.322	0.007	0.036	0.279
1892	0.316	0.007	0.035	0.274
1893	0.309	0.008	0.034	0.268
1894	0.305	0.008	0.033	0.264
1895	0.293	0.008	0.031	0.254
1896	0.290	0.009	0.031	0.250
1897	0.291	0.007	0.033	0.251
1898	0.281	0.005	0.034	0.242
1899	0.276	0.008	0.031	0.237
1900	0.264	0.010	0.028	0.226
1901	0.267	0.014	0.026	0.227
1902	0.263	0.016	0.025	0.223
1903	0.261	0.017	0.024	0.220
1904	0.261	0.019	0.023	0.219
1905	0.247	0.020	0.021	0.206
1906	0.242	0.022	0.020	0.200
1907	0.236	0.023	0.019	0.194
1908	0.235	0.024	0.019	0.192
1909	0.231	0.025	0.018	0.188

Year	Marriage contracts (all matrimonial reg.)	Separate property	Dowry	Community of acquisitions
1910	0.228	0.027	0.017	0.184
1911	0.227	0.028	0.017	0.183
1912	0.222	0.028	0.016	0.178
1913	0.219	0.029	0.016	0.175
1914	0.206	0.028	0.015	0.164
1915	0.096	0.014	0.007	0.076
1916	0.113	0.017	0.008	0.089
1917	0.121	0.018	0.008	0.095
1918	0.138	0.022	0.009	0.108
1919	0.206	0.033	0.013	0.159
1920	0.214	0.036	0.013	0.164
1921	0.208	0.036	0.013	0.160
1922	0.208	0.037	0.013	0.158
1923	0.202	0.037	0.012	0.153
1924	0.196	0.037	0.011	0.148
1925	0.194	0.038	0.011	0.145
1926	0.198	0.040	0.011	0.147
1927	0.198	0.041	0.011	0.146
1928	0.198	0.042	0.010	0.146
1929	0.200	0.044	0.010	0.146
1930	0.193	0.043	0.010	0.140
1931	0.171	0.039	0.008	0.123
1932	0.171	0.040	0.008	0.123
1933	0.172	0.042	0.008	0.122
1934	0.172	0.043	0.008	0.122
1935	0.173	0.044	0.008	0.121
1936	0.173	0.045	0.007	0.120
1937	0.173	0.047	0.007	0.120
1938	0.174	0.048	0.007	0.119
1939	0.141	0.040	0.005	0.096
1940	0.147	0.042	0.005	0.099
1941	0.152	0.045	0.005	0.102
1942	0.168	0.051	0.006	0.111
1943	0.185	0.057	0.006	0.121
1944	0.188	0.060	0.006	0.123
1945	0.184	0.060	0.005	0.119
1946	0.194	0.065	0.005	0.124
1947	0.184	0.063	0.005	0.116
1948	0.177	0.062	0.004	0.111
1949	0.175	0.062	0.004	0.108

Year	Marriage contracts (all matrimonial reg.)	Separate property	Dowry	Community of acquisitions
1950	0.205	0.075	0.005	0.126
1951	0.203	0.076	0.004	0.123
1952	0.205	0.078	0.004	0.123
1953	0.202	0.079	0.004	0.119
1954	0.203	0.081	0.004	0.118
1955	0.196	0.080	0.003	0.113
1956	0.194	0.081	0.003	0.110
1957	0.195	0.083	0.003	0.109
1958	0.200	0.087	0.002	0.110
1959	0.193	0.086	0.002	0.105
1960	0.187	0.085	0.002	0.100
1961	0.180	0.083	0.002	0.095
1962	0.173	0.082	0.001	0.090
1963	0.158	0.076	0.001	0.081
1964	0.209	0.102	0.001	0.106
1965	0.182	0.091	0.001	0.091
1966	0.155	0.079		
1967	0.150	0.077		
1968	0.138	0.071		
1969	0.124	0.064		
1970	0.123	0.065		
1971	0.122	0.065		
1972	0.119	0.065		

C.2.2 Surveys (1972-2010)

Data and information about marriage contracts From 1972, we rely on survey data. Specifically, we use two types of survey: the French wealth survey *Patrimoine* (1992, 1998, 2004 and 2010) and the *Emploi du Temps* survey (2010). Both surveys provide information about the matrimonial status of the couples (cohabitation, civil union or marriage) and the matrimonial property regime in case of civil union or marriage (default, separate property, full community or other regimes). However, the reliability of this information differs. The way the information relative to the matrimonial property regime is provided changes from a wave of the wealth survey to the other. In 1992 and 2004, there are two questions: 1) “Has a marriage contract been established?” then 2) “What matrimonial regime did you choose?”. In case of negative answer to the first question, the default regime (community of acquisitions) is assigned to the couple. In case of positive answer to the first question, the respondents have four options:

default regime, separate property, full community or other regime. In 1998 and 2010, the first question disappears and the question about the type of matrimonial regime is asked to all married couples. In the *Emploi du Temps* survey, there are two questions like in the 1992 and 2004 *Patrimoine* survey.

This change modifies the results. Table 14 indicates that the proportion of couples opting for the full community regime is around 2% in 1992 and 2004 but reaches 15% in 1998 and 2010. The category “other” is also affected. We assume that this variation is due to the way the questions about matrimonial regimes are asked. Indeed, most couples have limited knowledge of matrimonial regime and confound community of acquisitions and full community³³.

We note c_i a dummy equal to 1 if the couple i establishes a marriage contract³⁴ and r_i is the type of matrimonial regime chosen. r_i equals 0 for the default regime, 1 for the full community and 2 for the separate property regime. We note \tilde{c}_i a dummy equal to 1 if the spouses believes they has established a marriage contract and \tilde{r}_i the matrimonial regime they think they choose. The goal is to estimate: $P(c_i = 1)$ and $P(r_i = k)$ for $k \in \{0, 1, 2\}$.

Assumption 3 Let assume that (i) $\tilde{c}_i = c_i$; (ii) $P(r_i = k|c_i = 1) = P(\tilde{r}_i = k|c_i = 1)$; (iii) $P(r_i = 0|c_i = 0) = 1$; (iv) $P(\tilde{r}_i = 2|r_i = 0) = 0$

Assumption 3-(i) indicates that couples are fully aware of the fact that they chose a matrimonial regime different from the legal regime. Indeed, signing a contract requires going to the notary. Moreover, Assumption 3-(ii) states that if couples signed a contract, they remember what type of matrimonial regime they chose. Assumption 3-(iii) goes with Assumption 3-(i), saying that if couples remember that they did not sign any contract, meaning that they are married under the default option. Eventually, Assumption 3-(iv) indicates that couples tend to confuse the different community contracts, so they are not likely to think they are married under a separate property regime while they are not.

Proposition 1 Under Assumption 3, $P(r_i = 2)$ is identified in all the different surveys. However, $P(r_i = k)$ for $k \in \{0, 1\}$ is not identified in 1998 and in 2010.

To circumvent the failure of identification, we are going to assume that $P(r_i = 1|T)$, where T is the date of marriage, does not change in time. Therefore, as we can observe $P(r_i = k|T)$ in 1992 and in 2004, we can approximate $P(r_i = 1|T)$ in 1998 and in 2010. This assumption basically means that the separation rate (by death or divorce) is not higher or lower for k

³³For an old but still interesting survey about this topic, see Terré (1965).

³⁴From now on, establishing a marriage contract implies to opt for another matrimonial regime than the default regime.

matrimonial regime type than other types of matrimonial regime. So we randomly assign a “full community or other” regime type to a certain proportion of the population declaring being married with a full community regime so that the proportion of full community regime among couples married in T is now the estimated $\hat{P}(r_i = 1|T)$. Table 14 presents the corrected distribution of matrimonial regimes.

Table 14: Distribution of matrimonial regimes among married couples

	1992	1998	2004	2010
Observed distribution				
Default regime	92.1%	76.3%	89.6%	71.3%
Full community and others	1.8%	16.4%	2.6%	18.7%
Separate property	6.1%	7.3%	8.8%	10%
Corrected distribution				
Default regime	92.1%	90.8%	89.6%	87.3%
Full community and others	1.8%	1.9%	2.6%	2.7%
Separate property	6.1%	7.3%	8.8%	10%

Source: *Patrimoine* surveys 1992-2010

Estimating the year of marriage As we aim at reconstructing the flow of marital contracts, the year of marriage is a key information. Unfortunately, it is not observed in the wealth survey, but it is observed in the *Emploi du Temps* survey 2010. For all data, we observe the year the couple was formed. However, the year of marriage, in addition to the year the couple was formed, is observed in the Family Survey (*Enquête Famille*) conducted by the INSEE in 1990 and 1999. They are conducted at the same time as censuses: a large subsample (about 300,000 women) is asked detailed questions about her family history.

We use the information from the Family surveys and the *Emploi du Temps* survey to estimate the year of marriage in the wealth survey. In that purpose, we study the duration, in months, between the moment the couple was formed and the year of marriage. In the Family Surveys, the months and years of the formation and the marriage are known. Months are unknown in the *Emploi du Temps* surveys: we randomly assign a month of formation and a month of marriage using a uniform distribution³⁵. To avoid small sample sizes, we pool the years of the formation of couples into 6 years brackets. We also pool women’s years of birth by decades. Then, we assume that the duration can be written as:

$$d_i^T = \alpha_0^T + \beta_a^T + \gamma_c^T + \varepsilon_i^T \quad (1)$$

³⁵Using Family Surveys, we can test if a uniform distribution suits well the observed distributions of months. A uniform distribution reproduces the distribution of months for the formation of couples, but not for the marriage of couples because of the seasonality of marriage. However, the use of another distribution that would reproduce the seasonality of marriage does not modify the results.

where d_i^T is the duration in months between the marriage and the formation of the couple i , given that it is married at date T . c stands for the period the couple was formed (6 years brackets), a is the decades the female partner was born and ε_i^T is the error terms. We assume the ε_i^T are uncorrelated. The model is estimated by OLS, on couples married at time T , for each value of $T \in \{1992, 1998, 2004, 2010\}$. We can then construct \widehat{d}^T for couples observed in the wealth survey conducted in T . This method of selection of the subsample allows us to reproduce the censored nature of data. Table 15 gives the estimation of the coefficients for equation 1.

Table 15: Estimation of the duration (in months) between the formation of the couples and the marriage

	(1)		(2)		(3)		(4)	
	T=1992		T=1998		T=2004		T=2010	
Year of formation of the couple								
1951-1955	-0.119	(0.201)	0.000119	(0.248)	0.0107	(0.271)	0.0217	(0.295)
1956-1960	-0.229	(0.220)	-0.00225	(0.271)	0.0146	(0.296)	0.0506	(0.322)
1961-1965	1.415***	(0.228)	1.854***	(0.281)	1.876***	(0.307)	1.906***	(0.334)
1966-1970	2.358***	(0.242)	3.249***	(0.298)	3.164***	(0.325)	3.145***	(0.354)
1971-1975	5.078***	(0.246)	6.358***	(0.302)	6.555***	(0.330)	6.359***	(0.359)
1976-1980	8.403***	(0.253)	9.349***	(0.311)	9.846***	(0.340)	9.903***	(0.370)
1981-1986	11.55***	(0.261)	14.68***	(0.319)	15.79***	(0.348)	16.50***	(0.378)
1987-1992	8.289***	(0.273)	16.69***	(0.329)	19.07***	(0.358)	20.11***	(0.389)
1993-1998	2.044***	(0.425)	16.97***	(0.359)	21.81***	(0.383)	24.30***	(0.414)
1999-2004	0	(0)	4.567***	(0.483)	5.979***	(0.434)	11.03***	(0.457)
≥ 2005	0	(0)	0	(0)	0	(0)	1.145*	(0.688)
Decade of female birth								
1900-1909	-64.85***	(11.10)	-65.06***	(13.73)	-65.45***	(14.99)	-65.48***	(16.31)
1910-1919	-78.26***	(10.94)	-77.53***	(13.53)	-77.73***	(14.77)	-77.73***	(16.08)
1920-1929	-79.99***	(10.93)	-79.76***	(13.52)	-79.93***	(14.77)	-79.95***	(16.07)
1930-1939	-80.80***	(10.93)	-80.70***	(13.52)	-80.90***	(14.77)	-80.93***	(16.07)
1940-1949	-82.82***	(10.93)	-82.98***	(13.52)	-83.02***	(14.77)	-83.01***	(16.07)
1950-1959	-83.85***	(10.93)	-83.63***	(13.52)	-83.97***	(14.77)	-83.62***	(16.07)
1960-1969	-80.58***	(10.93)	-80.76***	(13.52)	-80.73***	(14.77)	-80.53***	(16.07)
1970-1979	-82.96***	(10.94)	-77.21***	(13.52)	-73.73***	(14.77)	-71.40***	(16.07)
1980-1989	-89.23***	(15.05)	-99.12***	(14.02)	-74.74***	(14.78)	-60.11***	(16.08)
1990 +	0	(0)	0	(0)	0	(0)	-62.64***	(16.09)
Region								
Bassin Parisien	0.0418	(0.111)	-0.143	(0.131)	-0.197	(0.140)	0.971***	(0.151)
Nord	-2.759***	(0.147)	-3.962***	(0.173)	-4.134***	(0.185)	-2.675***	(0.199)
Est	-2.020***	(0.134)	-2.245***	(0.158)	-2.353***	(0.169)	-1.425***	(0.183)
Ouest	-1.108***	(0.118)	-1.028***	(0.139)	-1.221***	(0.149)	-0.172	(0.161)
Sud-Ouest	-0.793***	(0.130)	-0.625***	(0.154)	-0.533***	(0.164)	-0.0545	(0.177)
Centre Est	-0.574***	(0.124)	-0.0691	(0.146)	-0.0778	(0.156)	0.706***	(0.167)
Méditerranée	0.414***	(0.125)	0.743***	(0.148)	0.368**	(0.158)	1.029***	(0.170)
Constante	83.72***	(10.93)	83.44***	(13.52)	83.72***	(14.77)	82.92***	(16.07)
N	368968		394548		400027		400302	
R^2	0.041		0.070		0.093		0.107	

Standard errors in parentheses

* $p < 0.1$, ** $p < 0.05$, *** $p < 0.01$

Reweighting *Patrimoine* survey 2010 and *Emploi du Temps* survey 2010: In 2010, we observe couples from two different surveys. The *Patrimoine* survey 2010 is supposed to be representative of the population, while the subsample of couples of the “Decision within couples” section of the *Emploi du Temps* survey is also representative of the subpopulation it represents. As a consequence, we need to reweight observations for both surveys to make the combination of the two samples representative of the population in 2010. For that purpose,

we select households in the *Patrimoine* survey 2010 who correspond to selection criteria of the subsample “Decision Within Couples” (hereafter named “Eligibles DWC”)³⁶. Therefore, they are representative of the same sub population. Then we test for the compatibility of information about marriage contracts they provide. For that, we check if the proportion of contracts and, more specifically, the proportion of separate property regime are the same in both surveys, for each marriage period, after controlling for age, the decade of birth and the region. Table 16 indicates the results. A significant coefficient means that the Time Use Survey shows a significantly different proportion of marriage contracts (or separate property regime) compare to the *Patrimoine* survey. The estimates indicate that the two datasets provide comparable information. Therefore, they can be used together, after reweighting the observations. Let N_{TUS}^{DWC} be the sum of weights in the DWC subsample of the *Emploi du Temps* and N_{WS}^{DWC} of similar couples observed in the *Patrimoine* survey. We multiply each sample weight by $N_{WS}^{DWC} / (N_{TUS}^{DWC} + N_{WS}^{DWC})$ so that the sum of new weights is still equal to N_{WS}^{DWC} .

Table 16: Test for the compatibility of information in *Patrimoine* survey and the *Emploi du Temps* survey

Marriage in...	1966-1970	1971-1975	1976-1980	1980-1986	1987-1992	1993-1998	1999-2004	≥ 2005
Contract	0.0486 (0.0497)	0.0593* (0.0316)	0.0348 (0.0261)	0.0657** (0.0304)	0.0109 (0.0320)	0.0813** (0.0319)	0.0566** (0.0274)	0.0557 (0.0413)
Separate Property	0.00747 (0.0355)	0.0517** (0.0230)	0.0161 (0.0196)	0.0196 (0.0256)	-0.00691 (0.0280)	0.0133 (0.0290)	0.0228 (0.0251)	0.0265 (0.0381)
<i>N</i>	127	424	583	687	839	717	832	503
Controls	Y	Y	Y	Y	Y	Y	Y	Y

Standard errors in parentheses

* $p < 0.1$, ** $p < 0.05$, *** $p < 0.01$

Source: *Patrimoine* surveys 1992-2010, INSEE.

Lecture: Test for the compatibility of *Patrimoine* and the *Emploi du Temps* surveys. OLS regression of the dummy “contract” or “separation of goods” on a dummy “*Emploi du Temps* survey”, in the subsamples of couples, with at least one active member. Controls include: region dummies, decade of birth (female partner), age (female partner)

Estimating the series of marriage contracts since 1950 The goal is to reconstruct the share of marriages with prenuptial agreements, for each year since 1950, from couples observed in 1992, 1998, 2004 and 2010. Even though we need these estimates only from the 1970s, it is interesting to implement this simulation from the 1950s to compare estimates to administrative data. Let α_{ct} be the proportion of marriage contracts S among marriages contracted in c and observed in t . Let p_{ct}^k the proportion of dissolution of type k marriages contracted in c between $t - 1$ and t . k takes the values R (default regime) and S (separate property regime) but the following result can easily be extended to more than two contracts.

Proposition 2 $\alpha_{ct} = \alpha_{ct-1} \Leftrightarrow p_{ct}^R = p_{ct}^S$

³⁶The subsample is composed of couples (with and without children) with at least one active adults (it represents 60% of the sample of the *Patrimoine* survey 2010)

The proof is straightforward and it is given *infra*. Proposition 2 says that we can recover the proportion of marriage contracts made in c from couples observed in t provided the separation rate has been the same among different marriage types. This assumption can be tested on the recent period. For that, we estimate equation 2 where y_c indicates if the married couple in c has signed a marriage contract, and α_c^T is a dummy indicating if the couple is observed in T . We test the stability of coefficients $\alpha_t^{1998} = \alpha_t^{2004} = \alpha_t^{2010} = 0$.

$$y_c = \alpha_c + \alpha_t^{1998} + \alpha_c^{2004} + \alpha_c^{2010} + \beta_c X + \varepsilon_t \quad (2)$$

Results of the tests are given in table 17. The joint stability is most of time not rejected, especially for older cohorts, for which this assumption is crucial. Indeed, we almost directly measure the proportion for couples who just married at the time of the survey, but not for couples who got married in the 1950s, 1960s, 1970s and 1980s. Notice that the tests are not rejected when controls are not accounted for. This means that the impact of controls on separation might change over time, as a consequence it is better not to take them into account in the reconstruction of the proportion. The test of stability of coefficients gives support to the crucial assumption of stability of separation rates but also gives some insights on the way to estimate the proportion of marital contracts: when the joint stability is not rejected, all waves can be pooled together to obtain more precise estimates. But if the test of stability of coefficient is rejected, it is better to take those differences into account by controlling for the date the couple is observed. Results are presented in table 18. The comparison with administrative data (Table 13) shows that we underestimate the share of prenuptial agreements for the 1950s and the 1960s. For the 1970s, the share of separate property regime is close for both methods (5.9% for surveys against 6.5% for administrative data). The share of prenuptial agreements remains however underestimated in our simulations.

It shows that we tend to find a lower proportion of separation of assets than the proportion we expected given the results on the series 1855-1972.

Demonstration of Proposition 2: Let m_{ct} the number of marriages made in c and observed in t . There are two types of contracts: S and R . m_{ct}^S is the number of marriages with a contract S , made in c and observed in t , and m_{ct}^R for marriages of type R . α_{ct}^S is the proportion of contracts S among contracts made in c and observed in t . Couples have a probability of separation (death or divorce) p_{ct}^S (resp. p_{ct}^R) between $t - 1$ and t , that depend on the contract S (resp. R) and c . Therefore $m_{ct}^S = (1 - p_{ct}^S)m_{ct-1}^S$.

Moreover, $m_{c,t}^S = \alpha_{c,t} m_{ct}$ and $m_{ct-1}^S = \alpha_{ct-1} m_{ct-1}$. So, $(1 - p_{ct}^S)\alpha_{ct-1} m_{ct-1} = \alpha_{ct} m_{ct}$ and $(1 - p_{ct}^R)(1 - \alpha_{ct-1})m_{ct-1} = (1 - \alpha_{ct})m_{ct}$.

Table 17: Stability of the proportion of marriage contracts

	separation of assets		contracts (all types)	
≤ 1950	0.6494	0.6797	0.8311	0.8369
1951-1955	0.0102	0.0009	0.0304	0.3385
1956-1960	0.8607	0.1330	0.9605	0.6015
1961-1965	0.6064	0.2430	0.9292	0.0136
1966-1970	0.1381	0.1091	0.3969	0.0124
1971-1975	0.2123	0.0268	0.1632	0.0119
1976-1980	0.7670	0.3531	0.1293	0.0859
1981-1986	0.5223	0.2612	0.4294	0.0144
1987-1992	0.0000	0.3251	0.0000	0.3293
1993-1998	0.1426	0.0448	0.0013	0.0020
1999-2004	0.8005	0.5988	0.5261	0.1570
≥ 2005	0.002	0.058	0.0000	0.018
Controls	N	Y	N	Y

Controls include: region dummies and decades of birth dummies

Data: *Patrimoine* surveys 1992-2010 and *Emploi du Temps* survey 2010

F-statistics of equality of coefficients

Table 18: Proportion of marriage contracts

	Contracts (all types)	Separate property
≤ 1950	0.0425	0.0238
1951-1955	0.0561	0.0336
1956-1960	0.0639	0.0397
1961-1965	0.0724	0.0460
1966-1970	0.0751	0.0536
1971-1975	0.0779	0.0589
1976-1980	0.0918	0.0693
1981-1985	0.1103	0.0861
1986-1990	0.1509	0.1256
1991-1995	0.1448	0.1241
1996-2000	0.1847	0.1515
2001-2005	0.1738	0.1554
≥ 2005	0.1869	0.1605

Data: *Patrimoine* survey 1992-2010 and *Emploi du temps* survey 2010

$$(1 - p_{ct}^S) \frac{\alpha_{ct-1}}{\alpha_{ct}} = (1 - p_{ct}^R) \frac{(1 - \alpha_{ct-1})}{(1 - \alpha_{ct})}$$

So, $\alpha_{ct} = \alpha_{ct-1} \Rightarrow p_{ct}^S = p_{ct}^R$

Which gives

$$\alpha_{ct-1} = \frac{(1 - p_{ct}^R) \alpha_{ct}}{(1 - p_{ct}^S) + (p_{ct}^S - p_{ct}^R) \alpha_{ct}}$$

For this, we have: $p_{ct}^S = p_{ct}^R \Rightarrow \alpha_{ct} = \alpha_{ct-1}$, and the equivalence.