



**Reduction of  
Violence Against Women:  
Property Ownership &  
Economic Independence  
in Rural Haryana**



United Nations Entity for Gender Equality  
and the Empowerment of Women

# **Reduction of Violence Against Women: Property Ownership & Economic Independence in Rural Haryana**

**By Prem Chowdhry**

\*The views expressed in this publication are those of the author and do not necessarily represent the views of UN Women, the United Nations or any of its affiliated organizations.

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## **Introduction**

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The power structure within the household operating through specific gender hierarchies uses violence as the most potent tool of control and domination. Gender inequality derives its legitimacy and acceptance through the ideological and cultural matrix systems of rural Haryana. The wide scale prevalence of violence in rural households shows how gendered systems interact with other socio-cultural structures, not only to reinforce but to further tighten the existing gender inequalities. In this respect the influence of marital violence has been most pronounced.

The present study seeks to determine the effect of property ownership and economic independence of women on the reduction of violence, especially spousal violence, in relation to rural Haryana. It seeks to analyze how and why women may acquire ownership or/and control over land/property/assets or avail of employment opportunities in a deep-rooted patriarchal cultural milieu of northern India which, in practice, is given to negate such acquisitions. In other words, do social and cultural norms sanctioning violence change when women acquire control over land/ property/ assets? It will be a challenge to evaluate the given proposition in the context of a strong patrilineal and patriarchal society like that of Haryana—a state where custom and cultural patterns deny any property rights to women; a state which makes a mockery of the legal enablement by not allowing women to exercise property rights; a state notorious for its mindless violence as seen in the so called ‘crimes of honour’ and finally a state well known to wipe out all future property related claims of girls by eliminating them in the womb itself. In other words - a state at its violent best.

In such a violent scenario can the dual contention of property ownership and economic independence of women become effective at all, for it to effect a reduction in violence against them? If yes, how and why has that been possible? In what circumstances could have the breaches in social norms occurred? What struggles did the woman in question had to under go in order to attain this status? It needs to be investigated whether such an acquisition has lessened/eliminated violence over them in any way or changed its nature. If not, why not, if yes, then in what way? How, in the opinion of the women themselves and their life experience, the control or ownership of resources or their income generating and earning capacity has reduced or diminished violence upon them? These are some of the aspects raised and analyzed in this study.

## Methodology

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The findings presented here are based upon extensive field-work conducted in the months of June, July and August 2011 primarily in the districts of Rohtak, Jhajjar, Sonapat and Panipat, later extended briefly into Bhiwani and Hissar. These districts were selected because this region forms an arch surrounding Delhi where the Jats are the predominant caste; they set the dominant norms followed by the rest of the caste groups. Also, importantly, this region is part of the National Capital Region. As such it has undergone drastic changes geo-economically as well as socially; the introduction of green revolution in the late 1960s, the economic liberalization of 1990s and extensive urbanization experienced by this belt, among other related changes, have had their own impact in this region. In my understanding the effect of these changes has accelerated certain processes, which have been instrumental in effecting several breaches in the hitherto accepted cultural norms—breaches which were bound to have an effect on the infliction of violence on women and their response to it. I may state here that this understanding is born out of my own involvement and intellectual commitment to this region; for more than three decades I have been researching on various aspects of this region's colonial past and post-colonial and contemporary present.<sup>1</sup> I was also aware that given the stronghold of patriarchal and patrilineal set-up, this state could scarcely provide a research location with sufficient samples of property owning women in statistical terms. In such a situation statistics would hardly matter. I have therefore adopted a qualitative approach based on in-depth interviews, which I think is better suited to understand the changed/changing situation. However, it is also true that enough cases, though scattered, do exist where women are in possession of productive assets be it money, land, house, or animal wealth. This exhaustive study of cases seeks to understand the various contradictions thrown up by the changing political economy of Haryana in relation to the infliction of violence upon women.

For the field work the villages randomly selected and visited were: Baddhesara, Ballam, Sunaria, Kanheli, and Meham, Shari Khawada, in Rohtak district; Dobh, Ratthandhanna, Bidhan and Gohana,

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<sup>1</sup> See for example the following publications: Prem Chowdhry, *Political Economy of Production and Reproduction: Caste, Custom, and Community in North India*, Oxford University Press, New Delhi, 2011; *Contentious Marriages, Eloping Couples: Gender, Caste and Patriarchy in Northern India*, Delhi, Oxford University Press, 2007; *The Veiled Women: Shifting Gender Equations in Rural Haryana, 1880-1990*, Oxford University Press, Delhi, 1994; *Punjab Politics*, Vikas Publications, Delhi, 1984; edited volumes: *Understanding Politics and Society, 1910-1997*, by Hardwari Lal, Manak Publications, Delhi, 2010; and *Gender Discrimination in Land Ownership*, Sage Publications, Delhi, 2009.

in Sonapat district; Dujjana, Beri, Mandothi, Chhara and Mehrana in Jhajjar district; Sarsa and Bichpadi in Panipat district; and Kharkhadi in Bhiwani district. The extensively spread out field-work has meant several rounds of interviews, both structured and unstructured, with women and men of varying ages, social class, caste and professions. Similarly, focus group discussions were held in the mixed men-women groups as well as only women and only men. Apart from these, interactions with wider village communities as well as with activists, lawyers, state administrative and police officials also took place.

The in-depth interviews were carried out in close to thirty cases; out of which fifteen have been selected for inclusion in this study. The selection of cases is based upon considerations of geographically covering as much of this selected area as possible, as also of including a variety of caste and class groups for analysis. For example, the case studies include not only the Jats as the dominant caste but also caste groups from among the Other Backward Classes, the Scheduled castes as well as the ritually high caste of Brahmins, who are not a priestly caste in this region, but an agriculturist caste.<sup>2</sup> Although this study makes no direct attempt to link caste with violence, the field work makes it clear that in view of the ubiquitous nature of violence on women of all caste categories it is unlikely, as other scholars have also observed, that violence may have had anything but insignificant difference in the lived experience of women on account of their social and caste categorizations.<sup>3</sup> The case studies undertaken in this paper only confirm these findings.

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<sup>2</sup> For details see Prem Chowdhry, "The Advantages of Backwardness: Colonial Policy and Agriculture in Haryana," *The Indian Economic and Social History Review*, 1986, vol. 23, no. 3, pp. 264-288.

<sup>3</sup> A number of ICRW studies explore the links between caste and domestic violence. ICRW's study of Rajasthan reports "no significant variation with respect to the caste of the respondent". Similarly, ICRW's Tamil Nadu study finds that 43 per cent of non-dalit men have inflicted physical violence as compared to 45 per cent among dalit men. Srinivas and Bedi also confirm that in Tamil Nadu there is no link between caste and violence. See ICRW studies of 1999, 2000, and 2002 cited below in n. 5. Also S. Srinivas and A.S Bedi, "Domestic Violence and dowry: Evidence from a south Indian Village", *World Development*, 2007, vol. 35, no. 5, pp. 857-880.

## Previous Research

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The influence of marital violence has been widely researched upon both in the developing and the developed countries.<sup>4</sup> In India, the study of violence has attracted a fair amount of attention, which has thrown light on various aspects of domestic violence, especially marital violence.<sup>5</sup> These have ranged from tracing the spread of violence in statistical terms on different categories of women in different regions, to defining different contexts in which violence is perpetrated on women; its varied manifestations in physical, sexual, and psychological terms and the harmful and severely debilitating effects of violence on individuals, households, society and economy. Yet other studies have been involved in identifying and evaluating certain key factors which may act as a kind of protective shield to women against violence or at least help reduce it. This is specially assessed in relation to her ownership of productive/economic assets like land, house or live stock as well as her employment and other income generating activities.

One of the major studies that expounds this thesis is that of Pradeep Panda and Bina Agarwal titled: "Marital Violence, Human Development and Women's Property Status in India".<sup>6</sup> It reaches the conclusion that women owning immovable property (land or house) are found to face a significantly lower risk of marital violence than property-less women. The incidence of physical violence is calculated by them to be as high as 49% among property less women, 18% among landowning

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<sup>4</sup>Domestic violence, particularly spousal violence has been widely theorized and solutions offered, especially in the western societies. The focus of these studies has primarily shifted from the lack of women's rights and problems inherent to the patriarchal family to the use of violence as a means to enforce their already existing social dominance. Solutions regarding domestic violence have verged from advocating criminalization of domestic violence, state regulation of family life, punishment of wife-beaters, demands for state protection and state interaction, transformation of the institution of marriage from one based on gender hierarchy to one based on gender equality, structural transformation of gender roles, identities and relations. For a concise review of the academic writings see Madelaine Adelman, "Domestic Violence" in Philomena Essed, David Goldberg and Audrey Kobayashi (eds.) *A Companion to Gender Studies*, Blackwell Publishing, 2005, UK., pp. 192-211.

<sup>5</sup> Among others see for example, ICRW, *Domestic Violence in India: A Summary Report of Three Studies*, Washington, International Centre for Research on Women, 1999; ICRW, *Domestic Violence in India: A Summary Report of a Multi-Site Household Survey*, Washington, International Centre for Research on Women, 2000; ICRW, *Men, Masculinity and Domestic Violence in India: Summary Report of Four Studies*, Washington, International Centre for Research on Women, 2002. Other major works dealing with the subject are cited below as and when required.

<sup>6</sup> This Kerala based study of Panda and Agarwal, shows that property owning women were less likely to tolerate violence. Owning property, for example, is critical in escaping a violent situation especially if the house is in women's name but also as it provides economic prospects for women leaving the husband. On the other hand, income brought home by women shows contradictory results especially in a society which upholds strong traditional roles of men. Women's employment and income might be seen as a threat to the image of men as breadwinner and therefore have an inverse effect. For details see Pradeep Panda and Bina Agarwal, "Marital violence, human development and women's property status in India", *World Development*, 2005, vol.33, no. 5, pp. 823-850.

women and 7% among those owning both house and land. Economic security for a woman therefore stands negatively related to spousal violence, and plays a positive role in restricting it. A similar study conducted in Bengal, shows that property ownership is linked with sharp reduction in domestic violence. For example this study in Bengal shows that 20 percent less women who own property suffer violence compared to property-less women.<sup>7</sup>

However, the effect of women owning property is not so clear in preventing domestic violence elsewhere. For example, in the study of Sri Lanka no clear link between women's property ownership and reduction of violence could be made.<sup>8</sup> Similarly, according to the Bangladesh study, the effects of property ownership were context specific; in what was considered by the authors to be 'culturally backward areas', women's employment and property ownership seemed to increase the risk of domestic violence whereas the opposite was true in less 'culturally backward areas'.<sup>9</sup> Similar mixed results are noticeable in the findings of different scholars regarding women's employment and income generation.<sup>10</sup>

A more recent 2011 study of Mansi Bhattacharya, Arjun S. Bedi and Amrita Chhachhi conducted in Uttar Pradesh speaks of the "ambiguous" fall-out of woman's ownership of land and her employment status in relation to violence.<sup>11</sup> They contend that while an increase in household economic resources attributable to a woman may reduce economic stress and spousal violence, it may also introduce additional tension and struggle within a household. In an effort to maintain the status quo the increased economic strength of a woman gets countered by an increase in violence. On the whole, despite the ambiguities that the authors encountered in their statistically based study, they

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<sup>7</sup> Jayoti Gupta, "Property ownership of women as protection for domestic violence: The West Bengal experience", in ICRW, *Property Ownership and Inheritance Rights of Women for Social Protection—The South Asia Experience*, 2006, p.45. This study puts the house ownership by women as "more protective" than land ownership as house is more tangible and the benefits of owning the house are more visible.

<sup>8</sup> Indika Bulankulame, "Property ownership and domestic violence: A perspective from Sri Lanka", in *ibid*, pp-57-70.

<sup>9</sup> For details see Koenig, Michael Alan, Saifuddin Ahmad, Mian Bazle Hossain, and Khorshed Alam Mozumder, "Womens status and domestic violence in rural Bangladesh: Individual and community level effects" in *Demography*, 2003, vol. 40, no. 2, pp. 269-288.

<sup>10</sup> Rao's study of Karnataka shows that a wife's income is associated with reduced lifetime violence. See Vijeyendra Rao, "Wife beating in rural south India: A qualitative and economic analysis", *Social Science and Medicine*, 1997, vol.44, no. 8, pp.1169-1180; Jejeebhoy on the other hand finds that a woman's employment in wage work has no statistically significant impact on the probability of experiencing violence in Uttar Pradesh and Tamil Nadu. See S.J Jejeebhoy, "Wife-beating in rural India: A husband's right?", *Economic and Political Weekly*, 1998, vol. 33, no. 15, pp. 855-862; Kishor and Johnson in a report based on National Family Health Survey maintain that as compared to non-working woman, those being paid in cash were more likely to have experienced physical violence. See S. Kishor and K.Johnson, *Profiling domestic violence: A multi-country study*, MACRO International, Calverton, MD, 2004.

<sup>11</sup> Mansi Bhattacharya, Arjun Sing Bedi and Amrita Chhachhi, "Marital violence and women's employment and property status: Evidence from north Indian villages," *World Development*, 2011, vol.20, no. 10, pp. 1-14.

firmly conclude that women's access to income generating opportunities and control over assets plays a key role in reducing their vulnerability to violence. Despite acknowledging differential fall-out effects, this study confirms the earlier findings of Panda and Agarwal.

Region wise Bhattacharya, Bedi and Chhachhi's area of study located in Uttar Pradesh stands diametrically opposite that of Panda and Agarwal's. The latter study was situated in Kerala—a traditionally matrilineal society that has been comparatively more open to women. It has recognized women's property claims, women's autonomy and has also been at the forefront of bringing other land related changes in favour of women.<sup>12</sup> Whereas in Uttar Pradesh, a northern region with a strong patrilineal and patriarchal system, women are known to have relatively less autonomy or freedom of movement, limited support from their natal family after marriage, as well as limited inheritance rights in practice and limited opportunities for control over economic resources.<sup>13</sup>

Most studies dealing with these aspects remain essentially statistical surveys and lack a deeper qualitative/analytical approach. Moreover, hardly any attention is paid to the fact that even socio-cultural and long established customary norms need to be contextualized; changes in the socio-economic and legal climate have the effect of creating situational flux which triggers a change in the existing socio-cultural milieu. My attempt here would be to try and apply the feasibility of the proposition that maintains: "women's property ownership and economic independence leads to a reduction of violence against them" to the situation in Haryana. For this the present study fully accepts the contention that women must be given property ownership and economic independence, which it considers essential for enforcing gender equality and controlling marital violence and also, as pointed out in a recent study by Govind Kelkar, for pursuing more equitable development policy.<sup>14</sup> In this framework, it has been a challenge to evaluate the given proposition in the context of a strong patrilineal and patriarchal society like that of Haryana.

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<sup>12</sup> See Praveen Kodth, "Residual farmers on household land?: Women and second generation concerns of regulation in Kerala," in Chowdhry (ed) *Gender Discrimination in Land Ownership*, pp. 117-139.

<sup>13</sup> See for example, Saroj Arora and L.C. Singhi, "Women's access and rights to land in Uttar Pradesh", in Chowdhry (ed) *Gender Discrimination in Land Ownership*, pp. 244-276.

<sup>14</sup> Govind kelkar in her recent highly insightful essay argues that unless women are given ownership and control of land and other productive assets as well as employment opportunities, which alone will enhance their agricultural management skills and knowledge as well as offer them technological empowerment, the process of economic development will only reinforce existing gender inequalities and increase poverty. See her article, "Gender and productive assets: Implications for women's economic security and productivity", *Economic and Political Weekly*, June 4-10 2011, XLVI, no. 23, pp. 59-68.

I propose to tackle this problematic in four parts: The first part of the paper deals with the cultural and historical context of how violence is perceived in this region, which is crucial to understand the widespread acceptance of violence. This leads to a brief discussion of the customary norms regulating inheritance of property by women, and how and why these norms stand to be challenged by women in the contemporary period; this would mean delineating the changed political economy of this region and its effects on gender relations. The second portion in certain ways is the major part of the paper. It deals with case studies based upon the life experiences of women regarding infliction of violence upon them. These women belong to different categories, for example, those women who have staked their claim to the money made out of the sale of the ancestral land by the natal family male members; women who are laying claims to or have come in possession of their share in the 'patrilineal' land; women whose husbands have become *ghar jamais* (son-in-law); women who have some *benami* property in their names; women whose husbands have gone out for work or those who have absentee husbands; the employed women who are earning their livelihood or generating some income; and finally women who opt out of marriage. The third part of the paper deals with women's resistance to violence. In conclusion, the last part examines the major points thrown up in the discussions and case studies. It highlights the importance given to different options of handling marital violence, by rural women themselves, in their individual and collective capacities.

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## Acceptance of Violence: Understanding the Cultural and Historical Context

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Spousal violence in Haryana is fairly widespread. According to the National Family Health Survey-3 (NFHS) of 2005-2006, 27 per cent of all married women in Haryana have experienced physical, emotional and sexual violence.<sup>15</sup> The activists pitch the percentage much higher especially after the passing of the Protection of Women from Domestic Violence Act in 2005. In order to understand violence it is important to delineate its cultural context in this state, how marital violence is perceived by the local populace, both women and men, and what is the level of its acceptance? This alone would enable us to determine whether there has been any change or breach in its infliction and acceptance over the years especially, in relation to the rapid changes in the political economy of this region.

Culturally, beating of women is very much a part of Haryanavi rural culture accepted as a matter of course both by males and females. To understand this, the ideology summed up in a very popular proverb is useful:

*joru khasam ki larai keya*

(A quarrel between a married couple is of no consequence).

This proverb common throughout northern India, shows the acceptance of *larai* (quarrel), as a 'verbal duel', which is considered innocuous; but in reality and most frequently, it very often means infliction of physical violence on the woman. Moreover, the husband-wife *larai* is considered private and very much between them alone. And although the neighbours may interfere in a *sas-bahu ki larai*, (mother-in-law and daughter-in-law--in which the latter is not infrequently beaten by the former), but almost never when a couple fights.<sup>16</sup> In fact, the wife herself resents outside interference, if any is forthcoming, perhaps fearing her husband's wrath if she were to invite or accept it. Instances are given when any hint of interference is aggressively dealt with by the wife herself who says:

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<sup>15</sup> However, Haryana is much lower in the category of inflicting spousal violence calculated for all the states of India. It holds twelfth position in ascending order; the lowest is Himachal Pradesh with 6 per cent and the dubious 'top honours' in this category go to states like Bihar with 59 per cent and to Rajasthan and Madhya Pradesh with 46 per cent each. See *National Family Health Survey-3, India, 2005-2006, Haryana*, International Institute for Population Sciences (IIPS) Mumbai, 2008, pp.25-26.

<sup>16</sup> A 19th century proverb also maintains: '*sas bahu ki hui ladai, kare parosan hatha pai*', (when a bride and her mother-in-law have a fight, the neighbours will meddle), Fallon, S.W, *A Dictionary of Hindustani Proverbs*, Benaras, E.J. Lazaraus and Co., 1886. p.211.

*mhara mard sai, kuchh bhi kare, tanne kya*<sup>17</sup>  
(Whatever my man may do is none of your business).

Consequently, the neighbours tend to apply a common local proverb in a very novel way which maintains: *miyan bivi razi to kya karega kazi*<sup>18</sup> (When the husband and wife agree, others have no cause to interfere). In relation to the given situation, they infer that the woman accepts her beating, so who are they to interfere? In fact, rural society has always sanctioned wife-beating. “The man who beats his wife or the family that beats its *bahu* are all considered to do the right thing”, remembers an 80-year-old Haryanavi male in village Chhara of Jhajjar district.

Noting why rural men beat up their wives so frequently, Malcolm Lyal Darling, a scholar and one of the most distinguished of Punjab officials, with an obvious bias in favour of the ‘male complaints’, quoted in his diary the following explanations of men, as a justification of their ‘correct behaviour’ during his tours of the Punjab-Haryana villages, in 1930-31:

*They [women] have so many ways of giving trouble to their men-folk. One of the commonest is to slap the children and make them cry when the husband comes in from his work and wants to smoke his huqqa in peace, (It can always be deferred till the husband goes out), or they'd bring his rotis in the field late, or they'll cook his food badly, or when a guest comes they will disgrace him by pretending there is nothing in the house fit to set before him. And what can a man do if he is displeased, only beat her, there is nothing else.*<sup>19</sup>

To this may be added the “neglect of children” as a justifiable explanation for beating up women, offered by F.L. Brayne in 1930, another eminent British administrator, well known for his village uplift work in Punjab-Haryana.<sup>20</sup> Interestingly, these are some of the very reasons behind infliction of violence highlighted by women who were interviewed recently in connection with the present project.<sup>21</sup>

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<sup>17</sup> Comment of Shakuntala of village Bidhan, district Sonapat; Similar ones were heard in village Dujjana and Chhara of district Jhajjar.

<sup>18</sup> Surendra Pal Singh and Dharam Pal Singh, village Dujjana.

<sup>19</sup> Darling Papers, Cambridge, Box No. II, Tour Diary, 1930-31, p.48.

<sup>20</sup> *Brayne Collection*, India Office Records, London, 52/33, Indian Village Life Albums, C. 1930, no. 27.

<sup>21</sup> All women were unanimous of the opinion that violence perpetrated on them was for “very petty reasons”. These ranged from not cooking properly, putting less or more salt in the food, not looking after the household or the children, speaking loudly or answering back, talking to the neighbours, or just standing outside the house; or the husband’s charging them with “false and dirty” allegations regarding other men for example, or castigating them for wanting to go to

In the past, however, the beating of women was considered such a normal activity that no valid reason or cause was really needed to justify it. It had almost achieved the status of routine. So much so that popular stories abound regarding this practice. A 84-year-old man from village Mehrana in district Jhajjar remembering a story from his childhood, narrated the following:

A Jat was always beating up his wife on the most frivolous of excuses, for example, the fact that she hadn't cooked well or given adequate fodder to the cow etc., The wife grew up be more and more careful and soon he ran out of excuses. Still wanting to beat her up, he started to harness the oxen backwards, towards the plough, to get a comment out of her. The wife however said: "*jut ja bhai joken tera dhanni jutave*", (get harnessed, you oxen, as your master wishes'). Till late evening he could find no excuse. As the night approached he asked his wife to put his *khat* (cot) on the roof, as it was summer time. Once on the roof he asked, "*aakash mein voh safed rahi kai sai*", (what is that Milky Way in the sky). The wife replied, "*yo to bhuton ki rahi sai*," (that is the ghost way). The man said, "*tanne bhutan ki rahi neeche meri charpai dal di aur bhut mere upar pad gaya to?*" ('You have put my cot under the ghost way, supposing a ghost were to fall on me, then?'), and started to beat her up soundly.

Unanimous opinion gathered from the group discussions suggests that this kind or extent of beating is hardly prevalent and chronic wife beating summed up in "*uthte lat, baithte ghunsa*", (when he is up he kicks her, when he is sitting he hits her), is no longer considered normal. The general impression of both men and women is that physical violence has declined over the years. Opinion voiced by a number of educated Haryanavi men, urban and rural, is that it is "only the *dehati* (ruralites) and uneducated who beat their women". Yet, all along, the rural areas have always maintained "*aurat par hath uthana achcha nahein*",<sup>22</sup> (it's not right to beat a woman). Clearly, the cultural ambivalence had always accommodated different sets of values. In a way this is reflected in the National Family Health Survey (NHFS) data of 2005-2006, which shows that among educated men 28 to 29 percent alone considered wife beating to be justified as compared to 38 per cent among the uneducated.<sup>23</sup> The fact that educated men are less violent on their wives, especially if the wives also happen to be educated,

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their natal home too often or asking for money to run the house' etc. See also S.J Jejeebhoy, "Wife-beating in rural India: A husband's right?" pp. 855-862.

<sup>22</sup> Also included in the collection of Fallon, *Hindustani Proverbs*, p.22.

<sup>23</sup> *National Family Health Survey-3, India, 2005-2006*, p.25. (hereafter NHFS). For a detailed analysis of NHFS data at the all India level see, Leela Visaria, "Violence against women in India: Is empowerment a protective factor?", in *Economic and Political Weekly*, 29 Dec. 2008, vol. XLIII, no. 48, pp.60-82.

has been testified by certain contemporary studies as well.<sup>24</sup> NHFS statistics suggest that prevalence of spousal violence is certainly lower among 'more educated women'. Even then, more than one in seven women, who have had at least ten years of education have experienced spousal violence in Haryana.<sup>25</sup>

It may be noted here that lesser number of men than women justify the infliction of violence on their wives, suggesting an internalization of violence by women. According to the NHFS (2005-2006) data, 46 percent of women (grown from 26.4 per cent in 1998-1999<sup>26</sup>) and 33 per cent of men in Haryana believe that it is justified for a husband to beat his wife under certain circumstances.<sup>27</sup> In interviews, men's answers regarding infliction of violence on their wives range from total denials to prevarications. A few confessed at having used a "couple of slaps" here and there "to keep the women in line". Others said it was the women who "invite violence" as "they provoke" or say: "*jo zada bolti hai wohi pitati sai*",<sup>28</sup> (the one who talks too much gets beaten up).

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<sup>24</sup> In rural Gujarat, for example, Leela Visaria's study shows that level of education of both men and women is statistically significant in showing restraint in the infliction of physical violence, although not necessarily verbal violence. See, Leela Visaria, "Violence against Women : A field survey", *Economic and Political Weekly*, 13-19 May, 2000, vol.35, no. 20, 2000, pp. 1742-1751.

<sup>25</sup> *National Family Health Survey-3, India, 2005-2006*, p.26.

<sup>26</sup> See Sunita Kishor and Kamala Gupta, "Women's empowerment in India and its states: Evidence from the NFHS", *Economic and Political Weekly*, 14-20 Feb. 2004, vol.39, no.7. pp. 694-712.

<sup>27</sup> *National Family Health Survey-3, India, 2005-2006*, p.25

<sup>28</sup> Mukesh of village Chhara, summing up the opinion of a lot of rural males.

## **Political Economy of Haryana: Changes in Gender Relationships**

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In a society that culturally accepts violence on women it is difficult to visualize the fate of her legal rights enabling her to inherit property in a situation when these rights go against the customary norms of society. In this regard I briefly summarize the situation as follows:

In strong patrilineal societies like that of Haryana (as well as that of Punjab and Uttar Pradesh), the land of the village is taken to belong to the male descendants of ancestors who originally settled and worked on it. The male agnatic descendants, as members of the localized clan, alone are considered to have reversionary rights in the estate. Land is ordinarily not to be alienated outside this group. This means basically that daughters and sisters who are potential introducers of fresh blood and new descent lines through their husbands are to be kept from exercising their inheritance rights. This is clearly evidenced in the emphasis placed and even violence inflicted upon the compulsory observance of village and territorial exogamy and caste endogamy in marriage alliances. The introduction of a rank outsider into the family who can and may claim the property on behalf of his wife is forcibly and violently stopped. As an outsider he remains outside the influence of the family and caste/community rules and ethics, which ensure a patrilineal inheritance. Similarly, location of a married daughter within the natal village also spells danger to patrilineal inheritance, as it facilitates and could lead to assumption of land inherited by her.

The wide spread phenomenon of 'honour killings' is directly related to the breaches in these customary norms. This fear emanates from the property enablement clauses of the Act of Succession, 1956 and its recent amendment in 2005. Legally the right to inherit land with full proprietary rights to its disposal by a woman in her capacity as a daughter, sister, wife and widow came to exist under the 1956 Act. As this Act evoked great tension in the rural society, the landowners of Haryana were unanimous about the urgency of abolishing it. On the one hand they tried to abolish it through the legislative procedures and on the other hand they accelerated their attempts through the caste panchayats to control its fall-out effects. The move to deprive women of their property rights cut across political parties. This was done in 1967, 1979, and 1989. All these moves failed but not the spirit behind it.

Thwarted in their attempts the rural patriarchal forces devised several ways to stem the progressive fall-out of the legal enablement through a variety of means. Many advocates testify to the stream of male members with the potential female inheritors in tow to get them to write off their land claims in favour of their brothers in anticipation of the Act enforcement.<sup>29</sup> In the court one of the routine questions asked before '*likhat-padhat*' (formalization of rights), takes place is '*tum khush ho ker bhaiyon ko de rahi ho*'<sup>30</sup> (are you giving [the land] to your brothers on your own sweet will?). Several gift and sale deeds were registered in favour of male members at this time. In some cases the land is automatically registered in the girl's name but remains in de facto possession of the brother. However, more recently, I discovered that she can not always sign away her inheritance as her brothers would have her do, as rural consensus puts the marriage age will below the age of attaining majority. In cases where she does sign away her right, after marriage she is invariably taunted for having been 'so very generous to have gifted away the land'.<sup>31</sup> However, a way out of this has been found, which is not infrequently adopted. This is to seek the prior sanction of the husband-to-be and his family about her not claiming the due inheritance.<sup>32</sup> In many cases this is forthcoming, perhaps because they too have daughters and are afraid of establishing a precedent and the social taunts regarding the obvious double standards. But in these cases, where the assent is not forthcoming, the de facto control of the father and brother retains its upper hand. Violence and compulsion have been very effective in making the girls and women sign away their rights. An important way has been to pose the inheritance right of a daughter and a sister to be against that of the brother; reasons for the growing menace of dowry are again related to the patrilineal insistence upon an alternative settlement of a girl's claims/right to property.

It was not only the daughter or sister but also the widow whose traditional rights of inheritance proved to be a menace to the patriarchal system. As I have discussed at length elsewhere,<sup>33</sup> a way out of this was available in the form widow remarriage called the custom of *karewa* or levirate in which the widow was remarried to her *devar* (younger brother-in-law), failing him the *jeth* (older brother-in-law),

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<sup>29</sup> Jasbir Singh Malik, advocate, village Gohana

<sup>30</sup> Ibid. This was confirmed by both males and females in different villages

<sup>31</sup> Lachhmi, village Beri

<sup>32</sup> Ram Sarup, village Beri

<sup>33</sup> Prem Chowdhry, 'Contesting claims and counter claims: Questions of the inheritance and sexuality of widows in a colonial state,' *Contributions to Indian Sociology*, Jan.-Dec. 1995, vol. 29, no. &2, pp. 65-82.

failing him a collateral cousin. Enforcing this custom, both in the colonial and post-colonial period (in which her economic benefits have increased enormously due to recent increases in pension, and other compensations etc), is directly related to the property inherited by her and the patriarchal desire to retain it in the family. The widow who wanted sexual as well as economic freedom, and we may add freedom from institutionalized marital violence, resisted it vehemently then, and continues to do it even now, with differing results.

Indeed, the legal possibility of and claims of her inheritance rights, has meant that the violence is perpetrated on female species in their infancy or in the womb itself to eliminate the root cause of property going to her. The new technology readily available and extensively used for determining the sex of the foetus leading to female foeticide has wrecked havoc in society. The Census figures of Haryana, 2001, show only 819 females to 1000 males in the category of 0 to 6 years of age.<sup>34</sup> Such low female figures effectively negate the progressive fall out of the inheritance enablement law on female population

Although things are changing and customs have had to be revised, as will be clear presently, there continues to be hostility to women inheriting property. In an all-men group discussion, men frankly admitted that they, whether as father, brother, husband or son would not want women to have property. They openly acknowledge that it would give women tremendous leverage and “*yeh hamare sir per he nachengi*” (literally, they will dance on our heads). Also there seems to be an overwhelming unanimity about the inappropriateness of girls getting property from two sources: the parents and in-laws. These shares, according to them, are “over and above the dowry that we give them”. With dowry, men do not have so much of problem, as that gives them much sought after status, it is a woman’s claim to property that is under attack. The men want her share in the parental property to be abolished which, according to them, must go to the male lineal heirs. “Why should women get two shares? Isn’t it enough that we get them married?” they ask. The apprehensions of men about their patriarchal power and authority being compromised are quite apparent. But as the changes are now surfacing noticeably, they have no option but to either accept it or physically eliminate the woman.

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<sup>34</sup> According to the 2001 Census in parts of Haryana the female sex- ratio dips really low; for example, in Kurukshetra, it is 770, in Sonapat, 783 and in Ambala, 784. The activists in Haryana observe that in some villages it is as low as 500-550. The government, according to them is pressurising the village authorities not to disclose this fact or recognise it officially.

### ***Explaining women's complicity***

Anaspati Devi, Chamar by caste, worked as an agricultural labour in village Baddhesara. She faced physical violence from her husband on daily basis. Husband used to drink a lot and then beat her. No one in the family interfered or said anything; maintaining that the *larai* was between the two of them. Only when her sons grew up a little they started to question the father. Fed up with the situation and hand-to-mouth living, Anaspati, after many years of marriage, decided to ask for her share in her parental property. Her taking her share was greatly resented by her brothers. Feeling bitter, they threatened that they would not bother about her even if she were to die. Her younger sister did not claim her share and considered Anaspati's action totally wrong and stopped all communication with her. In fact, her brothers have also cut off all relations with her. After claiming her share, Anaspati sold off the land and reconstructed her house pucca as well as bought two milch cattle. She now makes enough income through the sale of the milk, priced at 25 rupees per liter. Violence of the physical kind has not re-occurred. Though she continues to be abused and threatened by her husband.

A woman sitting next to Anaspati, when she was being interviewed showed her resentment of her behaviour by maintaining: *Kuch bhi ho bhaiyan ki zaroorat to pade he kare. Un ke bina ke sare hai. Eesa peese ka kei karnna jo adami ne kho de* (What ever may be, one needs one's brothers. One cannot do without them. What good is this money which cuts off your relationship with your natal males?) Explaining this remark, Anaspati clarified that generally a daughter taking or claiming her share is not thought well of and is condemned in society. However, according to her there were many people like her mother-in-law who would also say that "I acted right by claiming my share". According to her there are yet others who may hold similar opinion but would not voice it, preferring to maintain silence for fear of being shouted down or even ostracized.

As against these cases, many other can be cited in which women have observed the traditional customary behaviour by not claiming parental property and have willingly made over their share to their brother. This came up repeatedly during the interviews and group discussions. For example Tara Devi of village Bhaparoda, district Jhajjar, had long ago given her share of land to her brother. After her husband's death, she divided her husband's land equally among her three daughters, her son and herself. However the earlier traditional pattern got repeated again; after more than 20 years all her three daughters gave away their share to their only brother; Tara Devi also gave her share to

her son. Now, she lives on her pension. Many women, in all-women group discussions, similarly felt that “a daughter should have the right of property only in her *susral*, not in her *maika*. Others also maintained: “Only if a daughter is not married she has the right to her *maike ki* (parental) property.” Sumitra Devi of village Meham opined very insightfully: “*Yahan to lugai adami ki sampati maani jaave hai vo keesa sampati mein adhikar maange?* (Here [in Haryana], a woman is considered the property of a man. Where does the question of her claiming her share in the property arise?). A major negative feature of the activation of inheritance rights was pointed out by women themselves who stated: “land or its possession is the cause of our deaths”, and cited several cases from different villages where women were allegedly killed for property.

In such a society how does one determine the link between women’s economic situation and reduction of violence on her? First, it is important to delineate those social situations in which the possibility of a woman’s control or possession and utilization of property and other productive assets may occur and has occurred; only then the scale of violence inflicted upon women can be evaluated. Listed below are some of these situations:

- As a daughter (with or without brother/s) she may come in possession of assets in the life time or after the death of her parents or she may by herself, or prompted by her husband and/or his family may lay claim to her share of property and acquire it; or her husband may claim her share on her behalf.
- As a widow she may claim a separate possession of her husband’s share and if she does not remarry she goes on to establish a ‘female headed household’. According to the NHSC Report in Haryana 11 percent of households are headed by women.
- A few cases where a woman may be given property which may or may not be *benami* in nature to escape the state tax or ceiling structure, which under the law is considerably less on women owners of property.
- Be in actual control and management of property due to migration of her husband or in his absence, when he is away at work.
- Employment or self-employment of a woman which makes her an earning member of the family.
- Those who opt out of marriage.

The above mentioned cases of women need to be located afresh in the changed political economy of today, as the customary norms governing questions of inheritance and property of women have been undergoing a change. Very briefly, a number of factors have contributed to this: the great increase in

population after Independence, the coming of green revolution, fragmentation of land holdings, rapid urbanization and extensive commercialization and the consequent pressure on land; the coming in of major and minor industries, industrial zones and special economic zones (SEZs) resulting in enormous escalation in land prices, which have shot up several hundred-fold in the last quarter of the century or so. Together, these have had a radical fall out effect on women, on their aspirations, and demands.

Clarifying details of the above stated features is not possible here. All those interested may look up my earlier work which elaborates upon these aspects.<sup>35</sup> For the purposes of this study I wish to emphasize just three aspects in the changed political economy of this region that have direct bearing on shifting gender relations and violence inflicted upon women. Out of these the last two aspects have been highlighted by women themselves during interviews and group discussions.

### ***The commercialization of land prices***

A single most important change, which has had most profound effect, is due to the enormous increase of land prices in Haryana. This is especially valid for the land encircling the capital, which it does on three sides. For example in my field-work area, the escalation in land prices in village Dujjana of district Jhajjar has been enormous; one acre of cultivable land currently in 2011 is estimated to approximate close to a crore of rupees; it rose from 35,000 rupees in 1988; and the cost of this land was less than a thousand rupees in 1966 when Haryana state was created. Similarly, in Karnal district, the centre of the green revolution, the price of one acre is estimated to have risen from anything between 2,000 to 4,000 rupees per acre available before the green revolution to 50,000 to one lakh rupees and above as a result of the green revolution and now in 2011 has shot up to well over a crore of rupees.

The increase in the prices of agricultural lands for urban purposes in the areas surrounding Delhi, as well as major towns of Haryana itself is unparalleled. Not only have the number of towns grown in this state from 58 in 1961 to 106 in 2001, there has also been a steady growth of urban population of Haryana. Statistically, the growth of population in the towns since the creation of the state has been: 1,772,959 in 1971, to 61,114,139 in 2001, a growth of 334.86 percent.<sup>36</sup> In the last decade alone for

<sup>35</sup> Chwodhry, *Contentious Marriages, Eloping Couples*, pp.250-283.

<sup>36</sup> *Census of India, Haryana, 2001*, series 7, Provisional Population Totals, Paper 3 of Director of Census Operations, Haryana, Controller of publications, Delhi, n.d, p. 26

which the figures are available, i.e., 1999 to 2001, the urban area of Haryana has increased from 966.73 km to 1287.93 km a growth of 33.23 per cent<sup>37</sup> Even more importantly, out of 19 districts of Haryana, 7 districts fall in the National Capital Region (NCR), containing 41.21 per cent of the total population of Haryana according to the 2001 Census.<sup>38</sup> This NCR region of the state contains 40 towns and 2,496 villages out of 106 towns and 6,955 villages of Haryana. In other words 37.74 percent of the towns and 35.89 percent of the villages of Haryana are included in National Capital region. It covers about 30.46 per cent of the total area of Haryana. These areas have seen massive escalation in land prices. Land around major NCR towns in Haryana, like Panipat, Sonapat, Rohtak, Bahadurgarh, Rewari, Gurgaon, and Faridabad, measured in square yards rather than in acres has enormous price tags. One acre alone runs into unimaginable sums due to demands of urban, commercial and industrial expansion.

The official policy of land acquisition enunciated by Chief Minister Bhupender Singh Hooda also recognized this reality.<sup>39</sup> In Rohtak district for example, known as the “C.M. City”, as it is Chief Minister Hooda’s constituency, the land rates have seen a phenomenal rise. In 2005 when Hooda formed his government, official price for land acquisition was raised from rupees four lakhs per acre to 22 lakhs in Haryana. This was raised in his second term in April 2010 to 38 lakhs per acre. In “C.M City” a plot of land worth 20 lakh in 2005 doubled in 2010. In certain areas of Rohtak the price is 65,000 per sq. yard. In industrial areas in and around Rohtak the private companies are paying more than one crore per acre.<sup>40</sup> This land and income hunger is reinforced by the rising social expenditure, along with the growing demands of a new generation with a taste of urban life and consumerism. These changes have brought an attitudinal shift among women regarding their claims to their share of property. The case studies are an ample testimony of the changed situation.

The next two points are intrinsic part of the changing political economy of Haryana which is deeply influencing the way its society is taking shape and its effect on gender relations. These interestingly were highlighted by women themselves and are borne out of the wide-scale group discussions,

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<sup>37</sup> Ibid, p. 36

<sup>38</sup> Ibid, p.68

<sup>39</sup> Hooda policy of land acquisition has divided the state into different zones. Those around Gurgaon for example are being offered 72 lakhs per acre and another 8 lakhs as no litigation incentive as also other annuity benefits. Land situated within the limits of Faridabad, Panchkula Mannesar, Sohna offers 54 lakhs per acre including 6 lakhs as no litigation incentive. In remaining parts of Haryana the rate is 21.6 lakh per acre and 2.4 lakh as incentive. See Parul Sharma, “Hooda’s Haryana”, *India today*, 21 July 2011.

<sup>40</sup> Information given by the government assesses and property dealers of Rohtak.

interviews and case studies held in different villages of Haryana. Two factors given overriding importance by most of the women, in their individual and collective take on violence, were: alcoholism and unemployment of men. Both accent the frustration of males which is frequently taken out on women, specially their wives.

### ***Growing alcoholism***

Women voiced a strong co-relation between alcoholism and violence. The existence of a vast network of *sharab ke theke* (licensed liquor shops) has become a continually growing problem in the whole of northern India. The women of Haryana openly complain how their men spend their incomes on alcohol and ruin their health.<sup>41</sup> They consider the spread of liquor and intoxicants as the cause of tension in homes leading to shortage of money for family expenses, frequent quarrels, and forcible extraction of money from women and violence. Liquor is clearly behind the deteriorating quality of a woman's life and cuts across region, caste and class lines. In fact, the greater the poverty, the worse is its impact on women and children. The growing menace of extensive liquor consumption provided the one occasion in 1985, on which women came together to demonstrate. In Nahiri, a village in the Sonapat district, a few women along with several men successfully demonstrated against the liquor *theka*, which had to be closed down. Along with village Nahiri, village Ferozepur Boangar in Sonapat district and village Bhor Saidan in Kurukshetra district emerged as important centers of this protest. This protest movement of 1985, despite great optimism, and yet greater efforts of several interested organizations, did not catch on.

The consumption of this liquor is enormous and is said to be growing: between 1981 and 2006-7, country liquor rose 11.52 fold, foreign liquor 8.13 fold and wine and beer, 10.12 fold.<sup>42</sup> Not all this alcohol is consumed in Haryana itself, as the state is an exporter of spirits and beer to other states. But even if we take the consumption of country liquor alone, locally known as *ttharra*, the increase in its consumption has been startling: from 14,20,345 in 1966-67 to 49,93,664 proof liters in 1980-81— an increase of 351.58 per cent. It now stands in 2006-7 (when the figures are available) at

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<sup>41</sup> Unanimous opinion expressed in Haryana.

<sup>42</sup> *Statistical Abstract of Haryana, 1999-2000*, p. 572.

57,540,753 proof liters—a rise of 1152.27 per cent<sup>43</sup>, since the 1980s. This excludes the enormous illicit distillation carried out in the state.<sup>44</sup>

This increase in the consumption of liquor has been caused by a cluster of interrelated causes, peculiar to different classes and even castes.<sup>45</sup> Among these causes, the increased paying capacity of the consumers, particularly in the rural areas has been an important decisive factor both in the eyes of the academics and in the rural perception. Interestingly, the two reasons advocated for the popularity of alcohol among lower castes and classes in direct opposition to higher castes and classes, is economic deprivation and low self-esteem. The increase in alcohol consumption has also been indirectly encouraged by the state with major stake in its revenues—through its excise policy and licensing of an increasing number of retail shops.<sup>46</sup>

### **Unemployment**

“*Bekar hain, peevain hain aur peet-tain hain*” (Men are unemployed, they drink and beat us) opine women in the all-women group discussion. Women correlate alcoholism and unemployment of men, which together in their viewpoint are primarily responsible for inflicting violence upon them. This brings us to the basic problem of unemployment which is causing a great deal of anxiety in Haryana. The great increase in population and pressure on land due to limited expansion in commerce and industry in the province, the overburdening of the agrarian sector has created severe unemployment in the state. According to the official figures of the unemployed in Haryana available for 2001 only, there are a total of 785,408 persons, with 642,719 males and 142,689 females registered in the employment exchanges.<sup>47</sup> Since 1980-1981 these unemployment figures have more than doubled and in a period of twenty years are not showing a downward trend.<sup>48</sup> Rural unemployment is calculated to be almost twice that of urban unemployment.

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<sup>43</sup> *Statistical Abstract of Haryana, 2008-2009*, Department of Economic and Statistical Analysis, Haryana, Chandigarh, 2010, pp. 558-559.

<sup>44</sup> Gathered from the police officers of Rohtak district

<sup>45</sup> For details of these overriding causes ranging from cultural, psychological, religious and socio-economic, as well as the earlier interpretations behind alcohol intake, see Jon Peter Dorschver, *Alcohol Consumption in a village in North India*, Michigan, UMT Research Press, 1983.

<sup>46</sup> For the State role and responsibility in the growing scourge of alcoholism in Haryana see Prem Chowdhry, *Contentious Marriages, Eloping Couples* 278-283.

<sup>47</sup> *Census of India, Haryana, 2001*, pp. 130-138.

<sup>48</sup> Government of Haryana, *Statistical Abstract of Haryana, 1999-2000*, Chandigarh, Planning Department, Economic and Statistical Organization, 2001, pp.530-31.

Apart from the registered unemployed there are 7,493,058 persons who are employable non-workers in Haryana.<sup>49</sup> The wide spread unemployment and the consequent inability of a man to support his family are a major cause of frustration, lack of confidence and an onslaught on their masculinity. Together these factors lead to domestic violence. The special cell of the Protection Officer (in relation to violence) in Rohtak shows that in fifty per cent of the cases of domestic violence, the man is unemployed and unable to provide any money for household expenses and the children's upkeep. In combination with alcoholism unemployment becomes an even more lethal a factor for inflicting violence in the domestic situation.

Among the unemployed, the plight of the educated male in Haryanavi society is particularly alarming. Many educated youth are unemployed. Among the total number of registered unemployed 232,312 are illiterate and 553,096 are educated. Those among the educated who are employed, they may well be holding a job not in any equation with their educational status. This factor, according to women, causes more frustration than men can handle. There are many stories of MAs and PhDs holding a peon's job or that of a chawkidar. Unemployment is especially aggravated as the young boys are not willing to settle for an agricultural life in the village. The income generation in the green revolution areas has driven away rather than attract the younger generation to agriculture. There is therefore a great scramble for any employment, high or low, whatever the social status. The jobs in their own villages are very greatly limited and very few can be absorbed in them. The village women also opine that even those boys who have only studied up to matric (class ten) and have in fact qualified by '*nakkal*' (copying or cheating) want jobs in the white-collared professions. This observation is confirmed by another study, which similarly comments that a large chunk of the educated and semi-educated rural population under the age of twenty-five in Haryana, ranging from the most difficult category of 'tenth class failed' to 'BA - third class', want non-farm jobs and cannot get them.<sup>50</sup> So much of unemployment is leading to social disorder, lawlessness and violence in Haryanavi society-- both public and private.

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<sup>49</sup> *ibid*

<sup>50</sup> Sheila Bhalla, "Islands of growth: A note on Haryana experience and some possible implications," *Economic and Political Weekly*, 6 June 1981, vol. XVI, no.23, pp.1022-30.

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## **Challenging Socio-cultural Norms and Shifting Gender Relations**

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It is in this changed political economy and shifting gender relations that the case studies have to be located and understood. Given below are some of the cases for each of the above situations (excepting that of the widow) to assess the effect of having productive assets or employment on the infliction of violence experienced by women.

### ***Women staking a claim to the money from the sale of the land***

The rapidly changed and still changing socio-political economy has had effect on the customary cultural patterns hitherto held sacrosanct in the rural areas. Together these have been magnetic enough for women to claim their inheritance and share in the property and also for some men to activate the inheritance law on behalf of their wives, so much so that even the children have reclaimed (as it is legally reclaimable) the once-orally-declined-share by their mother. As a woman astutely commented in village Mandotthi, "*Pahle ladkiyan mangti zaroor thi per leti na thi, eeb ladkiyan apna haq mangti hain aur le bhi rahi hain*" (Earlier the girls were asking for their share, but not claiming it; now, the girls are asking for their share and even claiming it).<sup>51</sup> This is a change noticeably coming to the surface and in the long term stands to readjust in return the social equations between males and females.

Women may still write off their land rights but they are now demanding a share in the sale of the land which has brought huge economic returns in the NCR region. In the Baniara village of Rohtak district, for example, which falls under the 'acquisition of land' plans of the Haryana government there has been enormous rise in the price of land. These highly attractive commercial prices have reportedly elicited a response from females resulting in about 10 to 15 married women in this single village staking their claim in the money, which their brothers/fathers have received from the sale of the land. Many women are known to have already received this money. However, there is a shroud of silence regarding this exchange as there continues to be social censure of all such demands. The concerned parties are weary of admitting that they have had to accommodate the demands of their family

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<sup>51</sup> There is an extreme case reported in the news papers regarding a young girl Sonia who killed eight members of her parental family in Hissar and then tried to commit suicide. Her suicide note read: "I am fed up with my family for not giving me my due share of the property and I am going to eliminate them as well as myself". *Tribune*, Chandigarh, Sunday, 26 Aug. 2001.

females. There is consequent denial by those concerned but many people in the know have confirmed it. In this respect I shall take up just one case in which the female claimant has made such a demand, which highlights the pulls and pressures experienced by the women in order to either strengthen her agency or to create it.

This is a case of a woman who asked for her share in the money that her father received after selling off his land for crores of rupees. Out of many that reportedly exist she alone was willing to be interviewed.

Rekha from village Ratthdhanna, in district Sonapat, was married off to Rajbir a police man when she was 22 years of age and had studied up till B.A. Her father originally had nine acres of land, out of which six acres were sold off for one lakh per acre much before her marriage. However, with the passage of time, urbanization and industrial development of Sonapat and commercialization of the surrounding territory which fell in the coveted urban category, the price of land sky rocketed. As her father's land fell in this commercialized area he sold off his three acres at one crore per acre. Rekha prompted by her in-laws asked for her share in this sale of land. In return, all that she was given was some pieces of jewelry. She realized, as she puts it, the "unfairness" of it all. Consequently, she asked her father for her "proper share". "Why should my father discriminate between me and my two brothers?" she inquired. Till date she has not received her share.

#### **Box I: Rekha Claims her Share of Land**

During the interview, Rekha agitatedly complained that both her brothers were unemployed. Yet, they were still "enjoying themselves" on this money, while she was constantly being nagged and taunted by her husband and father-in-law about her share which her father had so far refused to hand over to her. Clearly there was emotional and psychological pressure on Rekha which had intensified in the wake of the sale of the land by her father. But, since this matter came to the surface, she maintained, there was no physical violence on her any more. Rekha acknowledged that Rajbir, her husband, had a "temper" and was given to airing it freely. Rajbir confirming this, stated that he indeed was given to "slapping Rekha "now and then" to "keep her straight" as she was considered "very *bholi*" (simple or unworldly). Even this 'slapping' ceased since her property claims came to be voiced. When asked, whether society was now allowing daughters to have a share in their father's property, Rajbir, underlining the changing norms, maintained:

“Society doesn’t say anything. All households are now-a-days facing such demands from their daughters who are claiming their share and in fact even getting it. Only money matters. This is especially so when relationship between the in-laws sours for some reason, as in our case. I hope the eventuality of moving the court doesn’t arise. So far neither have we moved the court to claim Rekha’s share nor have they given her share to us. Let us see what happens in the future.”

It may be added here that claiming money or supporting the wife to claim money is far easier for the husband; as instead of land, money can be taken “*shaan se*” (with respect or pride), as one man put it. The money transaction also makes the husband of the recipient escape the slur of being a *ghar jamai*--a position, by and large, considered ‘demeaning’, which will be dealt with presently. Even those women who ask for the share of land, which many from financially weak conjugal homes do, they generally sell it off for the same reasons, as is evident in the cases given below.

### ***The changing institution of ghar jamai***

One of the major reasons why a daughter/sister may be wary of claiming her share in the property of her father is the negative connotation associated with the word *ghar jamai* (resident son-in-law). In Uttar Pradesh, Punjab and Haryana, the cultural prejudice against *ghar jamai* among landowning caste groups is so strong that it has become the butt of many jokes and stories. An oft quoted proverb runs:

*sohre ke ghar jamai kutta*  
*bahen ke ghar bhai kutta*  
(A man living in his father-in-law's house  
A brother living in his sister's house,  
Are both akin to a dog)

In ordinary circumstances, a son-in-law is treated with honour and respect especially, when he is on a visit to his wife's village. Great respect is shown to him not only by the wife's immediate kinsmen but also by her classificatory kin, such as her lineage males and fellow villagers. In fact, in the whole of north India he is generally referred to as the *bateu* or a *mehman*, both words literally meaning a guest, and his honour lies in remaining one, i.e., a *jamai*, and not a *ghar jamai*. The collaterals would not like to see an outsider taking a share of the ancestral property. So, if he were to go and live in his wife's village and become *ghar jamai* he would be despised and would incur considerable shame.

Cultural constraints and popular prejudices however, did not entirely prevent the *jamais* from making claims on behalf of their wives. The colonial administration recorded a series of cases in which ghar *jamais* were turned out of the house by the collaterals after the father-in-law's death and forcibly deprived of the land or given only half.<sup>52</sup> In post-independent India the antagonism towards such situation remained pronounced. Especially, after the passing of the Hindu Succession Act, 1956, which as stated earlier, enabled a woman to inherit property. In fact, 23 years later in September 1979, the Haryana Vidhan Sabha members testified to a rising 'trend' of ghar *jamais* (sons-in-laws shifting to their wives' villages to claim land). Further, it was noted that after the 1956 Act people wanted their sons to marry only those girls who had no brothers.<sup>53</sup> They openly acknowledged violence and even murder in 'ghar *jamai* cases'. However, statistics regarding the number of cases which may actually have been effectuated are not available.

Given below are three cases from the Rohtak district regarding women inheriting property and the turning of *jamai* into a ghar *jamai*. These cases underline the continuing and even an acceleration of a change in Haryanavi rural society, which is on its way to accept a significant breach in the time honoured tradition of patrilocality. Specifically, there is acceptance for the relocation of the husband to the natal village of the wife and the daughter and her husband are permitted to take over the ancestral property—an act which was always vehemently resisted by the family members, collaterals, community and villagers. This case shows the most respected *jamai* turning into a ghar *jamai* but with hardly any negative connotations in real life. Some reservations may still be there, but they have not proved to be of any great hindrance in the daughters taking over their property as also changing the personal equations between the husbands and wives and in having a decisive impact on marital violence.

In the village Ballam, two brothers got married to two sisters, who translocated to their wives' village and became ghar *jamais*. They have been successfully cultivating the land of their father-in-law without incurring any social disapproval or strictures. In 2000, the two brothers, Anil and Sunil were invited to cultivate a 11 acre farm after their wives' parents, in their 80s and ailing, were unable to work on their land. The sons-in-laws agreed as their own ancestral land was a mere 5 acres and also

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<sup>52</sup> Dunnett, J.M, *The Customary Law of the Ludhiana District*, revised edition, Vol. V, Lahore, Punjab Govt. Press, 1911. pp. 107-8.

<sup>53</sup> See debate relating to the Hindu Succession (Haryana Amendment) Bill 1979, *Haryana Vidhan Sabha Debates*, 25 Sept. 1979.

not so fertile which they, i.e., five brothers jointly held and cultivated in village Ojha of Bhiwani district. In any case their wives had no brother and the land would have eventually been inherited by them. Their own land, were it to be divided would have meant uneconomic holding of just one acre each for the five brothers. After shifting to village Ballam, the two sisters, Kausalya and Saroj, took turns to go and stay in their conjugal home and village for six months each. This is primarily because of their children's schooling in a "good" private school in village Ojha. Another important reason was disclosed candidly by one of the sisters who stated: "It is important that one of us stays in our *susral* (conjugal home) because after all our husbands have their share--however little--in that property as well".

Interestingly, the village folks do not condemn these *ghar jamais*, suggesting a certain reversal of opinion that has been gradually taking place in the rural areas. The villagers, both men and women opined that the two brothers are the village *bateu* (guests) who always give them (the villagers) "full respect" and are "respected in return". Once when accidentally the neighboring field caught fire from the actions of one of the *jamais*, the village panchayat refused to impose any penalty as they would have invariably done in any other case, and were satisfied with the apology tendered by the *jamais*. Explaining this they said: "How can we impose fine on our own daughters, After all, it's our daughters who are the owners of this land". Elaborating further they maintained:

*"There is a great deal of pressure upon a ghar jamai. He has to behave himself, give full respect to all in the village and not pick up any quarrel with any one of them or his wife as that will not be tolerated. Also, he can not drink publicly or misbehave."*

Clearly, what is tolerated in relation to the *bahus* like daily quarrels, abuses and beating by the husband is not tolerated for the *betis* (daughters), when they are in their natal home and when the inflictor of violence is the *ghar jamai*.

Regarding the same, the mother of the two girls, Shyam Bai, had the following to say:

*"We have made a will leaving our 11 acres of land to be divided equally between our two daughters. No one has any objections, neither the collaterals, nor my husband's brothers who had received their own share of 11 acres each some fifty years ago, nor any of the villagers. So far our *bateau* have not raised their hand on our daughters or even raised their voice or scolded them."*

### Box 2: Conditions on Ghar Jamai

An interesting angle was provided by Anil and Sunil on their ghar jamai status. The husbands explained candidly:

“Truth is that a ghar jamai’s status is like that of a housewife. Our hands are tied. All the land belongs to our wives, the house that we live in belongs to them; we have nothing. A ghar jamai can hardly abuse his wife or beat her. Even when she is at fault, we just have to ignore it. We cannot even raise our voices in front of our in-laws. If this happens, the villagers will say that the ghar jamai is misbehaving despite been given everything. They will stop respecting us. There is constant though unstated pressure of our wives and their parents on everything that we do or say. But we are happy here. Why not? This is where the money is!”

Speaking of the change they perceived in their situation, Kaushalya said:

“When we were in our *susral*, there was constant tension between our *devranis* (sisters-in-law) and us. There was always stress to complete the work in certain time frame. If we couldn’t, we invited trouble from all, including our husbands, who would scold and beat us. We couldn’t go out as we liked and meet who we liked. There was complete restriction on our movement. We had to remain in *ghunghat*. Not knowing anyone we felt isolated. Here in our *meke* (natal home) we know all, do not observe *ghunghat*, go where we like; meet who we like. All know us and call us by our names. There no one even knew our names. When we are ill, our husbands take over all the work even that of the animals like cutting and carrying fodder etc. There is no beating or scolding as our husbands are afraid of *badnami*. We take our own decision to buy, eat and purchase what we like.”

### Women claiming land—their share in the parental property

Despite the continuing strongholds of opinion among both men and women that a woman has no right to her parental property, cases are steadily growing where women are claiming their share even after several years of not claiming it and despite there being a male heir.

Dhanpati, a Jat woman from village Shari Khawda, district Rohtak, is now 56 years old. She married Ram Prasad of village Dobh, at the age of 16, some forty years ago. Their monthly income from two acre of land, as well their pension and sale of milk comes to a little over five thousand a month. Dhanpati and her three sisters had not laid any claims to their parental property. Her two brothers had

consequently inherited two acres each from their father. Out of the two brothers, the younger one had been close to the four sisters and had observed all the rituals by presenting them with *Kothali* (gifts on social and festive occasions). He was unmarried and died early. The older brother had always been very unpleasant to his sisters; he didn't observe any of the rituals and in fact did not allow his sisters even to visit him. A violent person, he even hit his mother on one occasion. Due to his 'nasty and objectionable' behaviour the sisters decided to claim their share in their father's property. They got one acre in 2001 which they sold off to someone in their natal village itself. The sale got them two lakh rupees which were distributed among the four of them, i.e., fifty thousand each.

Since Dhanpati belongs to a region, that is highly critical of daughters claiming their share, especially if there is a son/brother to inherit it, she felt the need to justify her action during the interview. Rationalizing her initiative, she said "I claimed my share as my brother was misbehaving with me and my sisters and not fulfilling his brotherly obligations". Only one of her sisters has any regrets about depriving their brother of this property. After this incident, what ever relations existed between the brother and his four sisters are now totally irrecoverable. It is well known that if the sisters were to claim what is legally theirs, they have to completely write off any relationship with the natal family. Interestingly, when this move to claim their share was under consideration, Dhanpati's husband and the husbands of her sisters' had encouraged them to take their share. More and more cases of the husband and/or the conjugal family encouraging the bahu to stake her claim to inheritance are coming up. This is in spite of the likely public censure, which the family may have to endure. Cultural patterns are set to change though not without some protests.

### **Box 3: Property as a Protective Factor**

The effect of having claimed her share became visible very soon. In Dhanpati's words:" Our (the sisters') condition improved after we claimed our property. Now our husbands instead of talking to us in anger and constantly scolding and abusing us speak to us in normal tones, almost lovingly."

Out of the money Dhanpati received from the sale of the property she bought a buffalo whose milk is providing sustenance to her entire family. For the rest of the money, her husband suggested that they convert their *kachcha* (made of mud) house into a *pucca* (lined with masonry) one. She agreed, as it had not been possible for them to have a pucca house earlier because of lack of finances. It may be

noticed that, after claiming her share Dhanpati clearly came to assume a position where she was taking both individual and joint decisions.

The case does not end here. It is carried on in the case of her daughter. Dhanpati had a son and a daughter. The son died early in 2003 due to drug abuse. The girl had been married off at the age of sixteen in 1998 and she now has a son and two daughters. For the first five years the girl was beaten black and blue almost every day by her husband. This however, changed once Dhanpati's only son died leaving her daughter as the only inheritor of Dhanpati's property, which included land, house and cattle. "From that day when my son died till today", maintained Dhanpati, "our son-in-law has not raised his hand on our daughter". Earlier to escape violence her daughter had to flee from her home to her parents several times but her husband refused to relent. After the death of her son, Dhanpati and her husband had declared that, after their death, their two acres of land and other property would go to their only daughter; and the price of land in this area, close to the urban colonies of Rohtak, is estimated to be about rupees one crore per acre. Dhanpati said that they also warned their son-in-law, in so many words that if he were to inflict violence of any kind upon their daughter, he will have to be prepared for consequences. The implications were clear. Inheritance of the wife and the growing old age of her parents were inducement enough to stop all aggression from him and other family members. In Dhanpati's words:

"As long as our only son was alive my daughter was beaten by her husband as well as his other family members. Now that he is no more and the son-in-law knows that all the property will go to my daughter there is no violence; my daughter is now very happy in her conjugal home. There is no violence from anyone. When we need her she is sent readily to be with us."

In another breach of a hallowed tradition, the daughter started to be sent frequently to be with her parents, when ever her presence was required due to their ill health or any other work. Indeed, now even the son-in-law readily accompanies his wife and stays with his in-laws to help them out in peak agricultural seasons.

I may add here that although, it is true that the husband comes to have enormous rights over his wife's property, but it still remains in the woman's name. That is crucial, because in all future negotiations/sale etc her signature/consent is needed and necessary, which may or may not be forthcoming.

### ***The propertied status of the wife***

How does the man-woman equation work when the wife is known to be the only heir to her parental property? This gets illustrated in the case of Nirmala and Tejaswani, two sisters hailing from an upper caste/class Brahmin family of village Sitali in Sonapat district. They married two brothers Ram and Ajit Niwas of village Dobh in district Rohtak and initially lived together in a joint family. Both these sisters do not have any brother. The parents of the girls have very fertile five acres of irrigated land situated between two canals, which remit an income of rupees 25,000 per acre per annum. The father has openly declared that he will leave all his property to both his daughters. He had earlier shown his willingness to adopt the son of one of his daughters but this was not acceptable to the daughters' family and their husbands. Not only did they fear for the life of the child so adopted but also made a condition that the child who gets adopted will have to forgo his own claims in his paternal property. This was not acceptable to any one of them.

The brothers together own six acres of land which they cultivate themselves and also have a tractor; this land is not as fertile as the one owned by their father-in-law. Also, it is prone to floods. Last year, in 2010, for example, more than half of their land was under water and they were unable to make any profit out of cultivation. In such a situation the attraction of their father-in-law's land is very clearly evident. In the eventuality of their wives inheriting this land they plan to either give it out on rent for cultivation or may even sell it. The money so generated would, according to them, go to their wives. However, they also laughingly added that "in any case being their husbands we have equal rights to our wives' money or land-- what ever the case may be". It may be noted that the reverse sort of observation i.e. claims of their wives on their husband's property is never acknowledged.

#### **Box 4: Women's Autonomy with Property**

The propertied status of the wives has had a salutary effect on the behaviour of the husbands and the relationship of the couples. The socio-cultural norms stand willingly and permanently altered to suit the new situation. At the time when they were interviewed, Tejaswani, the wife of the younger brother had gone to her *maika* (natal home) to look after her old parents. Although the husbands have not shifted to their in-law's village, and cannot be called ghar jamais, they shoulder all responsibilities. In fact, just like in the previous case of Kushalya and Saroj, both the sisters take turn to go to their *maika* (natal home) and see to it that their old parents are never left alone. This is quite contrary to

the reigning cultural practice which does not encourage the visits of married women to their natal home; it is sanctioned on rare and significant festival or other social and family occasions only. A woman has no right to take such a visit for granted and needs to seek the permission of her husband and other elder members of the family. Now with the changed situation, when one of the sisters is visiting her parents, the household work in her absence is shared by the mother-in-law, who is stated to be “most cooperative”. The mother-in-law takes over cooking, cleaning, milking and looking after the milch cattle, without being resentful of her *bahus*’ (daughters-in-law) very frequent absence from the family, as is generally in most of the cases. The two sisters also do not work in the fields. Their husbands do all the work. In fact they were not even aware as to what all crops were sown in the fields. Nirmala credited the ownership of property for this change. Even more importantly, Nirmala maintained:

“Because we have our father’s property behind us we have not only got respect in our family but also our husbands have never raised their hand on us. We have never experienced physical violence. There have been arguments and we have been scolded from time to time but never have we been beaten. Also they have never pressurized us to do any thing against our wishes”. She went on to add: “Because of our property, our family is respected in the community and the village. The neighbours are also very cordial because they think that once we inherit the five acres of our father’s property we are bound to sell it and they, being our immediate neighbours, may be given preference in purchasing it”

In decision making however, both the sisters had limited rights. They could certainly take decisions in relation to their personal needs but not much else. Nirmala maintained that they were free to purchase things for personal use like *salwar kamiz* (suits), bangles, *chapples* (foot wear) or any other thing that they may fancy for themselves but decisions for other purchases relating to kitchen, the household and field related necessities were all made by their husbands.

Interestingly, in not using physical violence against their wives, the husbands gave importance not to their wives’ property but to their being educated. Nirmala is educated up till tenth class and Tejaswini up till seventh class. Education, in the opinion of the husbands, made their wives “wise” and “mature”; it gave them the ability to manage the household and children well. In their opinion, their wives did not allow the opportunity to arise when they would be compelled to inflict violence upon them. They, however, confessed to scolding them from time to time.

### ***Men's work by women***

In another case, Kamala Devi, Brahmin by caste, shifted with her husband to her natal village Meham, in Rohtak district after her parents' death to look after the six acres of land which they had owned. Kamala has two more sisters but no brother. Consequently, her father divided the property into three, leaving two acres each to his three daughters. Although the husbands of Kamala's sisters did not shift, Kamala's husband did. He has two other brothers and was encouraged by Kamala's mother-in-law to shift to his wife's natal home. Initially her husband would drink heavily and go back to his own house, but slowly as his health declined noticeably, and he was unable to perform agricultural work, he started to stay with his wife in her natal home and village.

Interestingly, it was Kamala who took over the actual cultivation of her parental land i.e., her own as well as that of her sisters. This was primarily because of her husband's acute health problems. She was able to do this with the help of hired labour. As her sons grew up they started to help her during their holidays; one son is employed in a factory and the other is in the school. The work involved watering the fields, sowing the seeds, spraying insecticide, cutting, threshing sifting and all other operations associated with cultivation as well as negotiating with males in charge of other agricultural work like marketing etc. Kamala grows wheat, jowar, bajra, and sesame crops. Out of the profits made she has converted the kacha house of her parents into pukka, masonry one; bought two buffaloes for milk and an oxen for undertaking agricultural operations. Her household expenditure is met by the sale of milk alone as the fodder is available free from the fields. Rest of the income from cultivation is "fairly and honestly" divided into three shares—one for her self and the other two for her sisters.

In all this her husband and his family as well as her sisters and their families have supported her fully. A few people have certainly been critical of her. Their objections have been two fold, as is clear from their criticism of her: One, they have told her to stop all "*mardon ke kaam*" (men's work), and two to go back to her *sasural* (conjugal home) which alone, according to them, she is entitled to. Agreeing to the first charge Kamala Devi significantly, confirmed: "for the last 17 years (since 1997), I have been managing like a man". Explaining this Kamala elaborated:

*'If I had not taken over the land it would have been misappropriated by my chacha- tau (uncles) and we would not have been able to do anything. Now I stand in place of a brother for both my*

*sisters, fulfilling all the social and ritual obligations that a brother is expected to observe towards his sisters, like bhat and kothali etc. and even provide them with a place (natal home) they can visit, when they like.”*

In other words property ownership for women in the above cited cases has meant:

- Physical violence on the wives has ceased; verbal violence continues in village Dobh case as the couples confessed to “*kaha suni ho jaa hai*” (we do exchange words), but in some cases for example the Ballam case even that has ceased.
- Apart from the major breach in the customary norm of patrilocality, another breach is taking place i.e., there is a reversal of ‘visiting rights’ granted to the bahu in relation to the natal family. These were earlier under severe restrictions, but these visiting rights are now freely used, in the reverse, by the *bahus* in relation to the conjugal family.
- In the Dobh case, the two sisters have been exempted from the farm work; the household and the animal husbandry work alone is under their care.
- There is some change in the behaviour of the mother-in-law, there continues to be tension and even verbal violence from the mother-in-law but she is also given to help out in household matters much more than earlier.
- In the case of village Meham, where the husband is keeping very indifferent health, the entire work, agricultural, household and animal husbandry is being performed by a woman—a complete role reversal. For all purposes this is a female-headed household. This is a situation where the question of violence perhaps just does not arise.

### ***Benami property: proxy ownership by women***

There are women in Haryana who have property of their husband or of other members of her conjugal family registered in their names. They are *benami* (proxy) owners of this property. The case of Rekha of village Ratthandhana in Rohtak district, cited above, is a case in point. Her in-laws got a 200 square yards of land registered in her name. Such registration of property in women’s names is now on the increase in Haryana, as it is done to save registration and stamp duty, which used to be 8 per cent on the urban immovable property and 6 per cent on rural property. In July 2005 it was

reduced for women owners only, to 6 per cent and 4 per cent, respectively. Although figures are not available this step is stated to have greatly encouraged ownership of property by women, even though it may be in name only. As a consequence there are many families who are getting their property registered in the names of their family females.

However, even this *benami* act is empowering to women. During an all women group discussion in village Dujjana of Jhajjar district, I was told by a young bahu about her mother-in-law who told off her husband when he was being particularly objectionable and verbally abusive by stating: “*mera makan hai bahar nika!*” (This is my house, just get out of it)<sup>54</sup> “Taken aback”, the bahu stated, “my father-in-law did not provide an occasion to my mother-in-law to issue such a command ever again.” The mother-in-law was the *benami* holder of the property which was signed over to her by the father-in-law in order to escape heavy registration duty.

### ***Woman-in-charge: the absentee husband***

When men migrate for work, the possibility exists for gender relations within domesticity to be pushed in new directions. There are some indications that women left behind may be negotiating new possibilities and reevaluating themselves and their activities in the absence of the male spouse; the meaning and performance of work may change for women and she may become more effective in challenging gender subordination in the family. However, there are also other women who may not be able to cope.

Rajbala, belonging to the dominant Jat caste, of Kathuria village in Sonapat district got married at the age of 16 to Baljit of Gohana village, also in the same district. Now she has been married for 22 years and has two daughters and a son. Baljit is in the army and comes home after two months or so and that also only for 4 to 5 days. For all purposes Rajbala heads the family. At the time of her marriage her husband’s family had been a joint one with eight family members including her. She had to undertake all household work, as well as that of the animals. Her conflict with her mother-in-law started early. There were daily quarrels between them and when she complained to her husband, she was beaten by him. This physical violence kept on increasing. With the birth of her children her duties increased, as her differences with her mother-in-law did too. Because of this constant squabbling her

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<sup>54</sup> Mukti Devi of village Dujjana, in a group discussion.

husband decided to move out of the joint family. He shifted to village Gohana, where they had a plot of land.

Once in Gohana, the relationship improved dramatically. In the absence of her husband who was most of the time away on duty, it was Rajbala who took over the charge. She takes all major and minor decisions. Her husband transfers the money to her account every month and she is free to spend it as she likes. She takes decisions not only in matters of clothing, eating etc., but also which school should the children go to, whom to give the land for rent-out cultivation, whether to keep the milch cattle or not, etc. According to Rajbala, her husband takes over when ever he comes home, but that also because, she maintains, “he wants her to rest”. The general pattern observable in such situations is somewhat different. The husband, when ever he comes back home on leave does take up the agricultural and other related works but the woman does not go off this work at all. Generally, there is no question of her ‘resting’ as suggested.

#### **Box 5: Women’s Preference**

In Rajbala’s words:

I feel if my husband had not been in the army and had been a zamindar (cultivator) we would have had daily quarrels and attendant physical violence as I witness in other families. I feel that an army man for a husband is better for a woman as in his absence a wife gets to perform all the tasks; she takes all decisions; she also handles all the money. It is not as if I do not consult my husband. I do. For important matters his decisions are final, for example, regarding the marriage of our daughter. My daughter is also getting married to an army man. We have consciously chosen him, as with an army man a wife gets to call the shots in most matters. She is under no pressure and there is no violence. It is because of my own experience as an army man’s wife that I gave preference to an army man as a groom for my daughter. The one thing that my daughter’s in-laws wanted was an educated bride—at least a BA and my daughter is B Ed.

The preference of Rajbala is clearly on having: a nuclear family and decision making power in her hands, which in the case of an absentee husband can and does become a reality. Clearly, power to make decisions by a woman makes for a different spousal relationship, not necessarily that of full equality but one in which violence is contained. However, it may be recalled that not all absentee

husbands, even those working in the army, are so accommodating to their wives. The case of Ishanti Devi of village Sunaria, given below, is a case in point.

Also, regarding nuclear families there is divided opinion. An overwhelming number of women interviewed felt that nuclear family was better where violence was considerably less. The woman was the 'mistress' of the house and took decisions, which were earlier taken by the senior most female in the family hierarchy, like the mother-in-law. Also the family tension, constant bickering among family members, especially female family members, was absent. They felt that husband when alone could be "managed", as he was not "instigated" by others. Also, women literally and metaphorically have more space to act in a nuclear family. A miniscule minority felt that many times the joint family acted as a shield to support the victim from violence of the husband.

### ***Those who earn: employed women***

The statistics of married women who are employed in Haryana are not very impressive. The figures compiled by the NHRC, 2005-2006,<sup>55</sup> show that among the currently married and employed women in Haryana only 28 percent are employed (showing an enormous growth from 12.6 in 1998-1999<sup>56</sup>), as against 98 per cent of married men. Out of these 52 percent of employed married women earn cash, a huge increase from a mere 9.7 per cent in 1998-1999,<sup>57</sup> the rest either receive no payment for their work or are paid in kind. However, among those who earn cash, 82 per cent of women are able to decide how their earnings will be spent, either by themselves or in consultation with their husbands. Out of those who earn cash, one fifth of women earn as much or even more than their husband.

On the other hand, the 2001 Census reveals that women workers in most categories (except as 'other workers') outnumber men in Haryana.<sup>58</sup> For example, among the category of cultivators, females are 43.67 percent to 32.47 per cent of males; among agricultural laborers females are 21.10 per cent to 12.55 per cent males; and women working in the household industries are 3.11 per cent females to 2.31 percent males. Importantly, the employment and the earnings change a woman's status from that of 'house-wife' into an 'earning- wife'. As house work or work performed on ones own land

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<sup>55</sup> *National Family Health Survey-3, India, 2005-2006*, p. 24

<sup>56</sup> Kishore and Gupta, "Women's empowerment in India", p. 704.

<sup>57</sup> *Ibid*

<sup>58</sup> *Statistical Abstract of Haryana, 2008-2009*, Economic and Statistical Organisation, Planning Department, Government of Haryana, 2010, Chandigarh, p. 67.

(where her work is most intensive and sustains agriculture) or animal husbandry work is not recognized as 'work' for women, it grants her no recognition or value. Agricultural work certainly qualifies a male cultivator as an 'earner' but not a woman, who may be designated as a cultivator but who is deemed as not earning.

Given below are certain cases to evaluate the effects of employment and earning an income on women and their experience of violence.

Ramkali's case shows how a woman who experienced repeated violence for a number of years during her married life overcame it by generating her own income. She educated herself and successfully stemmed her husband's violence to a great extent and out of her savings acquired land as well as constructed a house. Now, with her husband absconding, she has gone on to become the head of the family, takes all decisions and is currently leading an independent and violence-free life. Regarding such cases the NFHS data (2006-2006) testifies that women who are widowed, divorced, separated or deserted have not only more freedom of movement than other women but also greater control over their money.<sup>59</sup>

Ramkali, a woman of 49 years of age, is currently living in village Bichpadi, near Panipat. She is Khati by caste (Other Backward Classes) and at the time of marriage in village Baduie, district Panipat, she was 15 years of age and illiterate. Ramkali's family had been told that Jai Bhagwan, her husband, worked as a tailor and earned well and she would have a comfortable life. This did not turn out to be true, as he did very basic stitching work for his father (who had a tailoring shop), that also not too well, and hardly made any money. What ever little he received he spent it on alcohol.

#### **Box 6: Overcoming Violence**

Violence on Ramkali began early in her marriage and increased with time. Over the years she had four children: two boys two girls, out of which one girl died in 2009. To meet both ends, both Ramkali and her husband became daily wagers in the neighboring agricultural fields. In fact she worked both as an agricultural and a construction labourer. All this time her husband's alcohol intake kept on increasing in concurrence with the battering of Ramkali. In order to escape this violence, Ramkali often had to flee with her children, to hide in the fields or sleep on the roof of some neighbour.

<sup>59</sup> *National Family Health Survey-3, India, 2005-2006*, p. 25

Ramkali spent the major portion of her married life suffering such violence. Once she even complained to the police, who first refused to write a (FIR) Firsthand Information Report and then asked her for money to write it. On another occasion she thought of committing suicide but relented because of her children

After eighteen years of married life Ramkali decided to educate herself. She came across a social worker who motivated her to get educated. Under her instructions she joined Sakshrtya Abhiyan<sup>60</sup> to become literate and aware of her rights. According to her, a combination of her earning an income, growing confidence in herself and her ability to bring up her children single handedly, education, and awareness of her rights gave her enough courage to refuse to take her husband's violence lying down. She retaliated and on one such occasion revolted by picking up a stout wooden staff and hitting her inebriated husband on his head. For this she was outrightly condemned by her mother-in-law and criticized by the neighbors. Her earlier "meek and suffering" behaviour, according to them, was "all a put up job" as actually she was too "*ddhadhi*" (a very strong woman) to get beaten by a drunken man. Her husband did not confirm the incident as he was afraid of being ridiculed.

However, after this incident, her husband became more restrained. According to her he was "almost afraid" and she "benefited" by this feeling. Instead of listening quietly, she even started to shout back at him when ever he abused her. She saw to it that he did not get access to the money she earned as an agricultural/construction labourer. Although after drinks he was back with his attempts to beat her, but much less, and was easily restrained by her tough stand. In her opinion it was almost as if he was "afraid of her violent reaction". For gaining access to money he devised a novel way by pawning for monetary consideration the heavy kitchen *karahi* (an essential cooking utensil) made of brass. Ramkali had to retrieve it every four–five days after collecting money as its pawn-payment. As the children grew up and took to labour their money also started to be forcibly taken from them by her husband.

Her education and awareness of her rights led her to join a group of women protesting against illegal eviction by some high caste men who wanted to demolish their dwellings to occupy the land. The

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<sup>60</sup> Sakshrtya Abhiyan was formally launched in Haryana in April 2002 in an effort to universalize elementary education by community ownership of the school system. Apart from imparting reading and writing and counting skills it also emphasizes the social equality, equal rights of women and other related social and environment issues. It was started in all the districts so that males and females get literate about their rights. From 2009 onwards it is being operated only in 10 districts of Haryana where less than 50 per cent of women are literate.

rapidly growing industrialization of Panipat had brought such highhandedness to surface in many areas. This opposition had a drastic fallout effect. After this involvement the landowners refused to hire the husband–wife team as labourers and also denied them grazing rights or availing of the fodder facility for their animal. The milch cattle had to be sold off. And the family was compelled to shift from village Baduie to village Bichpadi near Panipat. Her parents-in-law and *devar* stayed back.

In Bichpadi, staying in a rented accommodation, Ramkali started to perform a variety of jobs. She worked as a cleaning maid in a number of houses. Later, to improve her prospects she started to work in a factory where after working for 8 to 8 ½ hours she was given Rs. 1200 per month. She had to constantly hide this money from her husband. A little later, after collecting a little money she took to self employment and became a vendor of *bindis* and *churries* (bangles) for women. She also started to hire out her cooking/cleaning services for making food when ever there was some wedding in the village or any other social function. She now works for 8 to 9 hours, and comfortably makes 3000 rupees per month, with which she states she is very satisfied as she maintains that she is “not dependent on any body” or “reduced to asking other people for money and support”.

Once in village Bichpadi, her husband had started to sell spurious liquor illegally. As this spurious liquor resulted in the death of some men, he was caught by the police and incarcerated. His family was asked to pay rupees five thousand in order to bail him out. Ramkali refused to pay as she maintained that she “felt relieved to get rid of him”. After a few months when she went to get him out of jail he had been shifted elsewhere. He came back for a brief while, after a year, only to go away again. For all purposes he has abandoned the family and now comes very rarely.

In the absence of her husband Ramkali has assumed full charge of her small business and the household. For all purposes she is the head of the household and for this she has strengthened herself immensely. From her savings she has bought a plot of land measuring 150 square yards and built a house on it; both land and the house are registered in her name. Her older son, now 26 years of age, is resentful of the fact that the house is in her name and often asks her to transfer it to him and even threatens her by saying “*Makan mere naam ker de ke karegi budhpe mein, mer jagi mere hath te kade- n-kade*” ( Get the house transferred to my name. What will you do with it in your old age? One of these days I shall kill you)

Ramkali said “ since I keep my money with me and spend it as like, take all the decisions myself, do not consult my son in various matters, go where I want to, eat and wear what I like, my son does not like it and is constantly complaining; he is deeply resentful, but cannot do anything.” So far the son has not taken recourse to violence.

I shall now cite very briefly as examples four more cases out of several that I came across and which are spread across Haryana; in these cases and others like them earning an income has reduced the level of violence on women.

**Sunita**, from village Meham in district Rohtak, is a woman, 40 years of age from a ‘Punjabi refugee’ family (caste unknown), with two children one boy (6 years) and a girl (4 years). The husband works in a shop which makes *sandook* (storage boxes made of tin), but is not a regular worker. He is also given to drinking heavily. Her life was violence free only in the initial 2 to 3 months of her marriage but it started soon after that. A heavy drinker, her husband would beat her up frequently and cruelly. She was often thrown out of the house and had to spend nights in the open shivering in the cold. Once he even attacked her with a knife. On that occasion she had complained to the police. She even got the message across to her brother who took it up with her husband. Her brother is fairly well to do; he runs a general store in Delhi and has four acres of land. She used to frequently ask for and receive money from her brother. Sunita’s complaint to the police and also informing her brother had some effect on her husband who scaled his violence on her for some time. Around this time Sunita also started to hit back and give abuse for abuse which also had some restraining effect on him. But what really brought about a change was her starting a stitching business about two years ago. Educated up to 10<sup>th</sup> class she knew stitching. With the help of her brother, she bought a sewing machine and started to stitch clothes for the neighborhood families and even the local shop. She made enough income to meet her immediate needs. As the money started to come and she stopped asking her husband for money, she experienced a change in herself and indeed even in her husband. In her own words:

*“There is a change in my life. I feel more confident and have greater self-respect which was earlier missing. I no longer ask my husband for any money. I stitch clothes and am able to meet my own needs. I spend the money as I like or at least as is needed. Since I do not ask him for money his violence has also lessened considerably. Now he is not physically violent but only abusive”*

**Suman**, also from village Meham in district Rohtak is a 35 year old Ahir woman. Hardly literate she put up with violence from her husband for many years even after her three children were born. The entire neighborhood was in the know of it as it was a fairly open behaviour. She never retaliated but frequently thought of ending her life out of depression. Once, after a particularly violent bout, she out of desperation contacted her brother. Her brother bought her a buffalo. According to her, he felt beholden to her as she had refused to take her share of parental property even when advised by their mother. She now sells milk and also makes some money by making cow-dung cakes for other households. According to her after she started to earn there was a change in her husband's behaviour and the violence declined. Suman, like Sunita, attributes this to her earning made possible by her natal family which enabled her to stop making any financial demands on her husband. Used to heavy drinking and inability to fulfill his family's needs and expectations, her husband had turned very violent. Once this pressure was taken off at least the physical beatings took a back seat. Even if it occurs now, the conjugal family supports her as the mother-in-law has also been at the receiving end of Suman's husband's violence. They also help her when ever he tries to forcibly take the money from her. However, other forms of violence-verbal, psychological and sexual have continued.

**Ishvanti Devi** of village Sunaria in Rohtak district who got married at the age of 15 had to put up with a great deal of physical violence from her husband who was in the army. He "drank away" all his salary and did not contribute anything to the household. Even during his brief visits to the village while on leave, he made it a point to beat her up and was even sexually violent. The mother-in-law considered her a *bojh* (burden), and was also very abusive. With the husband away on his postings, Ishvanti managed to somehow finish her tenth class. After thirteen years of her marriage, she started to work as a *Bima* (insurance) agent. Things, according to her, began to change once she started to earn. When the income started coming in, the violence also lessened. Her husband had earlier tried to stop her initiatives at getting educated as also her working, now saw the benefits of her earnings. More importantly, he also realized that she was the one bearing the household expenses, especially as he was contributing nothing. Slowly as she saved she also bought a bicycle and would bicycle to work, albeit in a *ghunghat*. "That day was the happiest day in my life" reminisced Ishwanti Devi.

**Rajni Devi's** case highlights several features like: education, earning and holding a job as well as advantages of nuclear family for women. These are some of the issues held important by a large

number of women, as will be elaborated shortly, and which have been helpful in stemming or reducing violence on them.

Rajni Devi, age 32, lives with her husband and two school going children, in a small village called Kanheli close to Rohtak. Her husband Anupal Singh has finished his schooling and is a building contractor who earns roughly 20,000 a month. His parents stay with them. Married at the age of 20, she had finished her B.A and had also taken a short medical course. Two years ago she secured a job and started to work as a medical health service provider, in the government civil hospital in Jhajjar. She gets Rs. 18,000 per month as salary.

### **Box 7: Employment Effects**

Speaking about the changes she experienced after she started to work, Rajni Devi maintained:

I was married into a joint household and had to undertake a lot of work relating to the milch cattle kept by my jeth (older brother-in-law). I had never done this work and didn't want to do it. There were frequent quarrels between me and my husband and my mother-in-law regarding this as well as abuses and angry exchanges whenever I was not able to finish my work in time. Although my husband never actually beat me he was bitter and abusive. With the coming of children my responsibilities increased and so did the rebukes and abuses. In the mean while, as the house was too small for all of us, we started to live separately from my *jeth*. Our in-laws also shifted with us. I even managed to get a job. It is only after I got my job and started to earn that the tension eased off. Neither does my husband nor my mother-in-law now inflict violence upon me. I am free to go to work at 8 o'clock in the morning and come back late in the evening. My mother-in-law, who earlier would never help me with my children, now looks after them and fully shares their responsibility with me. My husband has become more cooperative. When I am unwell he manages by himself, makes his own tea and in fact now and then makes for me as well. I have my own bank account and I do spend some money on myself or where ever I like. My husband had never beaten me, now even the arguments between us are fewer and far between. He is more understanding."

I conclude these accounts by pointing out that those instances also exist where woman's employment or earning is held against her. It is also commented that because she is earning "*us ka dimag chddh gaya sai*" (she has become arrogant or thinks no end of her self). It is undeniable that income generation by a woman may lead to a tendency to further control her.

### **Those who opt out**

There are women who opt out of marriage. However, such cases are few and far between. Legal divorce in Haryana is considered a very serious step. The exposure arising out of the divorce proceedings, and the expense incurred has given it a bad name. However, the informal separation known as *chhordena* (having left), still continues to be customarily accepted by both low and high caste and class groups.<sup>61</sup> This practice is sanctified by the caste panchayat or a panchayat of the village elders, or just an assembly of the elders of the *kunba* (joint family) of the two sides. The panchayat, mostly consisting of 'big people', is generally known to make the financial settlement dependent on the 'status' of the woman's natal family.<sup>62</sup> Consequently, women with '*mari halat*' (poor condition) get very little in the way of a settlement. This custom has the validity of a socially recognized divorce. Interestingly, even the Hindu Marriage Act, 1955, Section 29 (2) preserves the customary modes of divorces. This means that under customary law, though no formal form of divorce is provided, it may be obtained through a panchayat (caste or gram panchayat), from family tribunals, by private act of the partners such as by agreement, oral or written, or by a bill of denouncement such as *tyag-patra* or *farkat nama*.<sup>63</sup>

A woman may also leave her husband on her own and return to her parents' house if she is unhappy in her marriage and may refuse to return. Many women, unable to bear the marriage situation, for whatever reasons, are known to have taken this initiative, perceived to be unthinkable before the 1955 Act. This 'defiance' has, therefore, come to be associated with the after-effects of the Act. Such divorce cases in the rural areas are not directly related to the 1955 Act but to the changed society and its consumerist demands. Among these, dowry has emerged as the foremost cause for the practice of 'chhordena', or significantly, the woman is tortured or so much of violence is inflicted upon her that she leaves the husband voluntarily.<sup>64</sup> However, most rural women perceive divorce or informal chhordena to be highly problematic.

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<sup>61</sup> Several people placed special emphasis on the *chhordena* form of socially accepted divorce. The customary arrangement given above had been considered by the rural populace essentially different from the divorce instituted by law. That is the reason why till the late 60s, most people denied the existence of divorce in the rural areas which was considered to be an anomaly of the city urban life and education. Now the fact that even an informal arrangement actually means a divorce seems to have dawned upon the populace. Ram Meher Hooda, a divorce lawyer, Rohtak.

<sup>62</sup> Shamsher Singh and Angoori Devi, Rohtak

<sup>63</sup> See Section 29A, sub-section 2, of the Hindu Marriage Act 1955, in Hindu Law, Vol.II, Nagpur, All India Reporter, A.V. Chitale, Third edition, 1981. pp. 892-895.

<sup>64</sup> This was the consensus of opinion among both men and women.

In this connection discussed below are two special cases. In one a variety of factors combined to enable a woman to opt out of a violent marital relationship. In the other case, the abandoned woman refused to go back to her violent husband and the factors that propelled her decision are relayed. However, it may be remembered that regardless of certain supportive factors available to women, who wish to opt out of a violent marriage, familial ideologies and societal expectations may and often lead them to continue in even the most violent marriages. The few and far divorce cases in Haryana are a testimony of that. An estimate can be made from the 1,620 divorced or separated women in the age group of 15 to 44 years of age in rural Haryana out of the total numbers of 2,487,864 ever married women in this age group—a mere .065 percent.<sup>65</sup>

Bimla, Jat by caste, from village Kharkadi, district Bhiwani, was just 16 years of age when she was married off. She had studied up to 10<sup>th</sup> class. Her husband belonged to a fairly prosperous family and worked in a bank. It was a joint family and after marriage she was allowed to pursue her studies further. After her devar's marriage the joint household got split and Bimla and her husband set up a separate household. Her in-laws shifted with her. By now she had two children, a girl and a boy. She had also undertaken a temporary research job in the Hissar University. Notwithstanding the positive features in her favour like her children, employment and the nuclear house hold, her husband's alcohol intake increased greatly as also violence on her. The husband would come home drunk with his friends, misbehave and beat her up. She resisted this by complaining to the police, even hitting him back but to no avail. When things got out of hand she decided to seek a divorce.<sup>66</sup> In this she was fully supported by her father, an ex-army officer, who was in the know of her violent marital relationship. She succeeded in getting the divorce, the custody of her children, as well as maintenance for herself and her children.

Bimla's father also gifted her a house to live in. Bimla had four siblings—two sisters and two brothers. The father had divided his property equally between his four children. Complications emerged when one of her brothers died at the age of 37 leaving behind a daughter. The younger brother, as the only male heir, started to put pressure upon the father to make over the entire property to him, including the house that had been gifted to Bimla. The father resisted this demand as long as he was alive. After his death Bimla's brother also started to demand that their mother, who was living with Bimla,

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<sup>65</sup> *Census of India, Haryana, 1991*, Prt IV, series A-C Socio-cultural tables, Registrar General, Census Commission, India, New Delhi. June 1998, pp. 22-23.

<sup>66</sup> It may be noted that divorce is not common in rural areas. And it is nearly always initiated from the side of the man.

should shift with him and he should get “the benefit of her pension” as well as the interest from the fixed deposit that the father had left for their mother.

The brother when interviewed was defiant and aggressive about these demands and felt that he was “fully justified” in making them. Indeed, old age pension in Haryana has emerged as a potent reason for the frequent fights between siblings over the custody of their old parents. The village *biradari* and most other relatives were also of the opinion that it was “the son’s right to get all the property”. The mother and two sisters refused all his demands. The younger sister’s conjugal family also put pressure upon their *bahu* not to be a party to this arrangement. They argued: “old customs and tradition must be honoured and these decreed that property must go to the son/s and the parents should live with the son instead of the daughter/s.”

### **Box 8: Education and Employment**

Bimla is now 57 years old and lives with five of her family members in Hissar: her mother, her deceased brother’s daughter, as well as her own son and her daughter. She also has some land in village Kharkadi in Bhiwani, a share in the land of her in-laws and also a house, which she received from the court as part of her divorce settlement. She has sold this house and put the money in the name of her two children. In Bimla’s words:

“If I had not been educated I would not have been able to oppose my husband and had I not been earning I would not have been able to take a decision to seek a divorce. My father was educated so he understood and supported me through out; otherwise I may have been compelled to remain with my husband while holding, like many others, that such is my *kismet* (fate) and I have to put up with it.”

Clearly, a combination of education, employment, and her parental support provided Bimla with an exit option enabling her to opt out of a violent marriage.

The exercise of the ‘quitting option’ or divorce assumes even more importance in a situation in which for men getting married has become difficult. The highly skewed sex ratio has played havoc in Haryanavi society leaving 35.49 percent of males between the ages of 15 and 44 as bachelors in rural Haryana<sup>67</sup>. Thus, there is some anxiety in ‘retaining’ a woman once she is married. Many men pointed this out and maintained that they dare not misbehave as the woman is ready with “*mein*

<sup>67</sup> *Census of India, Haryana, 1991*, pp. 22-23.

*gharan chaali jaangi* (I shall go home); who will then run the house and keep the children?” They asked. Though laughingly said by men it has certain validity. It is not as if women can use this exit option, as this may only exist if they have ownership of some productive resources or income generating capacity to fall back upon. But the fact that such an option may be used seems to generate some amount of insecurity among the males and perhaps in certain situations may act as a deterrent to violence.

There is then the case of Santro Devi, Chamar by caste, in village Sarsa in Panipat district, who refused to go back to a violent marital relationship. Santro despite putting up with a very violent marriage was abandoned by her husband after ten years of marriage for being “*banjh*”(barren), because she was unable to produce a child. Her husband started to live with another woman but this woman also could not conceive. The fault clearly lay with the man. The husband and the family members then made repeated overtures towards Santro to come back but she refused. Her decision not to go back to her husband and face violence again was crucially taken because in this interim she had started to earn. She was already 9<sup>th</sup> pass and with the support from her brother, she became a teacher. Santro is now 50 years old and is the Pradhan (Chief) of Anganwadi a self–help organization in village Ahirka in Panipat district. She works 2 to 3 hours and gets Rs 2000 to 2500 per month.

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## Women's Resistance

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The ample evidence from the field work as well as the group discussions, interviews and case studies held in different villages of Haryana depict women's resistance. They show that despite a strong patriarchal/patrilineal system in Haryana, where women hardly enjoy any worthwhile status they, like other subordinate/subaltern groups, have only seemingly acquiesced to being dominated in public. In private they have shown enough resistance in their own subtle and not so subtle ways and have not consented to the wielding of patriarchal authority. Careful attention has to be paid to what lies beneath the surface of evident conformist public behavior. In academia it is a well argued case that in public, those that are oppressed accept their domination but they do question their domination in private. James Scott, for example, argues that the everyday resistance of subalterns shows that they have not consented to dominance.<sup>68</sup> There is a high level of resistance by women, which may have been responsible in varying degrees, for lessening the infliction of physical violence on them. Women's resistance and standing up for their rights and existence with dignity however, does have the potential to change the power-relationship within the family.

Historically women of Haryana, far from being mute victims have always exercised a great deal of agency to thwart the unnecessary and unequal demands of the patriarchal system. This is amply demonstrated in their response, as suggested earlier, to the customary practice of widow remarriage, i.e. widow's resistance to levirate remarriage (which drives her once more into the fold of potentially violent marital relationships), in order to safeguard their economic and sexual freedom. An example of women's successful resistance to male objections can also be exemplified by the singing of songs and dancing during various festivals and weddings, which celebrate the sexuality of women in no uncertain terms.<sup>69</sup> Declared as '*ashleel geet*' or '*behuda gane*' (indecent songs and dances), by reformers and caste panchayats ever since the colonial period, these have sought to be curbed and replaced by 'decent songs'. All these attempts have failed as most rural women across different castes and classes justify the songs as part of their *dehati* (rural) culture which they would not like to

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<sup>68</sup> For details see James C Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance*, New Delhi, Oxford University Press, 1986.

<sup>69</sup> For details see, Prem Chowdhry, "'Lustful women, elusive lovers: Identifying males as objects of female desire' in *Indian Journal of Gender Studies*, vol. 8, prt. 1, 2001, pp. 23-50.

give up. This is one of the interesting instances when women have appropriated the male logic of keeping the dehati 'culture' or 'custom' alive in order to justify retention of this space for themselves. Further, cases of women eloping to get married to persons of their own choice, whether in the past or present, are all too well known. As also are the cases of women claiming inheritance as per their legal entitlement, as has been just shown through case studies.

To these may be added the quiet but determined defiance by women of men's dictates, regarding the exercise of their voting rights in Vidhan Sabha and Lok Sabha elections in Haryana. I am a personal witness to this phenomenon from 1960 to 1997. My observation also stands amply evidenced by the 1996-97 Haryana Vidhan Sabha elections, which returned Bansi Lal as the Chief Minister. He had fought and won against heavy odds on the plank of women's popular demand of imposing prohibition of liquor in the state. Women of Haryana voted almost en block in favour of Bansi Lal despite strict instructions and threats of violence made by their family male members.<sup>70</sup>

Resistance in the form of counter violence used by women in Haryana as stated in some of the above listed cases may be seen as another way of self-assertion. This is not something new. It had existed earlier but the older generations of women maintain that this has steadily grown over time. Many women stated that now women do not take violence lying down, they hit back. They attribute this to the growing alcoholism among men. The field work throws up the fact that the women are able to use the weapon of counter violence only when the man is under the influence of alcohol. Women stated that only in such a 'state' can he be 'easily controlled' by them. A woman involved in such a case, without acknowledging that she had effectively countered the violent behaviour of her husband, firmly maintained that: "It all depends on the woman, some women retaliate physically some do not". The recent NHFC figures however show only insignificant numbers i.e., 0.2 per cent of women who have ever "initiated" violence against the husband.<sup>71</sup> But here I am talking of 'retaliatory violence' and not 'initiator' violence inflicted by wives on their husbands. The use of counter violence, although not physical but verbal has been reported in certain instances from other regions as well.<sup>72</sup>

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<sup>70</sup> Within a year, in April 1998, Bansi Lal reversed the imposed prohibition in Haryana due to considerations of excise tax revenue. The financial loss to the state exchequer was calculated to be Rs 1,200 crore per year.

<sup>71</sup> *National Family Health Survey-3, India, 2005-2006*, p.25

<sup>72</sup> See for example Leela Visaria, "Violence against women: A field study", *Economic and Political Weekly*, May 13-19, 2000, vol.35, no.20, pp.1742-1751.

Resistance in the form of counter violence from women needs some explanation. In a situation, as stated above, where violence on wife is accepted as normal and dismissed as a fact of life, women can hardly expect any help from the outside to stem it. In their conjugal home they are not given any help by the husband's family members, who generally stand and watch or even instigate in certain cases; friends and neighbors refuse to intervene. The 2005-2006 NHFC figures show that seven out of ten married women have not sought help from any one<sup>73</sup> They may later seek help from their own families. These findings also state that women in Haryana do not seek help from any institutional sources, such as the police or social service organizations.<sup>74</sup> Complaining to the police is also construed as resistance to violence and in fact retaliatory behaviour by a woman; it shames the man because people taunt that "*is ghar mein lugai ki chalti hai*" (the woman decree runs in this house). Even when women approach the local thana (police station), as some do,<sup>75</sup> they are not heeded or taken seriously and generally dismissed, as some of the case studies given above show. In certain cases they are brutally told to behave themselves. In this given situation it is entirely understandable that some of the women take the matter in their own hands and confront the man in their own way. It is their way of refusing to be a victim of violence. We may remember here that self-defense does have legal validity.<sup>76</sup>

On the whole, this form of resistance by wives is an extremely sensitive issue and people—both victims and perpetrators—are not willing to acknowledge it. The men especially never admit to such a reaction or the retaliatory behaviour of their wives. The slur cast on them-- especially on their masculinity-- is too horrendous, which they may never be able to live down. A cultural system which considers '*lugai admi ki juti ho sai*' (woman is no better than a man's shoe), and that she is inferior to him in morality, knowledge, wisdom and strength will certainly be given to ridiculing the reversal of these known values. For a man the right to beat his wife shows wielding of power and authority and assertion of his superiority. A role reversal makes him, in the local parlance, a *chutiya* (used as an

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<sup>73</sup> *National Family Health Survey-3, India, 2005-2006*, p.27.

<sup>74</sup> *ibid.* p.27

<sup>75</sup> Even when she complains chances are that no member of her family will support her; if her natal family refuses to accept her back she has only one option—to commit suicide. Many women are known to commit suicide in order to escape marital violence.

<sup>76</sup> Kiranjit Aluwalia's retaliatory violence is a case in point. In 1989 Kiranjit Aluwalia, a woman of Indian origin in U.K. burnt her husband after suffering intense domestic violence at his hands. She was first convicted of murder and then on appeal her conviction was overturned and replaced with manslaughter as it was judged to be done in self-defense and in the face of prolonged violent provocation leading to changes in law for domestic abuse victims in the UK. This case changed not only the legal definition of violence in cases of battered women but also public opinion against abusive and violent husbands and women who were violent in retaliation.

abuse, literally it means a man with a vagina instead of a penis, therefore a weakling and a coward like a woman). This is perceived to lead to *`aurat ka raj'*, (a household ruled by a woman). This impression is enough to damn that house for ever. Explaining this, local male opinion maintains that "jis ghar main *aurton ki chalti hai us main rishta bhi nahin karte hain, kahten hain ki us main mard ki moonchh nahin hoti*" (no one wants to enter into a marriage in a family where the woman dominates and the husband is henpecked). Perhaps it is because of these hard realities and public censure that women appear most subservient in Haryana. For example, they continue to conform to the 'submissive woman' stereotype, who in *ghunghat* (veil) walks three paces behind her husband and carries the heavier load.

A woman therefore is not really forthcoming on her assertive behaviour and use of this form of resistance. She generally maintains silence because it is the husband who would be declared "weak".<sup>77</sup> But unofficially it is stated to exist fairly widely and is said to have major impact in containing spousal violence in Haryana. For example, men agree privately that if such a thing were to happen, and they insist "if at all", a man will never "touch" (meaning beat) his wife again. The case studies show this to be by and large true.

The reverse face of retaliatory violence by women is infliction of violence by women on themselves. There is ample testimony in the group interviews and case studies given above, which indicate that many women when faced with daily trauma of violence, think of ending their lives. Such a woman reportedly "feels isolated" in bearing the stress of daily violence with no one to support her. When her patience reaches saturation point; when the taunts and her own feeling of "*tu to khoonti se bandhi gai hai kit jaagi*" (you are a cow tied to the peg) becomes overwhelming, she revolts, but this time in an attempt to destroy herself. Some actually do; others may refrain from taking such a drastic step as the thought of children stops them. Although we do not have official statistics, Haryanavis are considered among the most suicide prone communities in India. There are calculated to be nearly 3500 attempted suicides every year in this state; unofficial statistics gathered by the daily news paper, *Tribune* (Chandigarh) from the district towns of Haryana show Rohtak to be the worst affected district

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<sup>77</sup> A parallel can be found in the concept of '*banjh* woman' – a barren woman, considered inauspicious and used as an abuse; blame is laid only on the woman and never on the husband. This myth is maintained by all, men and women, despite the knowledge that it may well be the man's inability to father a child.

with 35 persons attempting suicides every month.<sup>78</sup> In rural areas, women outnumber men in committing or attempting to commit suicide. Experts say that marital discord and violence is the main cause for this in the villages.

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<sup>78</sup> Cited in an article by Raman Mohan, "Haryanavis – suicide prone community", *Hindu*, Business Line, 29 June 2007. According to the paper heated arguments over trivial issues between husband and wife are routine affairs in rural Haryana and these invariably lead to violence and later attempted suicides by women in a fit of anger, frustration and depression.

## **Women's Options: Property, Education and Employment**

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In such a complex scenario, where social changes whether in political-economy or in gender relations are in a flux and still under way, what options do women consider important in order to contain/reduce or eliminate violence? Given below are three important areas, which in the opinion of women themselves need to be strengthened and may prove helpful in achieving this aim.

**Property:** Among the options underscored, property certainly scored high with women in their ability to deal with violence. Possessing means of production not only entails possessing a source of income but also source of authority/power/status and mobility—leading to access to education and health facilities—all these are negatively related to violence. The case studies also show that the first thing that women do after acquiring some money by inheritance or through earning is to acquire some productive resources as means of generating income. But as they themselves pointed out, how many women are in a position to acquire or inherit property or even other productive assets? This leaves out a vast number of women, especially those belonging to lower caste and economic categories. Therefore, factors other than property also assume importance. These identified by women were: education and employment.

**Education:** In the opinion of women, education is linked with the ability to seek and get employment. Suman from village Meham (Rohtak district), who had studied only up to class four, for example, firmly believes that if she had been educated at least up till class tenth then she could have landed herself an “honourable job”. There were several women who regretted not studying and losing the opportunity to earn “*izzatwali*” money and instead having to engage in menial jobs. One woman from village Sunaria, Rohtak district, speaking from personal experience and making a clear connection between education and employment, said: “I wanted to bring up my children well and not allow them to become alcoholics. I therefore had to struggle hard as I needed money and money could only come through a job and for a job education is necessary.” Interestingly, in women’s minds education is also related to procuring a “better husband”, who “would not be given to drinking”. This may be a wishful thinking but it exists in the rural areas.

Delineating the difference between an educated and uneducated woman Sheila, the in-charge of the Janwadi Mahila Samiti, Hissar, stated:

*“The illiterate do not have the courage to opt out of marriage, to live life alone, but the new generation of the educated women does have this courage. Therefore they can opt out of a violent marriage. The educated women are often given to say ‘what my mother has undergone I shall not undergo’. They also do not see marriage as the beginning and end of life itself.”*

Although women’s education has been growing at a fast pace, it still leaves much to be desired. It grew from 19.90 percent literacy rate for women in 1961 to 22.30 percent in 1980-81 and to 56.31 percent in 2001.<sup>79</sup> It is however, still way below (about 22 percent) that of the men which stands at 78.49 percent and needs to be encouraged much more. Among the educated women also only 27.31 per cent out of 56.31 per cent of educated women are working in Haryana.<sup>80</sup> Despite the positive rating education received from women themselves, it was not without a contrary viewpoint. In the group discussions some of the women opposed these positive views. They felt that education among women had acted to spur domestic violence, rather than reduce it. Bhagwati, an elderly woman in village Chhara, Rohtak district, for example stated: “In my time women were illiterate and used to put up with violence because any resistance to it increased it. Now women are educated and do not put up with it. They not only resist it but also complain to the authorities.” Establishing the connection of violence with education a few other women similarly felt that: “Educated women want equality; they want freedom to eat, drink and dress as they like, and are unable to tolerate violence or repression. The illiterate on the other hand keep quiet. They do suffer because of this but silence does not incite violence, which then has a shorter duration”.<sup>81</sup>

Another woman, elucidating the contradiction between men’s desire to have an educated-earning wife and their inability to handle such women, stated: “All men want educated wives. They also want them to earn but want to reserve the right to set boundaries for her. They cannot accept her equality. There is violence on her because they want her to be always under them. Is that possible?” she asked. Yet another one opined: “They (men) cannot accept her economic and social freedom, which she comes to enjoy as a result of her education and by virtue of holding a job. Her going out to work, meeting all sorts of people is always looked at with suspicion by the husband. It becomes a primary cause of friction, as also of drinking and violence”.

<sup>79</sup> Government of Haryana, *Literacy Status of Haryana*, State Resource Centre Chandigarh, 2006.

<sup>80</sup> *Census of India, Haryana*, 2001, p.138.

<sup>81</sup> The special cell of the Protection Officer in Rohtak, dealing with cases of violence on women showed a few cases of young educated women who complained of their uneducated or lesser educated husbands and wanted to lead a separate life. One of them maintained that she was “too young and innocent” to know any better when she got married.

**Employment:** Along with education, employment emerged as one of the key factors of importance for women in their ability to deal with violence. Indeed, the 2005-06 figures for Haryana show the propensity of self-employment (in different categories of employment) among rural women to be higher than men, i.e. 860 per thousand rural women as compared to only 590 for rural men.<sup>82</sup> Employment of women has meant, in women's opinion, "an increasing self dependence that has changed the way they are looked at. They are respected in the society as 'a person who earns'." Women are being consulted even though it may be in a limited capacity, as the final decision lies in the hands of the man. Also, as earners they have acquired some right to spend that money. Cited below are a sum of the opinions and observations of women regarding employment and their ability to earn money:

*Apani kamai se kisi ke age hath nahin phfailane padte* (If you have your own earnings you don't have to beg anyone for money)

*Apni kamai ya apni sampati se man mein ek atam-samman ho jaata hai* (Your earnings or your owning property gives you self-confidence)

*Agar kamati hai to kisi ka munh nahin dekhana padata* (If you are earning you don't have to look at others for charity)

*Jab mein us se paisa hi nahin leti to mein us ka virodh bhi kar sakti hun. Apna paisa kamati thi to apne dum per reh pai* (When I don't take any money from my husband I can also confront him. If I could earn myself, I could also live on my own.)

Increasing entry of women into the work force does not always guarantee the emergence of fundamentally more egalitarian familial relationships, especially when men's jobs are threatened. The result may well be estrangement. Employment and earning by women also means further violence in an attempt to control and dominate them, specially as it stands to challenge the ideology of man as 'bread-earner' and is instrumental in erasing his self-confidence. The only answer may be all round development and creation of jobs which may open employment avenues for both-- men and women.

I close my analysis with a final indictment of violence and a strategy of action against a firmly established tradition/custom in Haryana, which came from a woman in village Sunaria of Rohtak district and is worth quoting. She attacked the hypergamous marriage tradition in Haryana in which women are always married upwards and advocated hypogamy by maintaining: "*Rishta apne kamzor*

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<sup>82</sup> *Census of India, Haryana, 2001, p.132.*

*ghar mein karna chahiye taaki dabaav banna rahe, oochhe ki mang ki to maar dei ke peet ke mare*” (Marriage alliance of a girl should be made with a family which has a lesser social status than your own. A higher status man will either kill you [for dowry] or his beating [marital violence] will kill you).

The three aspects flagged by women themselves: property, education and employment, have complex linkages with violence, both negative and positive. As the case studies also indicate, these factors do have the potential of facilitating more equitable relationships and creating commotion and fluidity in the hitherto accepted gender role. Once a woman's role in the household shifts from that of a 'recipient' to one of 'provider' and an economic asset, her decision making function also stands to be recognized and consolidated.

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## About the Author: Prem Chowdhry

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Prem Chowdhry is an independent researcher with an academic background in social history and political economy of Haryana. A Ph.D from the Jawaharlal Nehru University. Prem Chowdhry taught in Miranda House, University of Delhi and subsequently held a number of prominent positions and fellowships. Prem Chowdhry has authored a numerous articles and a number of books, including, *Political Economy of Production and Re-production: Caste, Custom and Community*, Oxford University Press, Delhi, 2011. Presently, she is an independent researcher pursuing her academic interests.

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