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Discussion Papers

Deutsches Institut für Wirtschaftsforschung 2025

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IMPRESSUM

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Fax +49 (30) 897 89-200
http://www.diw.de

ISSN electronic edition 1619-4535

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Policy Change and Women's and Men's Earnings around Divorce: Evidence from the German Maintenance Reform

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Abstract: This paper examines the gendered impact of divorce on earnings and the role of the social policy context in shaping this relationship. In particular, it focuses on a policy reform enacted in Germany in 2008 that overturned previous ex-spousal support rules. Data come from the administrative records of the German Public Pension Fund. Drawing on a fixed-effects model, we study the behaviour of women and men who separated between 2004 and 2011 (n=21,617 divorces). We find that women's earnings increased throughout the divorce process. This effect was slightly more pronounced after the reform than before. In contrast to women's earnings, men's earnings declined throughout the divorce process. The reform seems to have somewhat mitigated this negative divorce effect. The paper also shows heterogeneous effects across regions. While divorce had strong effects on women's and men's earnings in West Germany, it did not change the earning patterns of East German men and women either before or after the reform. The paper concludes by discussing avenues for post-separation policies from a gender perspective.

Keywords: Divorce, Earnings, Employment, Gender, Policy Reform
JEL-Codes: J12, J22, K36

Acknowledgments: We are grateful to the German Science Foundation (project number: 544381616) for supporting this project. We would also like to thank the Einstein Foundation Berlin (EZ-2019-555-2) for their support of the research project. We also thank the participants at the MZES Colloquium in Mannheim (Germany), Nuffield College at Oxford University (UK), and Luiss-University in Rome (Italy) for their comments on an earlier version of this paper. For language editing we thank Miriam Hils.

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1 Introduction

For most people who experience it, divorce is a major turning point in their lives. However, whether and how it affects their economic and social well-being is highly context-specific. In addition to the normative context of society, which defines whether divorce is or is not socially acceptable (Moore 2020), the social-political context can have a large impact on the behaviour and living conditions of divorcees. The policies that shape the gendered division of care during marriage are pivotal, because they determine the economic well-being of divorcees, and, in particular, women's ability to be autonomous and self-reliant after divorce. More immediate "divorce policies" are the rules of family law, which include, among other things, regulations on the legal and physical custody of children, marital property, child support, and ex-spousal maintenance. With regard to the latter, many countries are increasingly adopting the concept of a "clean break", whereby the division of the partners' assets and liabilities is settled at the time of divorce. If ex-spousal maintenance is awarded, it is usually limited to an "adjustment period" covering only the immediate post-divorce period (Daly and Scheiwe 2010; Ribot 2011; Boele-Woelki 2004).

Until recently, rather generous ex-spousal maintenance payments were granted to the economically weaker partner in a relationship in Germany. In 2008, however, the German government introduced a maintenance reform. Prior to this reform, ex-spousal maintenance was based on the principle of ex-spousal solidarity. The reform overturned this logic, emphasising instead the principle of the "self-reliance" of the ex-partners. As a result of this reform, ex-spousal alimony payments were radically curtailed, and were henceforth awarded in exceptional cases only (i.e., in cases in which the children were under age three). This reform was introduced without any transitional period. It came into effect immediately upon enactment and applied not only to new but also to existing marriages, including long-standing ones. In 2013, the Federal Court of Justice made slight adjustments to the regulations, expanding judges' scope to consider individual circumstances. However, the principle of self-reliance was upheld throughout. Among legal scholars, there is a strong consensus that this reform was a radical departure from previous regulations (Wapler 2014; Lenze and Funke 2016; Scheiwe and Wersig 2010). However, there is currently very little evidence of the impact of this reform on the behaviour of divorced women and men. By drawing on rich administrative data, this study seeks to close this research gap. It contributes to the literature in several ways. First, the study provides novel evidence regarding the behavioural effects of a policy change that is representative of the radical changes in family law that are currently underway in many countries. Second, it provides evidence of the gendered impact of divorce. Most prior studies in this area addressed the role of divorce in women's economic well-being while neglecting that divorce shapes men's employment and earnings as well. Finally, we overcome the limitations of prior research, which often drew on small-scale social science surveys to study divorce effects, by using large-scale administrative data that contain monthly employment and earnings biographies. This means not only that we have enough cases to study heterogeneous effects across population subgroups, but also that we are in the unique situation of having access to longitudinal data over a period during which a "natural experiment" occurred at the macro level (Gangl 2022, p. 292). Moreover, beyond macro-level policy variations, the German case offers us the opportunity to compare behaviour in East and West Germany. To this day, gender roles and women's employment patterns differ radically between the two parts of Germany. Thus, we can examine not only how the "divorce effect" differed before and after the policy reform, but also whether the reform effect unfolded differently in different social contexts.

Data for this analysis come from the registers of the German Pension Fund. The data are a random sample of persons who have an account with the German Public Pension Fund. We study men and women who separated for the first time between 2004 and 2011 and were between 30 and 59 years old at the time of union dissolution. In total, 21,617 divorcees enter our investigations. The large sample size allows us to estimate robust results, and to examine differences by population subgroups and region (East and West Germany). Two major limitations of this analysis should be mentioned upfront. The register data contain the complete marital biographies of divorcees, but not of those who never underwent a divorce. We overcome this shortcoming by employing matching techniques to construct suitable comparison groups for the divorced population. A second drawback of this investigation is that we have information on the number and age of children of women, but not of men. Therefore, the analysis of the heterogeneous effects by the number and age of children must be restricted to the female sample.

2 Prior Findings

A substantial body of empirical research has examined how equalised household income evolves in the divorce process (Andreß et al. 2006; Mortelmans and Defever 2018; Bayaz-Ozturk et al. 2018; Hauser et al. 2018; Leopold and Kalmijn 2024; Vaus et al. 2017). Studies commonly find strongly gendered effects. Women experience a radical drop in their equalised household income at divorce, while the effect for men appears to be minor (Vaus et al. 2017), or even positive (Andreß et al. 2006). Recent research by Leopold and Kalmijn (2024) based on German survey data emphasised the existence of large heterogeneous effects, arguing that a non-negligible fraction of divorced women did not experience any substantial drop in income, and that many women “recovered” within five years of divorce.

While these studies generated important insights into the effects of divorce on household income, they provided an incomplete and partially biased picture of post-separation well-being. Some of these biases stem from measurement issues, but others point to more substantial shortcomings. On the measurement side, it is surprising how little these previous studies critically reflected on the shortcomings of their outcome variables. There have been many warnings that the modified OECD weights routinely used to calculate equalised household income are outdated and inadequate, especially when comparing very different household constellations (Dudel et al. 2021). However, these warnings have not been heeded in divorce research (see, however, Bonnet et al. 2021). As a result, previous research may have led to erroneous conclusions with potentially serious implications for our understanding of gendered patterns. Second, and most importantly, household income aggregates the economic situations of all household members into a single measure. As such, it masks power relations and the unequal distribution of resources within the household. Related, the observation that the household income of a significant share of women recuperated after divorce does not necessarily mean that they gained economic independence. Instead, some women may have entered into a new partnership out of economic necessity, and thus as a "coping strategy" to overcome an adverse economic situation (Mortelmans 2020). Given these concerns, studies that examine individual employment (Bonnet et al. 2021; Raz-Yurovich 2013; van Damme and Kalmijn 2014), individual earnings (Brüggmann and Kreyenfeld 2023; Boll and Schüller 2021; Herbst and Kaplan 2016; Tamborini et al. 2012; Radenacker 2020), individual wealth (Boertien and Lersch 2021), and individual pension entitlements (Kreyenfeld et al. 2023; Schmauk and Kridahl 2024) are of great importance in providing a comprehensive picture of economic well-being after divorce and its gendered patterns.

A consistent finding across many countries is that women’s employment and earnings increase after divorce (Herbst and Kaplan 2016; Radenacker 2020; Tamborini et al. 2012). However, the magnitude of these changes differs depending on women’s pre-divorce earnings and employment, with women who were not fully attached to the labour market prior to divorce experiencing the greatest difficulties in achieving sufficient earnings and “economic independence” after divorce (Nylin 2020; Radenacker 2020; Brüggmann and Kreyenfeld 2023).

Few studies have examined whether divorce affects men's employment and earnings. Using longitudinal survey data from Switzerland, Covizzi (2008) showed that divorce strongly increases men’s risk of unemployment. These findings are corroborated by Kalmijn (2005), who used Dutch panel data to show that men who underwent a divorce were more likely to be downwardly mobile than their married counterparts. Using German register data, Brüggmann and Kreyenfeld (2023) showed that men's earnings declined throughout the divorce process, with men who divorced from a male breadwinner constellation facing the largest divorce penalty. Raz-Yurovich (2013) also found adverse effects of divorce on men’s employment stability using administrative data from Israel, but no major effects on men’s earnings. In an earlier study based on Canadian longitudinal data, Finnie (1993) showed that men’s employment was largely unaffected by divorce. Similarly, using a small set of survey data from Germany, Andreß et al. (2003) found no substantial effects of divorce on men’s employment.

Comparative research has also addressed the question of how the effects of divorce on economic well-being vary by welfare state context (Uunk 2004; Nieuwenhuis and Maldonado 2018; Andreß et al. 2006; Schmauk and Nylin 2022). It is generally assumed that the impact of divorce on economic well-being is less negative and less gendered in countries that promote the reconciliation of work and care and a less gendered division of labour (Nieuwenhuis and Maldonado 2018). Indeed, in countries such as Sweden, which is usually characterised as a particularly gender-equal society, the gender earnings and gender employment gaps among divorcees are much smaller than those in other countries (Schmauk and Nylin 2022). However, while employment patterns are less gendered in Sweden, there is evidence that even in the Swedish context, divorce has adverse effects on the subsequent earnings and later pension entitlements of both women and men (Andreß et al. 2006; Schmauk and Nylin 2022; Schmauk and Kridahl 2024).

Apart from these cross-national comparisons that try to shed light on the relevance of the social policy context for behavioural patterns, a few studies have evaluated the impact of specific national policies. Demographers have addressed, among other things, the question of how the shift from fault to no-fault divorce affected annual marriage and divorce rates (Andersson 1995; Rodgers et al. 1997; Glenn 1997). Economists have exploited regional differences in the transition to unilateral divorce to analyse how the intra-household bargaining behaviour of married couples was affected (Stevenson 2007; Voena 2015; Gray 1998). There is, however, little research on the effects of the German maintenance reform that was enacted in 2008. Using data from the German Socio-Economic Panel, Bredtmann and Vonnahme (2019) and Schaubert (2023) looked at how the reform altered the employment behaviour of married women. While Bredtmann and Vonnahme (2019) did not observe any effects, Schaubert (2023) found that women who were facing a potential loss of alimony increased their working hours if they did not hold any marital assets. To our knowledge, no previous study has examined how the reform may have altered the behaviour of divorcees.

3 Country Context, Policy Reform, and Expectations

In the present study, we examine how divorce affects women's and men's individual employment and earnings in Germany, and how the maintenance reform of 2008 has shifted these patterns. The maintenance reform is a turning point in German divorce law. Prior to this reform, ex-spousal maintenance was based on the principle of ex-spousal solidarity, whereby solidarity was understood to extend beyond the breakdown of a marital union. This meant that the economically weaker party in a marriage was eligible for ex-spousal alimony payments, the amount of which was based on the couple's standard of living during their marriage. Unlike those who were previously married, separated persons were only entitled to child alimony, and not to any other ex-partner support. Only if the children from the union were under age three could separated individuals claim extra support from their ex-partner. In 2007, the Federal Constitutional Court criticised this practice as leading to the unequal treatment of children of married and never-married parents. As a consequence, it urged the German government to implement reforms that would eliminate this discrimination (Bundesverfassungsgericht 2007). The order of the Federal Constitutional Court was executed by the reform of the maintenance law, which came into force in 2008. Instead of equalising the rules for divorced and separated persons by granting ex-partner support to both, the new rules drastically reduced ex-spousal alimony for the divorced, leading some scholars to conclude that the new regulations resulted in a “race to the bottom” (Röthel 2009, p. 915). For both groups, ex-spousal maintenance was now awarded in exceptional cases only, such as when the children were under age three.

The reform of the maintenance law was seen as a controversial step not only by stakeholders, but also by legal scholars, who feared that the policy change would mainly hurt women (Wapler 2014; Lenze and Funke 2016; Scheiwe and Wersig 2010). The reform bill went to great lengths to downplay this concern. First, it emphasised that childless and short marriages were on the rise in Germany, and that these unions did not require any special protection through ex-spousal alimony payments (Deutscher Bundestag 2006). Interestingly, this presumption did not match the demographic facts, as the divorce rates for short marriages had been declining for some time. At the same time, those for longer unions either increased or remained high (DESTATIS 2016). It was also argued that female and male roles had converged, and that family law must respond to these societal changes. More specifically, it was pointed out that “increasingly both partners – even with children – remain employed or resume their gainful employment after childbirth” (ibid.: 1). In line with this alleged fact, the 2008 reform de-emphasized the principle of “ex-spousal solidarity”, and emphasised instead the logic of “self-reliance”, whereby each spouse would be responsible for his or her own economic advancement after breakdown of the union (ibid.: 16). Thus, the German government fully embraced the logic of a “clean break”, in which the division of assets and liabilities between the spouses would be swiftly resolved after divorce. However, it is important to note that despite fully embracing the logic of a “clean break” in the 2008 Alimony Reform, the government left the tax system for married couples unchanged. The continued use of joint taxation with income splitting significantly subsidizes couples with unequal income distribution during marriage and creates incentives for an unequal division of labor between spouses (Bach et al. 2020).

Expectations

Many observers saw the reform as a premature change based on the false assumption that all women could easily achieve “self-reliance” after a marital breakdown (Wapler 2014; Lenze and Funke 2016; Scheiwe and Wersig 2010). In this investigation, we examine heterogeneous effects. We assume that the principle of "self-reliance" must have led to an increase in divorced women’s employment and work efforts. However, we suspect that the patterns differed depending on their pre-divorce earnings and the number and ages of their children. In particular, we assume that women who were only loosely attached to the labour force faced greater barriers to achieving economic "self-reliance" after the reform. Since the reform did not change much for women with children under age three, one may furthermore expect that their behaviour was less affected by the reform than that of other women. We also assume that strong regional differences existed. Since East German women were less likely to qualify for ex-spousal support because their chances of earning as much as their spouse were higher than those of their West German counterparts, it may be assumed that the reform did not affect the behaviour of East German women to the same extent as it affected the behaviour of women in the West.

Much of the attention and interest in existing research has focused on the effects of divorce on women's behaviour and wellbeing, while ignoring the ways in which divorce may have changed men's. Particularly in the German case, divorce alters economic constraints and, through these channels, men's economic incentives to work and progress in their careers. While married, couples can file their taxes jointly. Due to the progressive nature of the tax system, the main earner in the household (usually the man) benefits substantially from the system, while the income of the second earner (usually the woman) is taxed more heavily (Boll & Schüller 2021). This means that while men benefit from tax breaks during marriage, this tax advantage disappears after divorce, reducing the economic gains from employment or career advancement (Brüggmann & Kreyenfeld 2023, p. 23). In addition, while men may have previously felt the pressure to act as breadwinners in the traditional German system, this pressure may be reduced after divorce, giving them more leeway to either reduce their employment or not advance as much in their careers as they would have if the marriage had continued. Moreover, alimony payments may be an additional reason why men reduce their labour market engagement after divorce (Andreß et al. 2003). As in most other countries, non-payment of maintenance is penalised, e.g. by garnishment of wages. However, if the debtor does not earn enough money above the deductible, the person is not obliged to pay. As alimony payments are based on earnings, there is less incentive to expand employment or advance in one's career after divorce than during marriage. The 2008 alimony reform greatly reduced the burden on men of having to pay alimony to an ex-spouse (Schaubert and Köckeis 2025). Assuming that high alimony payments to ex-spouses previously dampened men's labour force participation and economic advancement, we suggest that the reform may have had a positive impact on the employment and earnings of divorced men.

Considerations

Several aspects need to be considered in the investigation. It is important to note that the policy reform was not enacted in isolation. Germany initiated several major family policy reforms in the last decades. These include the expansion of public day care for children below age three (since 2005), the introduction of an income-related parental leave benefit (2007), and a legal right to a day care slot for children above age one (2013). The substantial increase in fathers' uptake of parental leave (Frodermann et al. 2023), the increase in maternal full-time employment rates (Geyer et al. 2015), and the decline in the gender care share (BMFSFJ 2018) indicate that these reforms may indeed have changed behavioural patterns and promoted more gender-equal patterns of care and employment. Thus, it is important to account for the "secular" trend that has led to the increase in women's labour market participation across time. Put differently, we need to compare the behavioural patterns of the divorced (treated) group with those of a suitable control group to capture the divorce-effect under different policy contexts and, thus, time periods.

It is also important to recognise that the policy effect may not be discernible immediately after the implementation of the reform, which came into force on 1 January 2008. Although the law came into force immediately in January 2008, judges likely exercised discretion in deciding whether and how to implement the new regulations, as evidenced by cases taken to higher courts. Furthermore, German divorce law includes a "waiting period", whereby the partners must prove that they have been separated for at least one year before the divorce can be finalised. For separations initiated in 2007 and finalized in 2008, it remains unclear whether judges have followed the old or new rules, as well as whether cases were accelerated or postponed to align with the applicable regulations. Thus, we have to assume that the year 2008 is not a sharp cut-off point, as it was intended de jure.

Finally, we cannot rule out the possibility that marriage and divorce behaviour was affected by the reform. As a result, divorcees may be more selective after the reform than before. For example, women who worried that they could lose a lot after the reform may have become more hesitant to end their marriage. Thus, individuals who anticipated that they would be unable to be self-reliant after divorce may have stayed in a marriage that would previously have led them to dissolve the union. However, a comparison of the characteristics of persons who separated before and after the reform does not provide clear evidence that the divorced population was on average systematically different before and after the reform (Table 1). Moreover, prior empirical evidence does not provide consistent support for the claim that the reform substantially altered married mothers' employment patterns (Bredtmann and Vonnahme 2019; Schaubert 2023).

4 Data, Sample, and Variables

Data for this analysis come from the German pension registers, which cover more than 90% of the resident population in Germany. Members of certain professions (such as farmers and lawyers) and civil servants are not included. We use the VSKT file ("Versichertenkontenstichprobe") from the year 2020, which is a subsample of all persons with an active pension account, i.e., of those who are not yet retired. Divorce dates are recorded in the pension data, as divorce entails the division of pension rights between the spouses. While this "splitting of pensions" is required by law, in certain situations (especially when the marriage was short), couples may choose not to undergo this splitting procedure. Divorce data for these cases are not available in the registers. Although the external validation shows that short marriages are indeed under-represented in the data, overall, there seems to be no major bias in the registered divorces (Keck et al. 2020).

The register data include the month and year of all divorces as well as the month and year when the divorce was filed. We limit the analysis to first divorces. Furthermore, the month when the divorce was filed is our event of interest (t0). We call it "separation", recognizing that in many cases the breakdown of the union will precede the date of filing for divorce. We observe individuals two years prior to separation (t-2) to two years post separation (t+2). As we have monthly data at our disposal, this corresponds to 24 months before and after the exact date of separation. The analytical sample is restricted to women and men with German citizenship who were aged 30 to 59 at the time of separation and who experienced a first divorce that was initiated between 2004 and 2011. Foreign nationals are omitted because their employment, earnings and divorce histories in the registers may be incomplete. The age restriction is applied to focus on earnings, thereby limiting the sample to individuals integrated into the labour market. We also exclude persons who had been married for less than three years, because short marriages are not covered well in the registers (Keck et al. 2020). As the data only include individuals with a pension account and due to the applied sample restrictions, the external validity of the results is limited. In particular, longer marriages are overrepresented in our data. In total, the sample includes 21,617 divorces.

Variables

The dependent variable is monthly earnings. Gross earnings are recorded in the data as earnings points. One earnings point represents average gross earnings from gainful employment. Note that there is an income ceiling for income that is roughly 150% above average income. We do not impute these earnings as we do not want to add additional noise to the data. However, it is important to keep in mind that because men are more likely than women to reach these high earnings levels, men's average earnings might have been even higher if we had accounted for the income ceiling and imputed these values. Further, it should be noted that persons who were not working in a particular month entered the analysis with "zero" in the calculation of average earnings (for changes in employment rates across the divorce process, see Figure A1 in the Appendix).

As we are interested in gendered effects, we conduct all analyses separately for men and women. Further effect heterogeneities are also accounted for. We distinguish between individuals from East and West Germany, where classification is based on the last recorded place of residence. We furthermore differentiate persons by their number of children at separation (zero, one, two, three and more). In addition, we consider the age of the youngest child (age 0-2, age 3-6, age 7-12, age 13-18, older than 18). As noted earlier, a drawback of the data is that they contain fertility information for women, but not for men, so we can conduct the analysis by number and age of children for women, but not for men. To account for labour market attachment prior to divorce, we distinguish individuals by the highest earnings they achieved up to three years prior to divorce. A distinction is made based on whether the earnings were below or above average (0-49%, 50-99%, 100-149%, and 150% and more above average). Table 1 displays the sample statistics by gender and year of separation (before or after the reform).

The table shows that women who separated between 2004 and 2007 were, on average, roughly 39 years old at the time of separation, while men were 41. According to official divorce statistics, the average age at divorce in Germany in 2006 was 41 for women and 43 for men.[2] Note that the values are not directly comparable, not only due to our sample restrictions but also because official statistics measure the date of divorce, whereas we use the date of separation. Official statistics do not differentiate by order of divorce, whereas we only considered first-order divorces (which occur at younger ages than higher-order divorces). The average duration of marriage until divorce in our sample is 16.8 years for the period 2004 to 2007, which is higher than the official figure of 13.7 years for 2006. This discrepancy is primarily due to the exclusion of individuals who were married for less than three years. Additionally, we restricted our sample to individuals aged 30 to 59, which removes very young divorcees—who often have shorter marriage durations—from the analysis. The average age at

[2] https://www.destatis.de/DE/Themen/Gesellschaft-Umwelt/Bevoelkerung/Eheschliessungen-Ehescheidungen-Lebenspartnerschaften/Publikationen/Downloads-Eheschliessungen/statistischer-bericht-beschluesse-ehesachen-5126301227005.html

separation is slightly higher for men than for women, and it increased between the periods 2004–2007 and 2008–2011. This trend reflects both the typical age difference between partners and the broader postponement of life-course events still observable in Germany. Note that the average marriage duration is slightly shorter for men than for women in our sample. This is partially a result of the age restriction: since women tend to be younger than their male partners and often divorce earlier in the life course, our age limits (30–59) disproportionately exclude men who divorce at older ages, leading to the observed difference. The overwhelming majority of women in the sample have had children. Although childlessness is relatively high in Germany, the divorced population is selective in this regard, as childbirth is often a key reason for entering marriage. Official statistics report that approximately 50% of divorces involved minor children at the time of divorce. In our sample, about 65% of individuals had minor children at the time of separation. This higher proportion can be explained by differences in the timing of measurement (separation versus divorce) as well as sample restrictions that exclude persons with short marriages and early-life divorces (for a full evaluation of the divorce information of the pension registers, see Keck et al. 2020).

Table 1 also provides descriptive insights into the earnings of divorced men and women before and after the reform. The table highlights significant discrepancies in earnings between divorced women and men. While the overwhelming majority of divorced men earn above-average wages, this applies to only about 30% of divorced women in our sample. The share of women with above-average earnings increased only slightly between 2004–2007 and 2008–2011 (from 31% to 33%). A similarly modest increase is observed among men, from 77% to 78%. Overall, the patterns remain relatively stable, suggesting that the reform did probably not significantly alter selection into divorce based on prior earnings.

Table 1. Sample statistics, only divorced (mean and column percent)

	Women		Men	
Year of filing for the divorce	**2004-2007**	**2008-2011**	**2004-2007**	**2008-2011**
Age at separation at t0 (mean)	39.00	41.06	40.94	43.10
Years of marriage until separation (mean)	16.84	18.64	16.05	17.96
Highest earnings points until t-3 (mean)				
0-49%	17.83%	18.41%	1.42%	1.28%
50-99%	51.61%	48.82%	21.95%	20.37%
100-149%	24.88%	26.13%	45.08%	42.76%
≥150%	5.67%	6.64%	31.55%	35.58%
Number of children at separation				
No child	16.15%	13.99%	---	---
One child	28.71%	27.57%	---	---
Two children	40.84%	42.17%	---	---
Three and more children	14.30%	16.27%	---	---
Age youngest child at separation*)				
0-2 years	7.07%	5.37%	---	---
3-6 years	20.55%	17.13%	---	---
7-12 years	28.30%	29.22%	---	---
13-17 years	21.57%	19.52%	---	---
18 and older	22.52%	28.77%	---	---
East Germans (in %)	16.82%	17.82%	18.74%	19.45%
N	**6,663**	**5,981**	**5,987**	**5,528**
	12,644		**11,515**	

Note: *) only those with children.
Source: VSKT2020, own calculations.

Analytical strategy

The register data includes the detailed marital histories of the divorcees. However, for people who had not divorced (yet), we have no information on whether they were married or not. To construct suitable control groups for the divorced, we employ a matching approach. We use here coarsened exact matching (see, for example, Kapelle and Monden 2024).[3] Since we do not have a date of separation for the control group, we randomly assign a separation date. We then coarsened exact matched on the year of birth, the year of divorce, the highest earnings earned until t-3, the average earnings earning from t-6 to t-3, and whether a person was from East or West Germany. For women, we also matched on the number and the ages of their children at the time of separation. Unfortunately, we cannot match on the number of children for men, as

[3] As a robustness check, we also used propensity score matching on a rich set of variables from the retrospective histories, resulting in smaller sample sizes but comparable results (available upon request).

information on their children is not available in the registers, resulting into slightly different matching strategies for men and women. The matching process created a stratum for each unique combination of values of selected covariates. Once respondents were selected into the different strata, each respondent was weighted. The divorced group (treated) was given a weight of 1 and those in the control group were weighted by the size and composition of their matching stratum. We excluded those individuals in the control and treatment group who received a weight of 0, i.e., were not matched (see Table A1-A2 for the matching statistics).

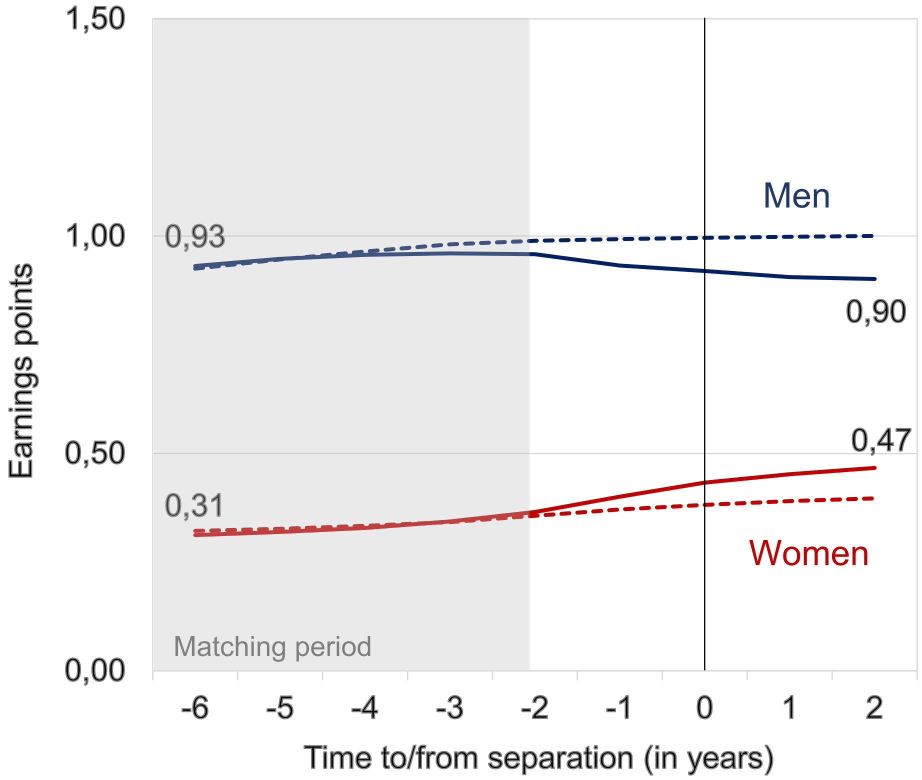
In the next step, we use the matched sample to employ a fixed-effects model to examine the effects of divorce on men's and women's earnings. These analyses will generate a "divorce effect". Our interest is in whether the "divorce effect" varies by context, i.e. if it varies before and after the maintenance reform was implemented. We first estimate separate models for each single divorce cohort. This analysis will show whether the effects of the reform were immediate, or whether they took time to unfold. We then study the heterogeneous effects by population subgroup. To organise that part of the analysis in a parsimonious manner, we group the single divorce cohorts into pre- and post-reform cohorts (2004-2007 and 2008-2011). Results from analysis by single separation cohorts which applies an event study design are found in the Appendix (see Figure A2 and A3).

5 Results

Figure 1 maps the earnings of the control and the treatment (divorced) groups by time since separation. The figure also includes the period that is used for the matching (t-6 to t-3). The figure supports the idea that divorce has a strong positive impact on women's earnings. Two years prior to separation, women earned only around 35% of average earnings. While the average earnings of those experiencing divorce had increased to 47% of average earnings two years post separation, the earnings of the control group increased to a lesser extent. For men, the patterns were reversed. Divorced men's earnings declined throughout the divorce process, while those of the control group increased slightly. On average, divorced men's earnings were roughly 10 percentage points below those of the control group two years post separation, while divorced women's earnings were six percentage points above those of the control group.

The figure also shows that there may be anticipation of separation in several cases. Since the curves of the control and treatment groups begin to diverge before t0, some divorcees appear to have changed their behaviour before filing for the divorce. This seems highly plausible, as many people may not immediately file for a divorce when they realize that their partnership is about to dissolve. Conversely, it is not the filing for divorce that leads to behavioural changes, but the realization that the partnership is ending. Unfortunately, register data do not provide us with more direct information about the date of union dissolution or on people's perception of whether they think that their marriage is unstable. However, for the subsequent analysis, where we use fixed-effects models and thus compare earnings before and after the divorce filing date, this aspect needs to be considered. This means that we may underestimate the divorce effects because we do not account for anticipation.

Figure 1. Earnings points by time since separation, treated group (straight line) and control group (dotted line)



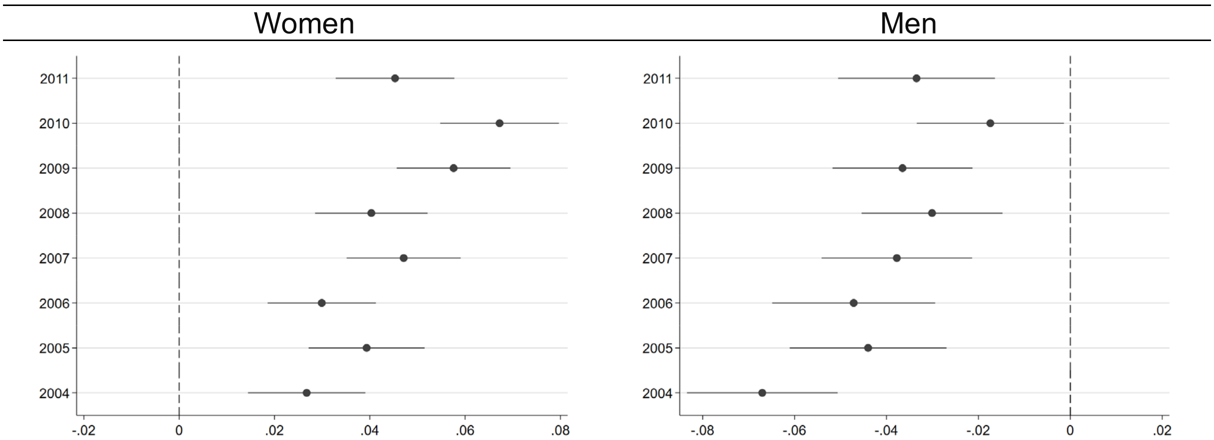
Note: Women and men who were not working and did not receive any earnings points are included in the analysis. They are coded with zero earnings.

Source: VSKT2020, own calculations.

Divorce effects by policy context

Figure 2 provides the estimates of the fixed-effects models that examine the effects of divorce on women's and men's earnings, and how these patterns have changed across divorce cohorts. A consistent finding across divorce cohorts is that women's earnings increased and men's earnings declined after separation. If the reform had an immediate effect on behaviour, we would have seen a sudden change in the patterns in 2008. However, we do not find a sudden change in earnings. Instead, we observe that the "divorce effect" becomes somewhat more positive for women over time, while it becomes less negative for men.

Figure 2. Results from fixed-effects models, effects by year of separation, beta-coefficients and 95-percent confidence interval



Note: Coefficient-plots from separate fixed-effects-models by calendar year.

Source: VSKT2020, own calculations.

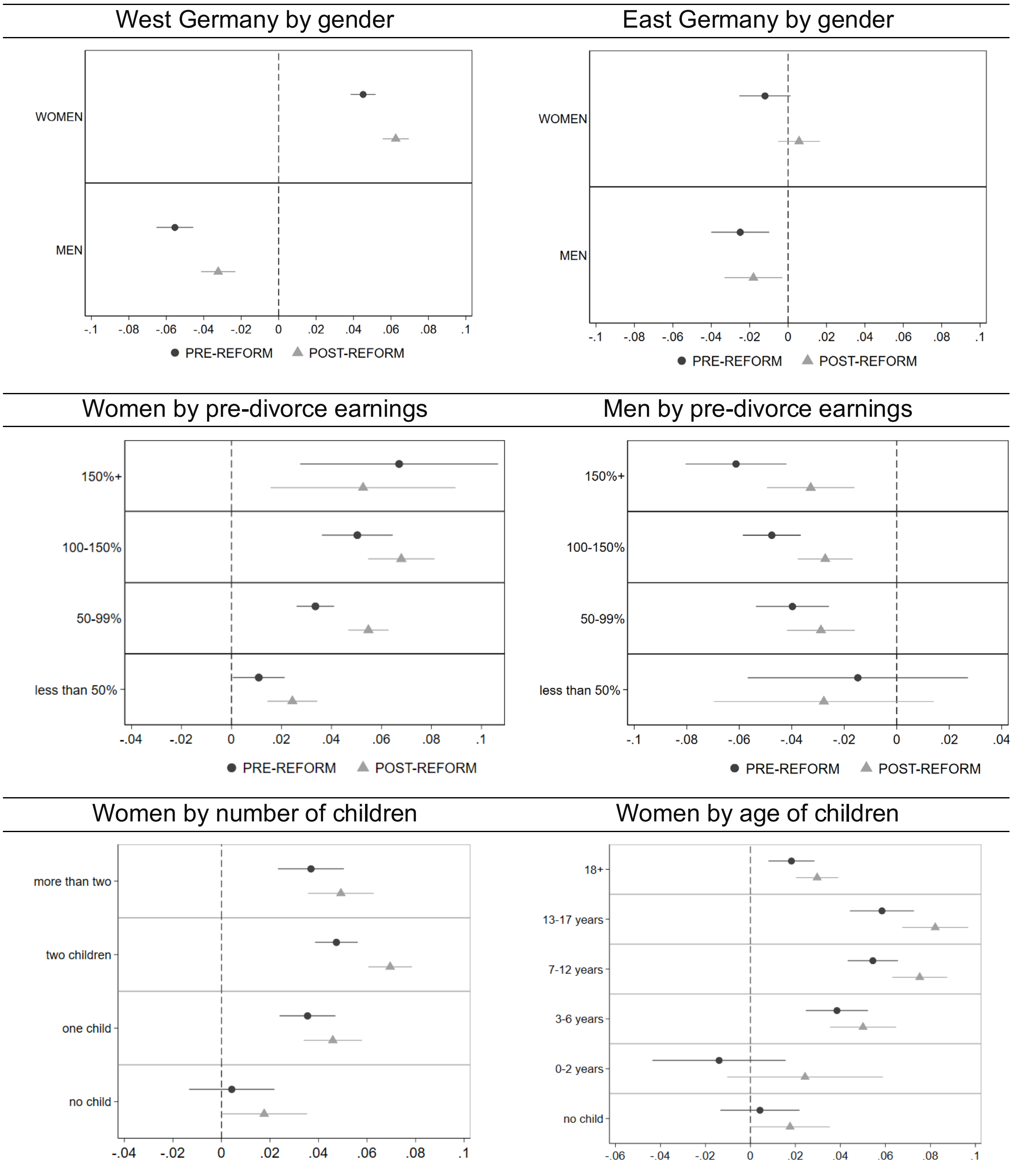
Heterogeneous effects

Figure 3 shows the results of the analysis examining the heterogeneous effects by population subgroup. The upper panel shows the results by region. The assumption was that divorce would be less of a turning point in women's and men's earnings careers in East than in West Germany. Since men's and women's earnings and employment levels tend to be more equal in the East than in the West, there are usually fewer assets and liabilities to divide between the partners after divorce in the East. Therefore, we assumed that the reform affected behaviour in East Germany to a lesser extent than behaviour in West Germany. The analysis supports this expectation (see Figure 3). In East Germany, divorce did not affect women's earnings and only had a small negative effect on men's earnings.

Regarding the differences by pre-divorce earnings group (middle panel of Figure 3), we had expected that women who were loosely attached to the labour market would be less able to enter the labour market after divorce and that the reform would not have changed this pattern. Indeed, women in the lower earnings bracket (less than 50% of average earnings) did not change their behaviour much after separation. The reform did not alter their behaviour, while we find a “reform-effect” for women in the higher earnings brackets (50-99%). These results support earlier descriptive analysis showing that divorced women who were only loosely attached to the labour market did not achieve the level of "self-reliance" that the new alimony regulation took for granted (Radenacker 2020). For men, the expected positive impact of the reform on their earnings holds across all income groups, although the “divorce effect” seems to have decreased most for men in the highest income group (who earn more than 150% of average earnings).

Further analysis by the number and the ages of the children (lower panel of Figure 3) shows that divorce affects the employment behaviour of mothers more than childless women. Especially for women with children aged 7-18, divorce leads to significant behavioural changes that result in increases in their earnings. When it comes to reform-effects, we had assumed that the reform may be less pronounced for women with children below age three, who continued to receive ex-spousal alimony after the reform. The evidence is not clear in this respect. The reform seems to have affected behaviour of women with children ages 7-12, but we do not find much of a “reform effect” for any of the other groups, neither for those with children below age three. As to the latter, we must acknowledge that sample sizes are rather small, leading to large confidence bounds.

Figure 3. Results from the fixed-effects model, heterogeneous effects, beta-coefficients and 95-percent confidence interval



Note: Coefficient-plots from separate fixed-models.

Source: VSKT2020, own calculations.

6 Discussion

This paper used administrative data to examine how divorce affects women's and men's earnings, and how the "divorce effect" changed before and after Germany initiated a major reform of its family law. This reform essentially replaced the principle of ex-spousal solidarity with the principle of self-reliance. After the reform, ex-spousal alimony was drastically reduced and reserved for special cases, such as when children under age three are present in the household. The great strength of the paper is that we had access to longitudinal data for a period of time when the radical policy reform was enacted. This allowed us to employ longitudinal methods to study the impact of divorce on labour market outcomes, and investigate how these effects changed under different policy regimes (before and after the reform). The unique German case and the stark and persisting differences between East and West Germany also allowed us to test how different societal contexts that vary in terms of their gender role attitudes and gender relations shape the "divorce effect".

The outcome variable for this research was individual earnings. We pointed out that while there is a large body of empirical research on how divorce affects women's and men's household incomes (Andreß et al. 2006; Mortelmans and Defever 2018; Bayaz-Ozturk et al. 2018; Hauser et al. 2018; Leopold and Kalmijn 2024; Vaus et al. 2017), these studies may have provided a biased and overly positive view of how divorce affects women's life courses. The focus on household income ignores power dynamics within the household, and the centrality of a woman's own income to her economic independence. Using fixed-effects models, this study showed that over the study period, divorce in Germany had very different effects on the individual earnings trajectories of men and women. While it increased women's individual earnings, it negatively affected men's earnings. The positive "divorce effect" for women modestly increased after the reform, whereas for men, the maintenance reform of 2008 has reduced the negative effect of divorce on their earnings. We also found substantial effect heterogeneities by region. In East Germany, divorce had basically no effect on earnings, while in West Germany, divorce was a clear turning point in women's and men's earnings trajectories.

Our research has several implications for social policy. Many countries are moving towards a "clean break policy" in their family law regulations. Our results suggest that in the German context, this policy shift may have motivated many women to increase their employment and earnings levels more than they would have in the absence of the reform. Moreover, men who did not have to pay high alimony payments to a former spouse also appeared to be more active in the labour market after the reform than before. Seen in this light, the “clean break policy” might have had positive labour market effects overall. As individual earnings are highly relevant for old-age pensions, particularly in countries with a public pension system like Germany, the reform may have been beneficial for reducing old-age poverty among divorced women as well as among divorced men. However, while we found that divorce had positive effects on women's employment and earnings, and that the reform may have further encouraged this development, we also observed that divorced women earned roughly 50% of average earnings two years after divorce. Thus, many divorced women will have earnings that put them at risk of poverty.

The analysis of effect heterogeneities is another cause for concern. While the "divorce effect" increased over time for most women, this was not the case for women who were only loosely connected to the labour market during their marriage. The German maintenance reform is an example of the move towards “clean break policies” that many countries are currently pursuing to restructure their welfare states and modernise their family law. The ex-spousal alimony payments may be considered an out-dated policy that flanked the “male breadwinner model”. The paper illustrated the tensions that arise in the restructuring of welfare states when these possibly outdated but well-established elements of security are abolished and when women who followed traditional employment patterns during marriage cannot achieve the "self-reliance" that the reform took for granted.

This paper drew on a combination of a matching approach with fixed-effects techniques to model the effect of divorce on earnings. By comparing the “divorce effect” for separations before and after 2008, we tried to shed light on possible reform-effects. Our analysis has generated clear “divorce effects” as separation is followed by an increase in women’s and a decrease in men’s earnings. The “reform effect” is less clear, however. While the reform seems to have a positive impact on both women’s and men’s earnings, we see only small effects. There may be several reasons why the effects of the reform are not as strong and clear as might be expected given the gravity of it. First, ex-spousal support policies may never have been a very powerful policy because of a lack of compliance. It may well be that many divorcees did not claim any alimony, for example, as they wanted to avoid any further legal confrontation or interaction with the ex-spouse (Andreß et al. 2003; Hubert et al. 2020). Second, there are clear limitations to our approach. We tried to uncover divorce effects by comparing the “divorce effect” before and after a policy reform. Our results may be biased if there are factors that affected the treatment group in a different manner before and after the reform than the control group. A possible confounder could be the growing relevance of joint physical custody. However, the bias is likely to be small, as joint physical custody is still rather limited in the case of Germany until today (Helms et al. 2023). In addition, joint physical custody should have rather lowered men’s labour market engagement so that the reform effect should be even larger for the male sample, if joint physical custody was accounted for.

A major strength of this study compared to previous research in this area, which often relied on small sets of survey data, is that we were able to draw on large-scale administrative data. There are, however, benefits and disadvantages of using such administrative records. The administrative records included the overwhelming majority of the population in Germany, but some groups were not represented in the data (such as farmers or civil servants) or could not be studied (such as foreign citizens). We also restricted the analysis to individuals aged 30 to 59 and to those who had been married for at least three years. As a result, our findings do not reflect the entire resident population in Germany, but rather focus on individuals with longer marriages. While this limits the representativeness of the sample, it allows us to concentrate on the group for whom the reform was likely most relevant. Another clear limitation of our paper is that we lacked covariates that would have shed additional light on the mechanisms at play. In particular, health status would have been a particularly useful variable for understanding the drop in men's labour market engagement after divorce. Another substantial deficit is that we could only study the dissolution of a marital union, but not separation of a cohabiting one. This is a disadvantage for the analysis by region in particular, as nonmarital childbearing is more widespread in the East than in the West. A further limitation of our investigation is that while we had very precise and accurate monthly employment and earnings information, no information on working hours was available in the administrative records. Thus, we could not disentangle whether women's low wages were related to low labour market participation or low hourly wages. Relatedly, we focused on individual earnings, but did not examine how divorce affected men's and women's employment or career mobility. Finally, we examined some selected effect heterogeneities. However, further analysis that examines more closely the great variation in "divorce effects", and how these effects correspond to policy changes, must be left for future research.

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8 Appendix

Table A1. Samples & matching statistics, mean and column percent, women

	DIVORCED (before matching)		UNMATCHED° CASES		DIVORCED (after matching)		CONTROL*)	
Year of filing for the divorce	**2004-2007**	**2008-2011**	**2004-2007**	**2008-2011**	**2004-2007**	**2008-2011**	**2004-2007**	**2008-2011**
Age at separation at t0 (mean)	39.07	41.04	40.06	40.83	39.00	41.06	39.10	41.08
Years of marriage until separation (mean)	16.93	18.64	18.13	18.59	16.84	18.64	--	--
Earnings from t-6 to t-3 (mean)	0.47	0.45	0.61	0.60	0.46	0.44	0.46	0.44
Highest earnings points (until t-3)								
0-49%	17.88%	18.35%	18.63%	17.48%	17.83%	18.41%	17.85%	18.36%
50-99%	50.06%	47.50%	28.57%	27.25%	51.61%	48.82%	51.59%	48.83%
100-149%	25.13%	26.37%	28.57%	30.08%	24.88%	26.13%	24.88%	26.16%
>150%	6.93%	7.77%	24.22%	25.19%	5.67%	6.64%	5.69%	6.66%
Number of children at separation								
No child	15.13%	13.22%	---	---	16.15%	13.99%	16.13%	14.11%
One child	28.32%	27.28%	22.98%	22.88%	28.71%	27.57%	28.76%	27.61%
Two children	39.76%	41.21%	24.84%	26.48%	40.84%	42.17%	40.83%	42.03%
Three and more children	16.79%	17.77%	---	---	14.30%	16.27%	14.28%	16.25%
Age youngest child at separation*)								
0-2 years	7.34%	5.72%	10.46%	10.42%	7.07%	5.37%	7.07%	5.41%
3-6 years	20.58%	17.11%	20.92%	16.93%	20.55%	17.13%	20.52%	17.15%
7-12 years	28.31%	29.43%	28.45%	32.29%	28.30%	29.22%	28.29%	29.22%
13-17 years	22.01%	19.88%	27.20%	24.74%	21.57%	19.52%	21.52%	19.53%
18+	21.76%	27.86%	12.67%	15.62%	22.52%	28.77%	22.60%	28.68%
East Germans (in %)	18.26%	18.87%	38.10%	34.96%	16.82%	17.82%	16.78%	17.81%
N	**7,146**	**6,370**	**483**	**389**	**6,663**	**5,981**	**81,314**	**81,544**
	13,516				**12,644**		**90,513**	

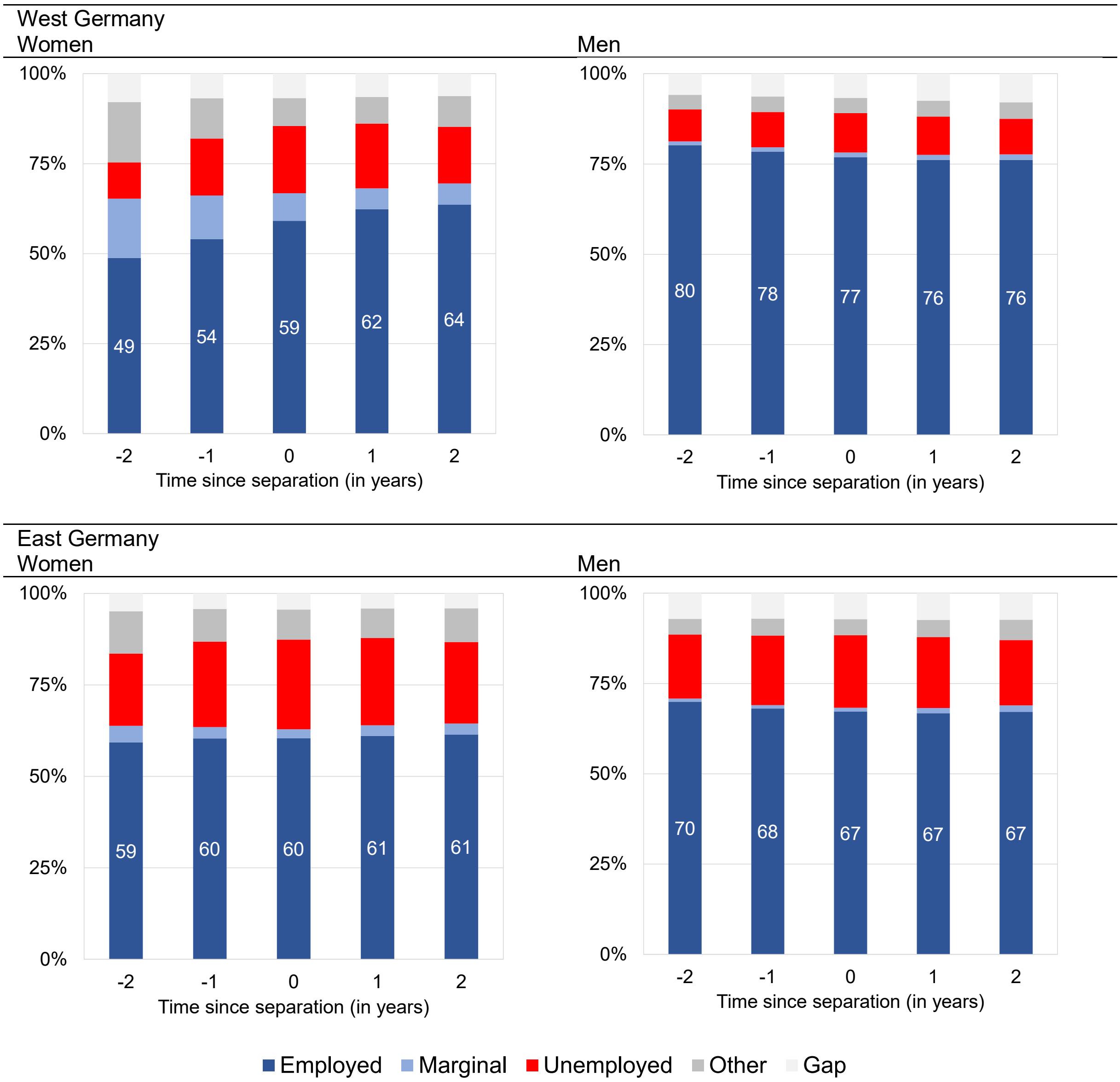
Note: ° No values may be given for case numbers < 20 due to the data protection regulations of the FDZ-RV. *) weighted.
Source: VSKT2020, own calculations.

Table A2. Samples & matching statistics, mean and column percent, men

	DIVORCED (before matching)		DIVORCED (after matching)		CONTROL*)	
Year of filing for the divorce	**2004-2007**	**2008-2011**	**2004-2007**	**2008-2011**	**2004-2007**	**2008-2011**
Age at separation at t0 (mean)	40.94	43.10	40.94	43.10	40.98	43.11
Years of marriage until separation (mean)	16.05	17.96	16.05	17.96	--	--
Earnings from t-6 to t-3 (mean)	1.07	1.10	1.07	1.10	1.08	1.10
Highest earnings points (until t-3)						
0-49%	1.42%	1.34%	1.42%	1.28%	1.42%	1.29%
50-99%	21.92%	20.33%	21.95%	20.37%	21.89%	20.35%
100-149%	45.05%	42.70%	45.08%	42.76%	45.09%	42.77%
>150%	31.61%	35.64%	31.55%	35.58%	31.50%	35.59%
East Germans (in %)	18.79%	19.50%	18.74%	19.45%	18.72%	19.44%
N	**5,994**	**5,539**	**5,987**	**5,528**	**109,787**	**118,398**
	11,533		**11,515**		**228,185**	

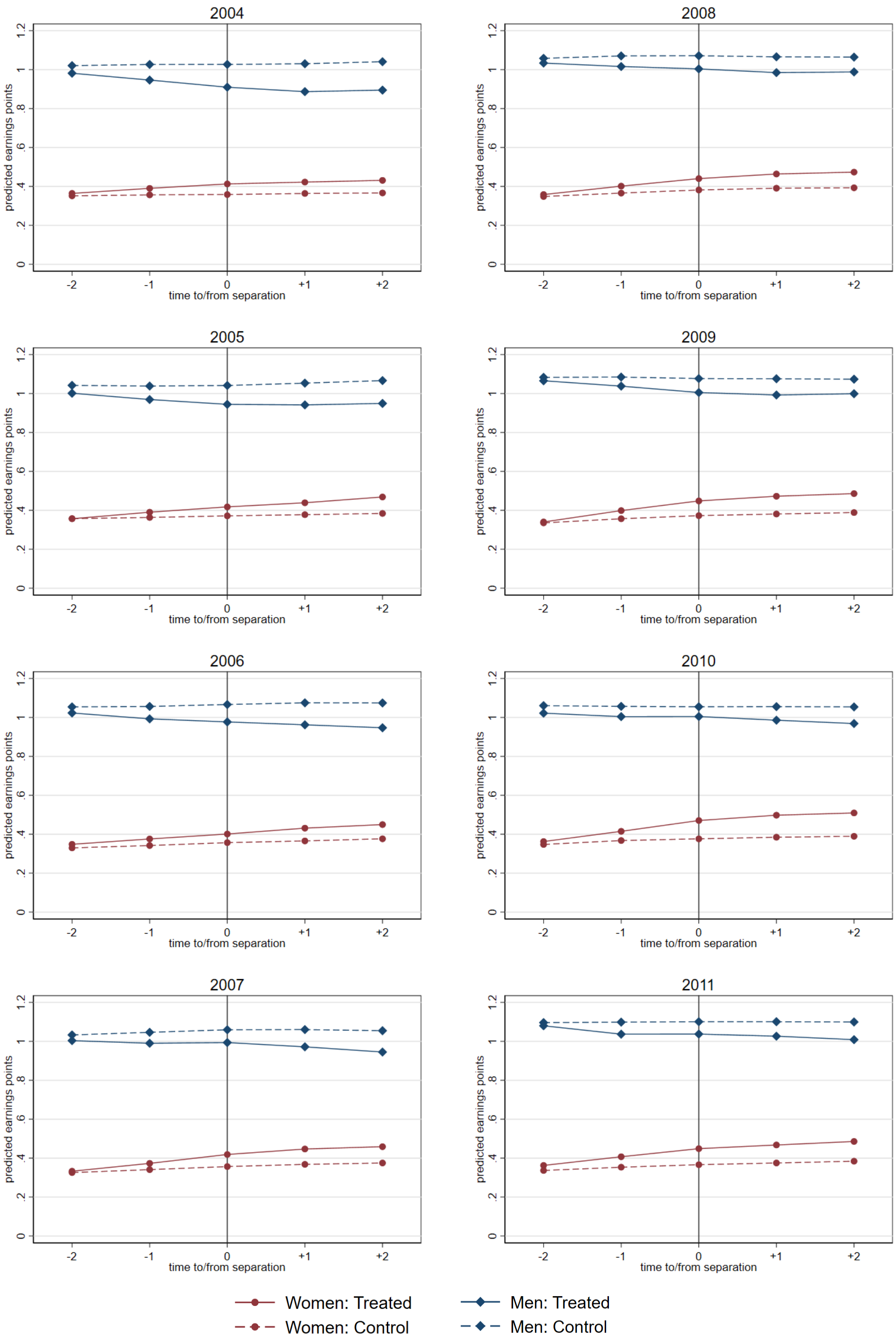
Note: ° No values may be given for case numbers < 20 due to the data protection regulations of the FDZ-RV. The divorced men from the pre-reform period who could not be matched were on average similar besides that they had an average income of 0.93. For the post-reform period, the divorced men who could not be matched were, on average, around 47.8 years old at the time of divorce, had been married for almost 20 years and had average earnings of 1.13 at t-3 (n=18). *)weighted.
Source: VSKT2020, own calculations.

Figure A1. Employment status (in %) by gender (only divorced) and region



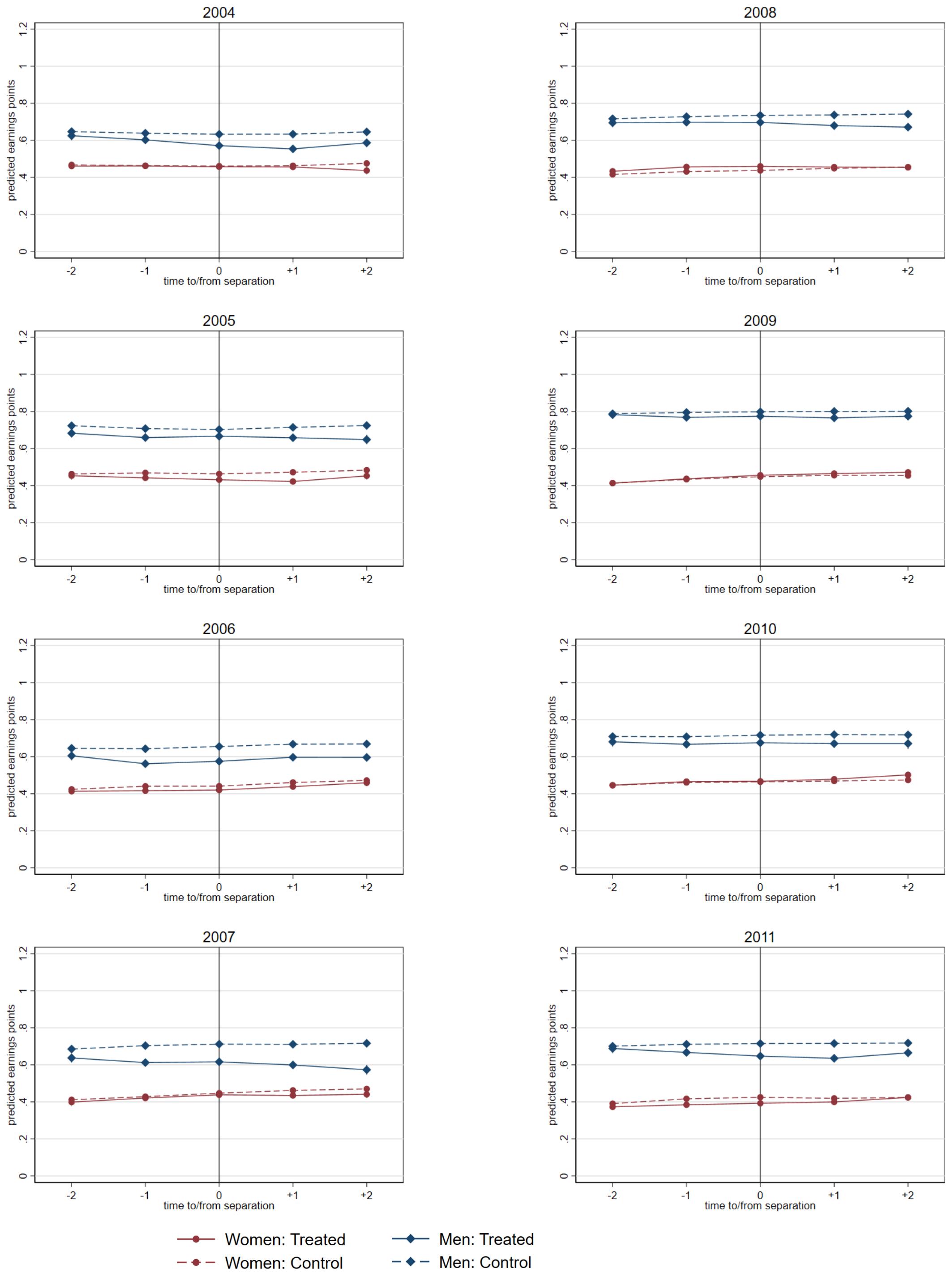
Source: VSKT2020, own calculations.

Figure A2. Predicted earnings points for treatment and control group by sex, year of divorce and years since/to separation. Fixed effects model with event study design. West Germany



Source: VSKT2020, own calculations.

Figure A3. Predicted earnings points for treatment and control group by sex, year of divorce and years since/to separation. Fixed effects model with event study design. East Germany



Source: VSKT2020, own calculations.