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Toward Freedom from Domestic Violence: The Neglected Obvious

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Abstract Freedom is a key concept in Amartya Sen's definitions of capabilities and development. This paper focuses on a serious and neglected form of unfreedom — domestic violence — and argues that freedom from such violence must be integral to evaluating developmental progress. Conceptually, it notes that a person's well-being can depend not only on absolute measures of capabilities and functionings but also on *relative* capabilities and functionings within families; and this can even lead to *perverse effects*. A man married to a woman better employed than himself, for instance, may be irked by her higher achievement and physically abuse her, thus reducing her well-being achievement (e.g. by undermining her health) and her well-being freedom (e.g. by reducing her work mobility or social interaction). Empirically the paper focuses especially on a hitherto unexplored factor — a woman's property status — and demonstrates that owning a house or land significantly reduces her risk of marital violence. Employment, by contrast, unless it is regular, makes little difference. Immovable property provides a woman economic and physical security, enhances her self-esteem, and visibly signals the strength of her fall-back position and tangible exit option. It can both deter violence and provide an escape if violence occurs. Also unlike employment, property ownership is not found to be associated with perverse outcomes, in that a propertied woman married to a propertyless man is not subject to greater violence.

Key words: Domestic violence, Women's property status, Capabilities and functionings, Freedom, Well-being, India

For our body give us freedom.

For our dwelling give us freedom.

For our life give us freedom. (*The Upanishads*, ca. eighth–fourth century BC, translated by Sri Chinmoy, 1974)

Freedom, capabilities and domestic violence

Few words have as much social, political or poetic resonance as ‘freedom’. Anti-colonial struggles, anti-apartheid struggles, even anti-hunger struggles have been termed freedom struggles. And of course freedom is *the* key concept in Amartya Sen’s writings. It is key to his definition of capabilities and it is key to his understanding of development. Sen defines capabilities as the freedom to choose what you have reason to value. And he defines development as a process of expanding the real freedoms that people enjoy. Development, as he notes, “requires the removal of major sources of unfreedom” (A. K. Sen, 1999, p. 3).

Yet there are serious forms of unfreedom that have received rather little attention in discussions of either freedom or development. These are the unfreedoms hidden within families, in particular those stemming from domestic violence. If development means the expansion of human capabilities, then freedom from domestic violence should be integral to any exercise for evaluating developmental progress. Actual evaluative exercises — including the United Nations Development Programme’s *Human Development Reports* and Human Development Indices (for which Sen’s capability approach provides the theoretical underpinnings) — remain largely confined to conventional measures of well-being, such as income, education, and health (longevity). Even the occasional effort to provide broader measures, such as the Gender Empowerment Measure,¹ neglect critical dimensions that could empower women, such as effective property rights, and freedom from physical and mental abuse. While the absence of comprehensive data could be a constraint in incorporating violence against women in the indices, even conceptually freedom from domestic violence is far from widely accepted as a key element in evaluating development. Nor is ‘bodily integrity’ (freedom from assault, domestic violence, etc.) counted, as Nussbaum (2006) argues it should be, as a central human capability and fundamental entitlement.²

This paper seeks to locate the issue of domestic violence within the debate on development, as well as within the framework of human capabilities and freedom. Conceptually, it calls attention to the importance of examining not just absolute capability measures but also *relative* capabilities and freedoms, for assessing their potential impact on human well-being. Empirically, it demonstrates the importance of taking into account the effect of a hitherto ignored factor — woman’s own ownership of immovable property — on her risk of marital violence.

Although Sen himself does not mention the issue of domestic violence even in his discussions of the family,³ there are at least three conceptual contributions by him that are relevant in thinking about how domestic violence could affect human well-being and development: capabilities and functionings, agency goals, and instrumental freedoms (see, for example, Sen, 1993, 1999, 2006b). Domestic violence can be shown to have adverse effects in relation to each of these dimensions.

Capabilities and functionings

First, Sen distinguishes between capabilities (the ability or opportunity a person has to do or be what she values), and functionings (what she actually manages to do or be). As Sen puts it, the capability of a person reflects the alternative combinations (or *n*-tuples) of functionings the person can achieve, and from which she/he can choose one collection (Sen, 1993, p.31). The distinction can also be seen as between the freedom to achieve something and actually achieving it, or between opportunity and outcome. It is a useful distinction, even though empirically it is sometimes difficult to separate the two. Marital violence can undermine both a woman's capabilities and her functionings, in a range of ways. For instance, the serious physical and mental injury that domestic violence can cause,⁴ can critically undermine a woman's *economic freedoms* — such as her capability to earn a living or acquire property — by making her fearful of reprisal if she goes out to work, or seeks to upgrade her skills, or explores various job options, or asserts her property rights. Upgrading skills, in particular, can require putting in time after work and can provide opportunities for social interaction — both of which can trigger violence from suspicious husbands. And where a woman suffers actual physical and mental injury it can affect her functioning in the job market by disrupting the regularity of her work life, her productivity, and her chances of upward mobility.⁵

Similarly, marital violence can erode women's *social opportunities* by undermining her ability to build social relationships and social capital. For instance, neighbours and friends may stay away from families where violence is common, or a woman's self-confidence could get so eroded that she withdraws from social contact. The 'battered woman syndrome' is a term used to depict how a woman's sense of self gets so damaged that she begins to believe she deserves to be abused.⁶ It also makes her fearful to talk to others about her experience and so to get help when she needs it most. Sen often mentions self-respect and participation in community life as important functionings (for example, Sen, 1993, pp. 36–37). Indeed, on many counts, both self-respect and self-confidence can enhance other capabilities and functionings. A self-confident person, for instance, may receive more job offers or be sought out more for public events, thus increasing her economic and social opportunities. Similarly, self-respect can be seen as an important functioning that might lead women to be less

tolerant of spousal violence and to seek to escape if violence occurs. At the same time, however, it needs noting that self-respect can also be double-edged in relation to domestic violence. Notions of self-respect can prevent women from revealing such violence in order to maintain their own and their family's social status — because they feel 'self-respecting' women belonging to 'respectable' families do not get beaten, or that men of 'respectable' families do not beat up their wives. Indeed domestic violence confounds the easy translation of many capabilities and functionings into positive well-being results (on which more below).

Marital violence can also undermine a woman's *political freedoms* — her ability to be an active citizen or seek her entitlements as a citizen. Moreover, the undermining of her sense of self (noted above) can cause her to assume that the violence she faces is a personal and not a political matter. While several decades have passed since the international women's movement defined the personal as political, for millions of women living atomized and isolated lives within families, and without links with women's support groups, spousal relationships remain in the realm of the personal/private, unconnected with the political/public.

It needs emphasis here that the violence women face can take many forms, and each of them deprives women of basic capabilities and functionings in fundamental ways. But *marital* violence is the most pernicious, not least because it occurs in a space that is also central to the development of human capabilities — the family.

Well-being and agency

Second, Sen's distinctions between well-being and agency goals, and further between well-being freedom/well-being achievement and agency freedom/agency achievement, have relevance here (Sen, 1993, p. 35). Well-being freedom and well-being achievement follows the route of capabilities and functionings: Sen argues that we need to evaluate a person's well-being in terms of their freedom to achieve as well as their actual achievements. Agency goals are more complex since they bring into play the goals a person may have not just vis-à-vis herself but especially vis-à-vis others (e.g. her concern about the rights of the poor, or the disabled). Domestic violence can impact on each of these four dimensions, individually and interactively. The undermining of a woman's ability to gain employable skills due to spousal violence, for instance, would negatively affect her well-being freedom; the undermining of her ability to keep a regular job, get a promotion, and so on, would adversely affect her well-being achievement. Similarly, domestic violence by undermining a woman's self-confidence can restrict her agency-freedom and so prevent her from setting goals for her own advancement or for the advancement of others (social goals). Or she may be unable to realize the goals she sets (embodying an adverse effect on her agency achievement). In so far as realizing those goals is important to her, her failure to do so also reduces

her well-being achievement. But the undermining of agency goals has wider social ramifications as well. It affects the contributions a person can make and the initiative a person can take toward the larger social good (a point that also links up with instrumental freedoms, discussed further below).

An important corollary to the above discussion is that violence that adversely affects a woman's well-being and agency can carry over to future generations. For a start, given the evidence that the mother's income and assets contribute more to children's health, nutrition and education than the father's income and assets,⁷ if a woman's earnings or assets decline due to spousal violence, her children lose out alongside. But more particularly, violence during pregnancy can cause miscarriages, low-birth-weight infants, and even foetal and maternal deaths.⁸ Children who witness domestic violence tend to suffer from higher emotional and behavioural problems than other children.⁹ Also children exposed to domestic violence carry its seeds into their adult lives. A woman who has seen her mother being beaten by her father is more likely to accept spousal abuse; a man who has seen his father beat his mother is more likely to beat his wife. Such men lack at the very least — borrowing from Nussbaum's (2006, p. 48) list of capabilities — the capabilities of 'emotions' ('to love those who love and care for us') and 'affiliation' ('to recognize and show concern for other human beings'). In other words, marital violence undermines the capabilities — physical and mental — not only of the women and children who suffer it, but also of the men who perpetuate it.¹⁰

Instrumental freedoms

Third, marital violence undermines women's ability to achieve all five instrumental freedoms that Amartya Sen (1999) argues are central to development progress: protective security, economic facilities, social opportunities, political freedoms, and transparency guarantees.¹¹ These freedoms, Sen notes, are not only intrinsically important for evaluating human well-being, but are also key in an instrumental sense — in enhancing a country's development. How can marital violence, by impacting on these freedoms, affect development progress? To begin with, and most clearly, the prevalence of domestic violence violates any guarantee of protective security. It is not only the absence of social safety nets, hunger, unemployment, or famine relief that can, as Sen argues, reduce a population 'to abject misery', but domestic violence can do the same to a considerable section of the population. Indeed, marital violence undermines the whole notion of the home as a protective space. It adversely affects individuals, their families, and the wider society. Hence, the idea of protective security in Sen's framework needs to be extended to cover gender violence, and to go beyond the public sphere to cover the sphere of the family.

Further, as noted, in so far as domestic violence restricts a woman's access to economic facilities, by curtailing her ability to seek employment or explore other income earning possibilities, or assert her rights in family property, a country loses out on the potential economic contribution of a substantial section of the population. Similarly, in so far as marital violence erodes women's (and children's) social opportunities for good health and for participating in public life, it limits their ability to contribute to a country's social and economic advancement. Moreover, given that women's preferences and priorities can be different from men's, domestic violence that undermines women's ability to participate in, say, government decision-making could mean that some significant public goods that would enhance society's well-being may not get priority.¹² Finally, the relative silence on domestic abuse in society and in the media underlines the failure of transparency guarantees on this front. It can also be argued that, even if the state is trying to enhance such instrumental freedoms for its citizens, through a range of public policy interventions, these efforts can prove ineffective or fail to reach women and children, if the dynamics of spousal relationships is ignored.

A related aspect is that domestic violence can have high economic costs for society not only indirectly in terms of loss of worker productivity, citizen contributions, the capabilities of future generations, and so on, but also directly in terms of the costs of dealing with violence after the fact.¹³ In 1986, for example, the Australian Committee on violence estimated that the cost just of providing shelters for victims of domestic violence was US\$27.6 million (Carrillo, 1992). Measures to prevent domestic violence, like measures to prevent hunger and deprivation, would be important on this count as well.

Relative capabilities or functionings and perverse well-being outcomes

The various conceptual lenses provided by Sen's work are helpful in teasing out the adverse impact of domestic violence on the well-being, human capability development, and agency of women and children, even though, as noted, Sen himself does not grapple with this issue. At the same time, it is also important to consider the reverse — the impact of given capabilities or functionings (or lack thereof) on the risk of domestic violence. *Additionally*, we need to look not just at the effects of a woman's absolute levels of capabilities or functionings on her risk of violence, but also at the effects of the *relative* capabilities or functionings of the woman and her spouse — an aspect that has received little attention from Sen or others. For a start, a gender gap in capabilities or functionings between a man and his wife can affect her well-being outcomes, in so far as it affects her bargaining power within the family. But in particular situations we could even get *perverse effects*, wherein a woman with higher capabilities or functionings may be left worse off than

one with lower capabilities or functionings. For instance, the greater a woman's educational level (functioning) and hence the greater her job opportunities (capability), the better-off in terms of well-being we would expect her to be. But consider a situation where an educated woman, married to a less educated man, is more subject to violence because he is irked by his wife's 'superiority'. In this case, injuries caused by her husband's physical abuse could reduce her well-being outcomes both directly (e.g. by undermining her health and self-confidence) and indirectly (e.g. by reducing her earning abilities). The same can happen if a woman is better employed than her husband.

The extent of such perverse effects can, of course, vary by cultural context and needs empirical testing. But, irrespective of the empirical results, conceptually we need to recognize that well-being outcomes can depend not only on absolute measures of capabilities and functionings but also on the play of relative capabilities and functionings, especially within families, and that this might sometimes lead to perverse effects.¹⁴ In some respects, this formulation would extend an important contribution by Sen (1990) on cooperative conflict within the family, but which he has linked rather little to his capability approach. At the same time, it would also complicate that formulation in that it does not recognize the possibility of perverse outcomes, such as husbands beating up wives who have higher capabilities (or functionings) than themselves.

Consider now how these considerations play out empirically on a woman's risk of domestic violence, especially in relation to her property status.

Spousal violence and women's economic status

A considerable body of global research shows that marital violence cuts across countries and class groups. Globally, its incidence ranges between 10% and 50% (*Population Reports*, 1999). In India it ranges between 20% and 50% (based on the authors' review of region-specific studies¹⁵). And even this is an underestimate. Spousal violence remains hidden and underreported not least because it occurs within the family — that is, in the very institution that is assumed to be driven by altruism, and which is expected to help develop human capabilities and enhance human well-being. Many women hesitate to report violence for fear of social stigma. Even the extent reported, however, is substantial enough to warrant serious attention.

Why do men abuse their wives, and why more in some societies than others? There are no simple answers. The causes are likely to be multilayered, including a mix of individual and community factors, as well as social attitudes.¹⁶ These are difficult to measure empirically. But many studies have sought to identify the *correlates* of spousal violence; namely, the factors that affect women's risk of spousal abuse.¹⁷

In all existing research, however, a significant unexplored factor is the impact of women's own property status. In fact, when we initiated research on this a few years ago there was not a single study, either for India or elsewhere, where this link between women's property status and risk of domestic violence had been studied empirically. As Agarwal (1994, 2003) has argued at length, the gender gap in command over property is the single most important factor in women's economic disempowerment. And while in that earlier work Agarwal had linked ownership of immovable property, especially land, to livelihood options, in the present research we examined whether it can also affect the likelihood of domestic violence.

It is of course widely recognized that women need some form of independent economic means to escape violent marriages, and if women have such means it might also deter violence. But research on the link between spousal violence and women's economic situation has focused basically on women's employment, with mixed results — some studies find a lower incidence of violence among employed women, others find a higher incidence, and yet others find no difference.¹⁸

Apart from the uncertain impact of women's employment, for several reasons we need to go beyond employment and probe the effect of women's property status, in particular their owning land or a house. For a start, unlike employment, the security provided by property ownership does not vary with the vagaries of the labour market. A house or land also visibly signals the strength of a woman's bargaining power — her fall-back position and her tangible exit option.¹⁹ This can deter violence. And if she still faces violence, owning (or otherwise having access to) a house or land can give her an immediate escape option. A house, in particular, provides a ready roof over the head. But even with land she can build a homestead or set up a micro-enterprise, which brings in an income.

Employment alone does not provide the same protection, for several reasons. For a start, if women are simply unpaid workers on family farms or in family business, as is the case for many women in developing countries, employment in itself is likely to make little difference to their financial situation. But even when women earn, their earnings may be too low and insufficient to rent a place if they need to escape violence. Financial constraints apart, socially also women often find it difficult to get rented accommodation — in many cultures, landlords are suspicious of single women tenants. A woman owning a home or land does not face the same problems. Also, land access enhances women's livelihood options and overall sense of empowerment. Property ownership would thus reduce her risk of violence by increasing her economic security, reducing her tolerance to violence, and providing a potential escape route.

What is important, however, is not whether a woman actually uses the exit option that immovable property provides, but that the very existence of that option can deter the husband from abusing her. And if violence does occur, she can escape further abuse. In other words, for many reasons we would expect the ownership of property by women to reduce

spousal violence. Whether this is indeed the case needs to be tested empirically, as we do in this paper.

Survey data and incidence of violence

Survey data

Given that few women in India own or control property, we needed a location with a sufficient sample of property-owning women. Pradeep Panda's 2000–2001 survey of 502 ever-married women (302 rural and 200 urban) in the 15–49 age group in Thiruvananthapuram district in Kerala provided the opportunity to analyze this.²⁰

Kerala has several communities that traditionally practiced matrilineal inheritance, with property passing through the female line. But this matrilineal culture also influenced non-matrilineal communities, making for a wider social acceptance of the idea of women owning immovable property, and expanding the social legitimacy of parents endowing daughters with such property. A 1991 sample survey of rural widows by development sociologist Marty Chen also showed that in the Kerala sample 24% of the women with landowning fathers inherited land as daughters, compared with only 13% for all India (cited and discussed in Agarwal, 1998).

Kerala is also suitable for testing the impact of social support on domestic violence. Unlike in north India where rural women usually marry outside the birth village, and their contact with their parents is limited, in Kerala (and more generally in south India, as mapped in Agarwal, 1994) women can marry within the village. This provides an interesting range of post-marital residence and so of potential family support for women in rural areas. Moreover, Kerala is often depicted as a 'model' in terms of its social indicators, such as education and health (see Drèze and Sen, 1989). But these indicators can cloak a dark underside for women, as recent feminist scholarship has shown (see, for example, Devika and Kodath, 2001; Eapen and Kodath, 2002). The inclusion of domestic violence as an indicator in evaluating Kerala's human development record would provide a necessary corrective to the idealized image of women's status in the state.

Our study covered marital violence not leading to death. We examined both physical and psychological violence, and both long-term (that which occurred at least once during the woman's married life) and current (that which occurred in the last 12 months). We looked at various forms of long-term physical violence such as slapping, hitting, kicking and beating. For current physical violence, two additional forms of violence were included: threat or actual use of a weapon, and forced sex. Psychological violence was measured by six types of behaviour: insults, belittlement, threats to the woman or to someone she cares about, or that make her afraid, and threat of abandonment.²¹ In this paper, however,

only the results of long-term physical and psychological violence are reported, since the broad results for current violence are very similar (see Panda and Agarwal, 2005).

In 2004–2005 we also conducted a panel re-survey of the same households to obtain information on aspects not covered in the earlier survey, such as the sources of women’s property, whether her husband also owns property, how women describe their experience of violence, whether they see the ownership of immovable property to be a deterrent, and so on. We were able to reach 80% of the original sample. This data are still to be fully analyzed, but some initial insights are discussed here. In large part, however, the empirical analysis is based on the 2000–2001 survey.

In the 2000–2001 survey, we found that overall 34% of the women in our sample owned immovable property (either land or a house or both). Of these, 6% owned only land, 14% owned only houses, and 14% had both (Table 1).²² In addition, through our 2004–2005 re-survey we found that among the women who owned property around 2001,²³ most had obtained their houses or agricultural land as inheritance (51%) or as dowry at the time of marriage (44%), while non-agricultural land was usually inherited (39%) or purchased (56%). Also, from the resurvey we have information on the relative property position of the spouses. Table 2 (based on the 2004–2005 re-survey) shows that in 47% of the households both spouses were propertyless and in about 19% both were propertied, while in 34% of the households only one or other spouse was propertied (in 17% the woman alone and in another 17% the man alone owned immovable property). Table 3 further shows that gender differences in the

Table 1. Ownership of immovable property by women (2000–2001 survey)

Ownership of immovable property by women	Total (<i>n</i> =502)		Rural (<i>n</i> =302)		Urban (<i>n</i> =200)	
	%	(<i>n</i>)	%	(<i>n</i>)	%	(<i>n</i>)
Propertyless	65.7	(330)	74.5	(225)	52.5	(105)
Owning land only	5.6	(28)	6.6	(20)	4.0	(8)
Owning house only	14.1	(71)	15.9	(48)	11.5	(23)
Owning both house and land	14.5	(73)	3.0	(9)	32.0	(64)

Source: Adapted from Panda and Agarwal (2005).

Table 2. Gender differences in immovable property ownership (2004–5 survey)

Relative ownership of immovable property by spouses	%	(<i>n</i>)
Neither spouse owns house or land	47.3	(190)
Husband owns house and/or land, wife propertyless	16.9	(68)
Wife owns house and/or land, husband propertyless	17.2	(69)
Both spouses own house and/or land	18.6	(75)
Total	100.0	(402)

Source: 2004–2005 re-survey by the two authors, of the same households as in the 2000–2001 survey. Adapted from preliminary results of the resurvey reported in Panda (2006, p. 13).

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Table 3. Gender differences in *forms of immovable property ownership* (2004–2005 survey)

Ownership of immovable property	Women		Men	
	%	(<i>n</i>)	%	(<i>n</i>)
None	64.2	(258)	64.4	(259)
House only	15.7	(63)	20.4	(82)
Land only	5.2	(21)	5.7	(23)
House and land	14.9	(60)	9.5	(38)
Total	100.0	(402)	100.0	(402)

Source: 2004–2005 re-survey by the two authors, of the same households as in the 2000–2001 survey. Preliminary results of the resurvey reported in Panda (2006, p. 13).

type of property owned (house or land or both) are not substantial, although a somewhat larger percentage of men than women owned a house, while a somewhat larger percentage of women than men owned both house and land.

Incidence of violence

Despite Kerala's favourable human development indicators, there is a high incidence of both physical and psychological violence against women. Taking the long-term profile, some 36% of the women reported physical violence and about 65% reported psychological violence after marriage. Of the women facing long-term physical violence, most had experienced multiple forms in combination: 61% of the women who reported being hit, kicked, slapped, or beaten by their spouses, had experienced all four types of violence. Similarly, nearly one-fifth had experienced all forms of long-term psychological violence. Insults and being demeaned were especially common.

Of particular concern, however, is the alarmingly high physical violence during pregnancy. Some 38% of all women reported being slapped, kicked, hit or beaten, the incidence being much higher for rural women. Violence during pregnancy, as mentioned earlier, puts both mother and child at serious risk of injury, and even death. On the whole, therefore, even in Kerala, violence against women is pervasive, frequent, and takes multiple forms. And even these reported rates, as noted, are underestimates.

What triggers this abuse? Seemingly trivial issues such as the husband feeling the wife had not looked after the children properly (77%), or had not attended to the home or cooked properly (72% and 46%, respectively) — that is, if she had not fulfilled some role she was expected to fulfil, given the gender division of labour. Somewhat less common, but still important triggers, were the woman's interactions with the outside world — talking with neighbours or other men, the suspicion that she had been unfaithful, and so on. Dissatisfaction with dowry was another trigger.

But is violence less likely if women own immovable property? To assess this we needed to control for other factors that might also have an impact, as discussed below.

Factors affecting violence: hypotheses

First, the household's economic status is likely to matter (the survey covered all income categories). Although domestic violence cuts across income classes, there can be differences by income class. We would expect violence to be less likely among better-off households, since several potential elements of friction that are linked to low income, such as shortage of consumption goods, less physical space and privacy for the married couple, or inadequacies of housework, would be less present in such households. Such households are also more likely to have domestic help for housework and childcare, and hence there is less likelihood that the way these tasks are performed becomes a source of spousal conflict.

Second, socio-demographic characteristics of the spouses could make a difference. On average, in our survey, the women respondents' age was 33 years and the marriage duration was 12 years. We would expect a woman's age and length of marriage to be negatively related to spousal violence, since over time marital relationships could cement and become more stable, and so reduce the husband's tendency to violence. Long years of marriage could also be a learning experience for the woman in that she would seek to avoid contexts that led to violence in the past.

Spousal age *difference*, however, could be linked with either greater or lesser incidence of violence. If the woman is much younger than her husband, he might either be more impatient and violent with her, or he might be more willing to overlook her presumed faults and so be less violent. The presence of children could again either enhance violence by increasing parental stress or deter violence if they support their mother.

Third, we would expect both physical and psychological violence to be linked negatively with education. For instance, where both spouses are educated we would expect them to settle their differences through a discussion-driven approach rather than a violence-driven one. But, as noted earlier, the educational *gap* effect, where the woman is more educated than the man, could be adverse, leading to more violence due to a perverse relative capabilities effect. In Kerala, however, the education factor is likely to be less important since both sexes tend to be educated.

Fourth, the couple's employment status, in absolute and in relative terms, is likely to be linked with the risk of violence, but in complex ways. For a start, we would expect the husband's unemployment — and the associated stress and frustration — to enhance the probability of his being violent toward his wife, and for regular employment to lower the probability. The effect of the woman's employment status is likely to vary by the type of employment — whether the work is physically and economically visible and brings in earnings, or is invisible, as unpaid work in the family enterprise tends to be, and which may provide little protection for the woman. Very-low-paid work may also make rather little difference. In our survey, the category of irregular or seasonal work would reflect such unpaid or low-paid work. But we would expect regular employment — which brings in dependable income — to strengthen a

woman's fall-back position in the home, and so reduce her risk of violence. In our sample only one-third of the women were employed (mostly in irregular or seasonal work) compared with over 90% of the men (mostly in regular jobs).

Additionally we need to contend with the *relative capability* (or relative functioning) effect, stemming from a gender gap in employment. This effect, as discussed earlier, like the gender gap in education, could be perverse. A woman who brings in more earnings than her husband, or who has a higher employment status, for instance, could be subject to either less violence because he respects her more and values her economic contribution, or to more violence because he wants to show her her 'proper place' within the relationship and knows that, for the reasons mentioned, employment alone would not provide her with an immediate exit option.

Fifth, as spelt out earlier, we would expect the woman's ownership of a house or land to strengthen her fall-back position and bargaining power within the household. Unlike employment, however, a gender gap in immovable property ownership is less likely to have a perverse effect, since a woman owning land or a house has a clear and tangible exit option. It is of course possible that this option may be blocked in some cases in an immediate sense if she has rented out the house; but this need not be an obstacle in the long term, in that she could arrange for the house to be vacated by the tenant. In specific terms, in this study we found, through our 2004–2005 re-survey, that in 70% of the cases the woman's house was not rented out; typically her mother or some other maternal relative was living in it, and hence it was indeed a place to which she could escape.

Sixth, we would expect a woman who has social support to face less risk of violence. (About one-half of the women respondents in the survey said they had social support from their birth family or neighbours.) Supportive families and relatives can reduce violence by providing women-friendly mediators in situations of spousal conflict; or by conveying social disapproval of the husband's actions, or by providing the woman an exit option, even if a temporary one, or some combination of these.

Seventh, a woman who has witnessed domestic violence in childhood is more likely to tolerate her husband's violence because of low self-esteem and seeing it as part of a 'woman's lot'.²⁴ This can perpetuate marital violence. In our survey, a high percentage (35%) of the women respondents said they had seen their fathers beat their mothers in childhood.

Eighth, as with the woman so with the man, witnessing his father beat his mother in childhood is likely to affect the man's behaviour in adulthood, making him more prone to violence.²⁵ Overall one-third of the husbands in our survey had been so exposed in their childhoods. Also, we would expect husbands who consume alcohol to be more prone to violence than teetotalers. In fact, there is a popular perception that drinking and wife-beating tend to go together, but this needs careful empirical testing.

Factors affecting violence: results

Cross-tabulations

Before examining the results of the logistic analysis, consider the links between long-term physical and psychological violence and some of the hypothesized factors, through cross-tabulations. We note from Table 4 that the incidence of both types of violence broadly follows the expected pattern for several variables: the incidence of violence is less the higher the income of the household, the older the woman, the longer the duration of marriage, and the more educated the woman and her spouse.

However, the patterns become more complex, albeit still in the expected ways, when we examine the two measures of women's economic status — employment and property ownership (Table 5). First, we find that a woman's employment status, in and of itself, does not protect her from violence. In fact we get a perverse effect — the incidence of both physical and psychological violence is higher if a woman does seasonal or irregular work (as is usually the case with agricultural work in rural areas) than if she is unemployed. It is only where the woman has regular employment that the incidence of domestic violence is lower than if she is unemployed (or does seasonal/irregular work).²⁶ The gender *gap* in employment is again linked with a perverse effect. We note that where the woman has a higher employment status than her husband, the incidence of physical violence is twice that where she has the same or a lower employment status.²⁷ This empirically bears out the conceptual point made earlier on the importance of taking relative capabilities and functionings into account, in assessing well-being outcomes.

Second, unlike employment, women's property ownership is associated with a dramatically and *unambiguously* lower incidence of both physical and psychological violence. For instance, as high as 49% of the women who owned neither land nor house reported long-term physical violence. In contrast, the figure was 18% for those owning land, 10% for those owning a house, and 7% for those owning both.²⁸ Also we note from the preliminary results of our 2004–2005 survey — which provides information on the man's property status (unlike the 2000–2001 survey, which did not have this information) — that women are not negatively affected even when the gender gap in property ownership tilts in women's favour. The incidence of violence is 14.5% if the woman owns property and the husband does not, but it is 23.5% if the husband owns property and the wife does not. In other words, owning property protects the woman, and there is no perverse relative capability effect here, in that a propertied woman married to a propertyless man is *not* subjected to more violence.

Moreover, not only is the incidence of violence lower if a woman owns property, but such a woman is also more likely to leave home and stay away if violence occurs, *since she has somewhere to go*. We found (Table 6) that of the 179 women experiencing long-term physical violence,

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Table 4. Long-term violence by selected characteristics (2000–2001 survey)

Characteristic	Total cases with given characteristic <i>n</i> =502	Incidence of long-term violence ^a (%)	
		Physical	Psychological
Per capita expenditure			
<6000 Rs./year	131	73.3	87.8
6,000–11,999 Rs./year	236	24.6	60.6
12,000 Rs./year and above	135	18.5	50.4
Age of woman respondent			
15–24 years	73	46.6	76.7
25–34 years	250	34.4	62.8
35–49 years	179	33.0	63.1
Duration of marriage			
<7 years	151	42.4	70.2
7–14 years	184	34.2	63.0
15 years and above	167	31.1	62.3
Spousal age difference			
<5 years	137	40.1	65.7
5–8 years	231	37.2	64.5
9 years and above	134	28.4	64.9
Number of children			
0	49	42.9	65.3
1–2	369	33.9	66.1
3 and above	84	39.3	59.5
Education of woman respondent			
<6 years (primary)	78	57.7	74.4
6–12 years (secondary)	314	34.7	66.6
>12 years	110	22.7	53.6
Education of husband			
<6 years (primary)	93	46.2	72.0
6–12 years (secondary)	305	36.7	68.2
>12 years	104	23.1	49.0
Spousal educational difference			
Wife=husband (no difference)	153	33.3	60.8
Wife<husband	147	42.9	68.7
Wife>husband	202	32.2	65.3
Employment of woman respondent			
Unemployed	342	35.1	64.0
Regular employment	93	28.0	59.1
Seasonal/irregular employment	67	49.3	77.6
Employment of husband			
Unemployed	34	70.6	85.3
Regular	406	31.3	62.1
Seasonal/irregular	62	45.2	72.6
Spousal employment difference^b			
Wife=husband (no difference)	126	34.9	68.3
Wife<husband	360	34.4	63.6
Wife>husband	16	68.8	68.8
Immovable property owned by woman			
None	330	49.1	84.2
Land only	28	17.9	53.6
House only	71	9.9	29.6
House and land	73	6.8	16.4

Table 4. (Continued.)

Characteristic	Total cases with given characteristic <i>n</i> =502	Incidence of long-term violence ^a (%)	
		Physical	Psychological
Woman's social support			
None	229	49.8	77.3
Natal family	155	21.3	59.4
Natal family and neighbours	118	27.1	48.3
Woman witnessing father beating mother in childhood			
Did not witness	326	29.1	62.0
Witnessed	176	47.7	70.5
Husband's alcohol consumption			
Teetotaller	243	24.7	47.3
Drinker	259	45.9	81.5
Husband witnessing father beating mother in childhood			
Did not witness	353	26.6	59.5
Witnessed	149	57.0	77.9

^aCases of violence as a percentage of total cases with given characteristic.

^bSpousal employment difference was calculated as follows:

u (unemployed), r (regular), s/i (seasonal or irregular)

(1) Wife=husband: wife and husband have similar employment status {Wife(u), H(u); W(r), H(r); W(s/i), H(s/i)}

(2) wife<husband: wife's employment status is worse than husband's {Wife(u), H(r); W(u), H(s/i); W(s/i), H(r)}

(3) wife>husband: wife's employment status is better than husband's {Wife(r), H(u); W(r), H(s/i); W(s/i), H(u)}

Source: Adapted from Panda and Agarwal (2005, pp.827–828, 835–838).

43 left home. The percentage of women leaving home was much greater (71%) among the propertied than among the propertyless (19%). Also, of the 43 women who left home, although 24 returned, 87% of the returning

Table 5. Long-term physical violence by relative capabilities: spousal employment and immovable property status

Characteristic	Incidence of physical violence (%)
Spousal employment difference (2000–1 survey)	
Wife=husband (44/126)	34.9
Wife<husband (124/360)	34.4
Wife>husband (11/16)	68.8
Spousal immovable property ownership difference (2004–2005 survey)	
Neither spouse owns land or house (112/190)	58.9
Woman is propertyless, husband owns land and/or house (16/68)	23.5
Woman owns land and/or house, husband is propertyless (10/69)	14.5
Both spouses own land and/or house (4/75)	5.3

Note: Figures in brackets give the absolute numbers.

Source: Adapted from Panda and Agarwal (2005) based on the 2000–2001 survey, and the two authors' panel resurvey in 2004–2005, the preliminary results of which are reported in Panda (2006, p. 26).

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Table 6. Women's property ownership, long-term physical violence, their leaving home (2000–2001 survey)

Characteristic	All women		Propertyless women		Propertied women (owning land or house or both)	
	%	(n)	%	(n)	%	(n)
Women left home (43), among those facing long-term physical violence	24.0	(43/179)	19.1	(31/162)	70.6	(12/17)
Women returned home among those who left (24)	55.8	(24/43)	67.7	(21/31)	25.0	(3/12)

Source: Adapted from Panda and Agarwal (2005).

women were propertyless. Of the propertied women who left home, few returned. These observations further support our contention that property ownership tends to serve both as a deterrent to marital violence and as an exit option if violence does occur.

Where do the women go? Our 2004–2005 re-survey provides some answers. All the house-owning women who left home and did not return were living in their own houses, while 88% of the propertyless women who left home and did not return were living in their parent's home. As one woman said: "... owning property is a powerful shield for women. It was because of these 10 cents of land and this small house (an outhouse) that I could escape from my in-laws' place when life became a nightmare ..."

Logistic analysis

To assess whether property still matters after controlling for the effects of other factors, we undertook logistic analysis. Apart from the woman's property ownership, the factors we took into account are the household's per-capita expenditure, rural/urban residence, the woman's age, the spousal age difference, the number of children, the education status of the woman and the spousal education difference, the employment status of the woman and her spouse,²⁹ the woman's access to social support, her childhood exposure to marital violence, and her husband's alcohol abuse and his childhood exposure to such violence.

Long-term physical and psychological violence were both defined as dummy variables, as below:

Long-term physical violence = 1 if violence was experienced;
0 otherwise

Long-term psychological violence = 1 if violence was experienced;
0 otherwise

We find, as hypothesized, that women's property status is a significant predictor of long-term physical and psychological violence, over and above the effect of other variables (Table 7). And it is significant whether the woman owns only land, or only a house, or both. In other words, a woman's independent ownership of immovable property can substantially

Table 7. Women's experience of long-term violence: logistic analysis (2000–2001 survey)

Variable	Any physical violence			Any psychological violence		
	Beta coefficient	Odds ratio	Standard error	Beta coefficient	Odds ratio	Standard error
Per-capita expenditure						
<6,000 Rs./year (ref.)						
6,000–11,999Rs./year	-2.40***	0.09	0.34	-1.56***	0.21	0.40
12,000 Rs./year and above	-2.27***	0.10	0.45	-1.31**	0.27	0.54
Residence						
Rural (ref.)						
Urban	-0.06	0.94	0.33	0.13	1.14	0.38
Age of woman respondent						
15–24 years (ref.)						
25–34 years	0.50	1.66	0.41	-0.17	0.84	0.48
35–49 years	-0.10	0.91	0.45	-0.23	0.80	0.51
Spousal age difference						
<5 years (ref.)						
5–8 years	0.04	1.05	0.30	0.20	1.22	0.36
9 years and above	-0.65*	0.52	0.36	-0.08	0.93	0.42
Number of children						
0 (ref.)						
1–2	-0.86*	0.42	0.46	-0.22	0.81	0.54
3 and above	-0.96*	0.38	0.57	-1.40**	0.25	0.65
Education of woman respondent						
<6 years (ref.)						
6–12 years	-0.40	0.67	0.38	0.07	1.16	0.46
>12 years	0.08	1.09	0.54	0.89	2.44	0.62
Spousal educational difference (years)						
Wife=husband (no difference) (ref.)						
Wife<husband	0.17	1.18	0.33	0.54	1.89	0.38
Wife>husband	-0.48	0.63	0.31	0.29	1.34	0.34
Employment of woman respondent						
Unemployed (ref.)						
Regular	-0.90**	0.41	0.39	-0.07	0.93	0.41
Seasonal/irregular	-0.27	0.76	0.39	0.36	1.44	0.48
Employment of husband						
Unemployed (ref.)						
Regular	-2.23***	0.11	0.60	-2.02***	0.13	0.75
Seasonal/irregular	-2.24***	0.11	0.71	-1.77**	0.17	0.85
Ownership of property by women						
None (ref.)						
Land only	-2.06***	0.13	0.62	-3.57***	0.03	0.62
House only	-2.42***	0.09	0.49	-5.14***	0.01	0.59
House and land	-3.01***	0.05	0.66	-5.47***	0.01	0.66
Woman's social support						
None (ref.)						
Natal family	-0.87***	0.41	0.32	0.62	1.74	0.38
Natal family and neighbours	-0.90***	0.41	0.34	-1.60***	0.20	0.40
Woman witnessing father beating mother in childhood						
Did not witness (ref.)						
Witnessed	1.33***	3.56	0.33	-0.62	0.61	0.47

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Table 7. (Continued.)

Variable	Any physical violence			Any psychological violence		
	Beta coefficient	Odds ratio	Standard error	Beta coefficient	Odds ratio	Standard error
Husband's alcohol consumption						
Teetotaler (ref.)						
Drinker	-0.47	0.62	0.30	1.47***	4.37	0.35
Husband witnessing father beating mother in childhood						
Did not witness (ref.)						
Witnessed	1.22***	3.39	0.32	0.80**	2.22	0.35
Number of cases						
		502			502	
-2 log likelihood						
		415.93			335.26	
Model chi-square						
		238.10			315.14	
McFadden's pseudo R ²						
		0.3641			0.4845	

Notes: ref.: reference category; *Significant at 10% level, **significant at 5% level, ***significant at 1% level.

Source: Panda and Agarwal (2005, pp. 843–844).

reduce her risk of domestic violence. From the odds ratios, we also note that the odds of being beaten if the woman owns both a house and land are 20 times less than if she owns neither. The odds are 11 times less if she only owns a house, and eight times less if she only owns land. The ownership of such property (and especially a house) strengthens a woman's fall-back position and hence her bargaining power within marriage. It provides a clear indicator that she can leave the home if necessary. All this can deter the husband from beating her. It also enhances her self-esteem and reduces her tolerance to violence, as indicated by the figures for those who left home for ever, when they faced violence.

The narratives from our 2004–2005 re-survey further bear out the story of property serving as both a deterrent and an escape. Consider some illustrative quotations:

Women own property, have faced no violence

My husband is very happy that I have this property [house], and he respects me. He involves me in all decisions. There is no scope for violence.

Property provides me self-confidence and self-esteem.

My husband and in-laws respect me because I inherited land.

I am not frightened of my husband or in-laws. I can express my needs to them. I talk openly with others and I have freedom in the house.

A woman is afraid of her husband abandoning her one day or throwing her out from his house. If the house where they stay is in the woman's name, she can say... *you go*.

Woman owns property, faced violence, left home, did not return

My mother gave me 15 sovereigns of gold and a house when I got married. But he used to punish me very cruelly. Once he threw me out in the middle of the night. I left but returned in a few days. He tortured me again. Finally I left him for good. I have been staying in my own house for 15 years.

Women own no property, faced violence, did not leave home

Property would have protected me from violence or at least I could have escaped from this house with my children if I had a house of my own.

I never thought of leaving this house, because I have no place to go and no one to support me.

If I had a house I would have moved out with my children long ago.

Apart from property, several other factors are associated with women's risk of physical violence. Her risk is lower if she has social support from her birth family and neighbours, if her marital household has a high economic status, and if her husband is employed (no matter what type of employment). If he has a regular job, however, it makes a particular difference. Presumably employment enhances the husband's self-worth, and so his proclivity to violence. In contrast, the woman's own employment status does not seem to matter, except if she has a regular job. Having a job in the formal sector and having some children (as opposed to none) reduces the woman's risk of long-term physical violence. However, women who have seen their fathers beat their mothers in childhood, or who are married to husbands who have seen their fathers beat their mothers in childhood, are significantly more likely to face physical violence.

It is notable that five of these factors — women's property status, her social support, the household's economic status,³⁰ the husband's employment status and his childhood exposure to marital violence — were also consistently significant in relation to women's risk of long-term psychological abuse.

Among the factors that were not statistically significant for either physical or psychological long-term violence were residential location — rural or urban — the age of the respondent, her educational level, and the

spousal educational difference. Also, husbands who drank were not significantly more physically violent than those who did not drink, although they were significantly more psychologically abusive. It is likely that unemployment and drinking go together in large extent, so that what is popularly seen as the alcohol effect on physical violence against women might well be an unemployment effect.

Returning to the issue of women's property ownership, following our study, a recent study in another part of India, in a different cultural context, also found that owning property was a significant factor in reducing women's risk of marital violence. In West Bengal (eastern India), Gupta (2006, pp. 45, 79) found a notably lower incidence of domestic violence among women owning a house or land, and especially the former. Current physical violence was 38% among propertyless women and 15% among propertied women. Also those owning a house reported a notably lower incidence of current physical violence than those owning only land.³¹

Gupta's research also points to the importance of the timing when women acquire the property they own (2006, pp. 75–76). Unlike in Kerala where a substantial percentage of the surveyed women owned property at the time of marriage (either through dowry transfers or via inheritance), or had an understanding that they would inherit the parental house, in West Bengal most women did not have property when they got married: 74% of those owning a house and 84% of those owning land had acquired these assets a few years after marriage. This means that they did not have the bargaining advantage that the Kerala women had when the marital relationship was still taking shape in the early years of marriage. Once a pattern of violence gets established, it is more difficult to change, and the timing of property acquisition for the West Bengal women would thus place them at a disadvantage in this regard, compared with the Kerala women.

Policy implications

Domestic violence has been receiving growing attention from international organizations in recent years.³² A recent study also notes that activists and governments in 180 countries listed violence against women, including domestic violence, as an issue of vital gender concern (Weldon, 2002, p. 1162). It is therefore time to examine what policies and new approaches could make a difference.

This paper's findings show that both macro-economic and micro-economic factors impinge on the incidence of marital violence. On the macro-economic front, given the consistency of the finding in this and several other studies that women's risk of violence is lower in better-off households, we could argue that a reduction in poverty and economic deprivation is likely to reduce domestic violence over time. In general, the

average incidence of domestic violence is less in developed countries — closer to 10% than the 20% or more found in poorer countries. Also policies that reduce male unemployment can lower women's risk of domestic violence. But the impact of macro-policy is uncertain and would have an impact only in the long term. Micro-economic measures, however, could have more immediate effect; in particular, measures to improve women's access to housing and land. So far, however, the link between domestic violence and women's access to immovable property, such as land and housing, has received little policy attention.

Attempts to deal with domestic violence, especially marital violence, globally, have so far been dominated by two types of measures: legal protection and setting up shelter homes. Both those measures are important, but have proved to be inadequate. For instance, many countries have enacted laws to make domestic violence a criminal offence. Some laws are quite comprehensive, such as the Protection from Domestic Violence Act, passed in India in 2005. Most countries also provide some institutional support, such as family counselling cells and short-stay homes. In India also, women's organizations have sought to provide shelters and other support. And there are all-women police stations. But the implementation of the relevant laws in the country is still largely ineffective and the existing support structures insufficient.³³ In particular, women's groups and other supporters remain handicapped in the extent of help they can provide when the woman being battered has no independent economic means, and the state does not have an adequate social security system in place. More importantly, such measures deal with violence *after the fact*.

Our findings suggest that women's greater access to housing and land can play a crucial preventive role — it can *deter* violence. Also it can complement the efforts of family, neighbours and women's groups to help a woman if she has a property base of her own. In fact in our 2004–2005 re-survey in Kerala we found that owning land or a house also enhances women's other capabilities. For instance, propertied women have a much greater say in household decisions than propertyless women: 35% of the former compared with 18% of the latter said they take decisions about loans on their own; 56% of the propertied relative to 2% of the propertyless decide on contraceptive use on their own; and 22% of the propertied women compared with only 0.4% of the propertyless said they have the main say in whether to have sex with their husbands. This last is of special relevance since forced sex is a common and usually little acknowledged form of violence in marriage.

The question, then, is: how can we enhance women's access to land and house? Agarwal (1994) had focused on the issue of women's land access at length, and argued in favour of both legal and other remedies. Many countries have gender equal inheritance laws. Even in India with the recent amendment of Hindu Inheritance law, the laws for most communities are favourable to women. In fact, the 2005 amendment of

the Hindu Succession Act, which affects 80% of Indian women, not only enhances women's claims in parental property, it also gives married daughters rights of residence in the parental home that they did not have earlier (Agarwal, 2005). This means that women in violent marriages can now seek refuge with their parents as a legal right and not merely on sufferance.

Substantial barriers exist, however, in the implementation of such enabling legislation, not just in India but in most countries. For a start, women often lack information about the law as well as the means to act on it. There is widespread need for legal literacy and legal aid. To provide these services, apart from the state, a key role can be played by civil society organizations, including women's organizations, and institutions of local governance such as village councils and municipalities. In India and in some other countries, these local-level governance bodies now have substantial female representation due to the reservation of seats for women. The media can make an important contribution as well, in spreading awareness on these counts.

But we also need to go beyond family inheritance to enhance women's access to land or housing through the state and the market, especially since many families have little property to give. A range of measures could potentially help. One is a large-scale campaign for low-cost housing options for women. Even owning a one-room apartment would give a woman somewhere to go. There is a case here for providing such purchase options in new housing complexes, whether set up by the government or by private developers. Middle-class women or their families, even in poor countries, could better afford these than the large apartments typically available. Indeed, the virtual absence of low-cost housing options in many developing countries has received surprisingly little attention. Similarly, in rural areas a policy could be initiated to allot women homestead land, in households that have none — as a working group (of which Agarwal was a part) has recommended to the Indian planning commission, for its Eleventh Five Year Plan.

The importance of housing for women facing violence was in fact recognized by many European women's groups as early as the 1970s, when they strongly lobbied for housing legislation to enable battered women to set up homes separate from violent spouses (Dobash and Dobash, 1992). But a similar campaign was not initiated in most other countries, and today this practical insight appears to have been all but forgotten. However, 'right to housing' and 'right to land' are now being promoted as basic human rights by organizations such as the United Nations Commission on Human Rights, to enhance women's livelihood options and overall empowerment. Efforts to reduce violence against women could be strengthened by linking up with such campaigns, just as such campaigns could, in turn, widen their own reach by emphasizing women's reduced risk of domestic violence as an additional reason for promoting women's rights in land and housing.

Global advocacy apart, for both land and housing, market options need exploring. Some Indian states, for instance, give subsidized credit to groups of low-caste poor women to purchase agricultural land jointly (Agarwal, 2003). Such schemes could be initiated in other states. Subsidized credit could also be provided for housing in rural and urban areas, with the eligibility criteria including women subject to domestic violence.

In both State and market-related efforts, however, to increase women's access to land and housing, a *group approach* might provide a breakthrough and constitute an alternative vision of protective security for the disadvantaged (see also Agarwal, 2003, 2007). Most women lack the financial resources to invest in immovable assets on an individual basis. Many could, however, afford the price of a room within a house that is purchased by a group of women jointly. Similarly, when the government transfers land to the poor, for either housing or economic enterprises, it could do so to a group of women, who could get joint rights over it, rather than to individual women. This could prove not only more economically viable for many women, but also socially empowering, in that they could build mutual support networks in this way.³⁴

Basically, housing and land in women's hands could prove to be vital keys in new strategies for reducing spousal violence and making families more women friendly. As Dobash and Dobash (1992, pp. 92–93) noted, a decade and half ago in their book *Women, Violence and Social Change*: “The refuge provides temporary accommodation ... It does not, however, provide a permanent home, and this can be one of the most crucial struggles for freedom from violence faced by women.”

At a broader level, what this research also highlights is that in efforts to stem domestic violence, we need to pay attention not only to absolute levels of capabilities and functionings, but also to the relative capabilities and functionings of the spouses, and the potential for perverse effects on this count. That we found such perverse effects for women's relative employment status but not for their relative property status is notable; but that these effects should occur at all *on any count* underlines the multi-layered nature of the gender inequality that will need tackling, for women to gain freedom from marital violence.

In conclusion

Marital violence, in whatever form — physical or psychological — undermines a woman's capability to function and lead the life she values. It also transfers the adverse effects across generations. Children witnessing such violence tend to grow to adulthood with diminished capabilities. Marital violence not only reduces women and children's immediate well-being, but also their long-term well-being, by limiting their social, economic and political freedoms. Given the scale of such violence, these effects get multiplied several fold, thus affecting a country's overall

development. The reduction of marital violence thus needs to be an important goal of development policy. This goal could be furthered substantially by adding to the existing measures against domestic violence, efforts to enhance women's ownership of immovable property, not only on an individual basis but also on a group basis.

At some level all this seems obvious, as the subtitle of this paper also suggests. It seems obvious that freedom from domestic violence should be central to any discussion of freedom, well-being and development. And it seems obvious that women's access to a house or land could prove key to enhancing that freedom. Yet, as we have seen, it is the obvious that is often the most neglected.

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This paper is a modified and expanded version of the keynote address presented by Bina Agarwal at the Human Development and Capability Association conference in Groningen on 1 September 2006. The theoretical/conceptual aspects of the paper are based on Agarwal's ongoing work on Sen's capability approach and her earlier work on women's property rights. The empirical part draws substantially on findings reported earlier in Panda and Agarwal (2005), based on their joint analysis of Pradeep Panda's 2000–2001 data-set. It is supplemented by preliminary findings from a panel resurvey of the same households undertaken jointly by the two authors in 2004–2005. The 2000–2001 survey was sponsored by the Kerala Research Programme on Local Level Development, and the resurvey was supported by the International Center for Research on Women, New Delhi, and funded by the Ford Foundation. The support of all these organizations is acknowledged with thanks. Substantial thanks are also due to Mozaffar Qizilbash for his thoughtful comments on the capabilities approach, and to the participants of the Groningen conference for their lively responses to the keynote address.

Notes

- 1 This measure seeks to capture women's participation in public decision-making and was first constructed for the 1995 *Human Development Report* focused on women, timed to coincide with the Fourth World Conference on Women in 1995. See also Fukuda-Parr (2006), and various papers relating to the index in the July special issue of the *Journal of Human Development* (2006).
- 2 See also, Nussbaum (2005) and Dijkstra and Hanmer (2000). The latter point to the need to expand the measures of human development, by including additional indicators such as violence against women.
- 3 Sen, in his writings, has focused on many forms of gender inequalities and deprivations, including those within the family (see, for example, his papers in Agarwal *et al.*, 2006), but he does not mention domestic violence. In his recent work, *Identity and Violence* (Sen, 2006a), again, Sen talks about social violence, but not about intra-household violence.

- 4 See, for example, Harper and Parsons (1997), Jaswal (2000), Maman *et al.* (2000), Martin *et al.* (1999), among others. Indeed, the World Health Organization now treats domestic violation as a serious health issue (World Health Organization, 2000, 2002).
- 5 See, for example, Browne *et al.* (1999) and Lloyd and Taluc (1999).
- 6 See Hilberman and Munson (1977–1978) and Groves *et al.* (1993).
- 7 See, for example, Bruce and Dwyer (1988) and Thomas (1990).
- 8 Asling-Monemi *et al.* (2003), Jejeebhoy (1998a), Dannenberg *et al.* (1995), and Harper and Parsons (1997).
- 9 Asling-Monemi *et al.* (2003), Edleson (1999), Jaffee *et al.* (1990), and McClosky *et al.* (1995).
- 10 While martial violence is not limited to violence against women — men too may face it sometimes — it is women who experience it in most part. Moreover, given men's physical strength, women are much more likely than men to face grievous injury as a result.
- 11 See A. K. Sen (1999, chapter 2). He uses a somewhat different sequence for describing various instrumental freedoms on this list. See also Alkire (forthcoming) on Sen's instrumental freedoms.
- 12 See, for example, emerging literature that finds women heads of village councils in India are more likely than their male counterparts to prioritize public goods such as drinking water (see, among others, Chattopadhyay and Dufflo, 2004).
- 13 See, for example, Carrillo (1992) and Morrison and Orlando (1999).
- 14 In the enormous literature on the capability approach, there has been rather little discussion on how a person's well-being outcome can depend not only on to her absolute capabilities but also on her capabilities relative to another's. Although some interesting takes on this, from various angles, are provided by Richardson (2007) and Iversen (2006), these authors do not focus on the potential for perverse outcomes within the household that is discussed and empirically examined in this paper. See also Drydyk (2005), who mentions this concern, albeit in passing.
- 15 See, for example, INCLLEN (2000), Jejeebhoy (1998b), Bloch and Rao (2002), among other studies.
- 16 See, for example, discussions in Levinson (1989) and Heise (1998).
- 17 Among studies for India see, for example, Bloch and Rao (2002), Duvvury and Allendorf (2001), INCLLEN (2000), Jejeebhoy (1998a, 1998b), Martin *et al.* (1999, 2002), Rao (1997), P. Sen (1999) and Visaria (1999).
- 18 Jejeebhoy (1998b), Dave and Solanki (2000), and Schuler *et al.* (1998).
- 19 On the impact of owning immovable property on bargaining power, see especially discussions in Agarwal (1994, 1997).
- 20 Ten wards (six rural and four urban) were first selected and from these 50 households in each ward were randomly chosen. All the information was obtained from the woman respondent by women investigators, except data on annual consumption expenditure, which were obtained from the typically male household head by a male investigator. Prior to the interview, the woman respondent's consent was obtained and she was told she could terminate the interview at any point should she feel uncomfortable. Only 8.1% declined to be interviewed. In some cases of joint families with more than one couple, more than one woman was interviewed from the same household.
- 21 Under the Protection of Women from Domestic violence Act 2005 (Act No 43, 2005) in India, even economic abuse (e.g. the husband's failure to provide her economic support) is seen as an element of spousal violence.
- 22 The majority of women owning property, not surprisingly, belonged to matrilineal castes. But it is notable that as many as 35% of the women from matrilineal groups did not own any property, and a fair percentage from non-matrilineal castes did own property.
- 23 In the 2004–2005 survey, we asked for information about ownership of property as of 2000–2001, to allow us to match the features of the two surveys.
- 24 See, for example, Groves *et al.* (1993) and Hilberman and Munson (1977–1978).
- 25 See, for example, INCLLEN (2000), Rao (1997), and Jaffee *et al.* (1990).

- 26 See also, Dave and Solanki (2000) who find that a woman's paid employment increases the likelihood of marital violence, even though it also increases her ability to leave the abusive husband.
- 27 Duvvury and Allendorf (2001) similarly find greater domestic violence when the woman has a better employment status; for instance, when the woman is employed and the man is unemployed.
- 28 Belonging to a matrilineal caste group, however, does not make a difference over and above owning property (Panda and Agarwal, 2005, pp. 836, 838).
- 29 We did not include the difference in spousal employment status, since there was a high correlation between this variable and the woman's employment status. Some other variables that were excluded from the logistic analysis due to their close relationship with one or more of the included explanatory variables were the duration of marriage, the husband's education status, and the woman's matrilineal caste grouping.
- 30 INCLEN (2002) and Tauchen *et al.* (1991) also find a negative relationship between the household's economic position and marital violence.
- 31 These results are based on Gupta's bivariate analysis, but in her logistic analysis the ownership of a house was again significantly related to a lower risk of domestic violence (ICRW, 2006).
- 32 See, for example, UNICEF (2000), United Nations Development Fund for Women (2000), World Health Organization (2000, 2002) and UNCHR (2003)
- 33 See, for example, Singh (1994), Lawyers Collective Women's Rights Initiative (2000), Agnes (1992), and Misra (1999).
- 34 See Agarwal (2003) for examples of successful group farming by poor women in India that has also led to other forms of mutual social support. See also Stewart (2005) on the importance of examining group capabilities apart from individual capabilities.

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