

Authority and Enablement to Kashmiri Women through Acquiring Possession of Property: Effect on Organizational Injustices and Gender Constructed Violence

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Abstract

The process of feminization of poverty in India is confidentially associated to the cultural and institutional precincts that are having a stoppage on women's engrossment in financial activity. Challenging gender based disparity prerequisites courageous strides and initiatives by women. This paper evaluates innovative methods adopted by women in Kashmir to examine macro-level developments tangled in land proprietorship in regions where possessing land is an indicator of authority. Exhausting data from 500 women, establish substantial connections between women's tenancy of land, relationship command, and acceptance of corporeal and psychosomatic vehemence in both rural and urban Kashmir. Overall, the results advocate that when women have property, they accomplish rheostat within their families and other consanguineous and conjugal relations and have very minimal prospectus to experience vehemence.

Key Words: Kashmir, ownership, land, inequality, women, empowerment.

Introduction

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In India, slight over seventy per cent of total population live in rural areas. Slightly less than fifty per cent of total populations are females. This would mean that nearly 900 million out of 1.25 billion people live in rural areas. Generally, people in the rural areas are poorer than those in the urban areas because of the absence of non-agriculture employment opportunities. Amongst males and females, females are poorer than males because the technological changes in agriculture displaces females from many of these traditional jobs, and now agricultural employment opportunities are more limited for females than for males. Also due to gender restriction, illiteracy and ignorance, rural women are unable to go outside the surroundings of their homes in search of employment.

Gender Scenario

Women, perform nearly two-thirds of the work, receive one-tenth of the world's income and own less than one-hundredth of the world's property (UNDP 2003). The report also delineates that even in West, where women's emancipation has bettered the lives of countless women; they still experience the unfairness of the 'glass ceiling', wherein women just do not get promoted beyond a certain level. In the course of many centuries, several unpleasant social customs, religious dogmas, usages and traditions developed and most of these were responsible for creating hindrances in the way of progress and prosperity of India (Bilal, 2014: 04). Indian society suffered from various social evils such as Sati, child marriage, polygamy, infanticide, untouchability, Purdah system, caste system and ban on widow remarriage which gnawed at the very vitals of India leading to paralyzing immobility of social life and economic stagnation (Jayapalan, 2000: 89). The generations old patriarchal character is so deep rooted in Indian society that it has led to a series of exploitations the main victims of which have been the womenfolk of the society.

The root of gender inequality, reflected in the higher incidence of poverty among women in India, is social and economic, not constitutional. The Constitution is firmly grounded in principles of liberty, fraternity, equality, and justice. Women's rights to equality and freedom from discrimination are defined as justifiable fundamental rights. The Constitution explicitly clarifies that affirmative action programs for women are not incompatible with the principle of non-discrimination on grounds of sex. "The Constitution does not merely pay lip service to an abstract notion of equality but It reflects a substantive understanding of practical dimensions of freedom and equality for women" (Menon-Sen and Kumar, 2001: 10). However, implementations of constitutional provisions that are meant to empower women are often implemented by persons from the very socioeconomic backgrounds that perpetuate the inequity.

Gender and Kashmiri Society

The State of Jammu and Kashmir, though endowed with rich grandeur natural beauty and resources, have been one of the most economically backward States of India. Due to various socio-economic, political and geographical factors agriculture, which is the main stay of nearly eighty percent of the population, has remained under developed and the most important natural resources like water, forests, minerals, etc, have remained unexplored and untapped (Bilal, 2014, 5).

Overview of Literature

"Of all the evils for which man has made himself responsible, none is so degrading, so shocking or so brutal as his abuse of the better half of humanity; the female sex." (Mahatma Gandhi)

“Indian womanhood is yet to be explored, experienced and understood in all its vicissitudes, multiplicities contradictions and complexities. As a woman begins her journey at birth and proceeds through different stages she experiences herself and is in turn experienced by others in several forms. Much of her life is shrouded in unfathomable dusk or twilight. Her childhood is like a dew-drop on a fragile petal which has a momentary radiance and vanishes sometimes. It is like a shadow to be avoided. Her adolescence is alluring and tantalizing, promising the unfolding of many a mystery. Her youth is like the waxing and waning of the moon in tune with the rhythms of the sea. Her middle and old age are like the return of a weary soldier, torn and battered in search of some peace and tranquillity. It can also be a moment of suspended animation, of duty done awaiting the final call. Whichever way her life meanders; a woman remains a mystery; full of contradictions, where opposites exist as of a see-saw”. (Parikh and Garg, 1989: 42).

The population of J&K State, according to 2011 census, is 12500,248, and working population is around thirty five percent (Manorama, 2012). Statistics on the extent of employment of women are available to a limited extent. The majority of the women labour in agriculture or farm related work without having any ownership of the land or in the unorganized sector. The studies conducted so far by various agencies and organizations related to women have either focused on some specific aspects of discrimination or have tried to highlight the status of women in general. A few studies conducted by some government agencies and academicians though portray a picture of the women in Jammu and Kashmir in different dimensions but a holistic treatment in the context of women’s land ownership and its relation to poverty has hardly been studied and researched so far in Kashmiri society.

Equality and Inequality: Universal Gender Stratification

The second volume of *The Second Sex* by Simone de Beauvoir opens with the famous phrase: ‘one is not born, but rather becomes a woman’. A fundamental aspect which Beauvoir shares with Marxist thinking is the rejection of a given human nature: human nature is an historical and social product. She initially argues that economic and social contexts are crucial in determining the importance attributed to the ‘biological’ facts of gender: in prehistoric times when physical strength was valued, women were rendered inferior, but the contemporary reliance on technology enables them to work on equal terms alongside men. Beauvoir mainly concentrates on the theories of Friedrich Engels who concentrated on the situation of women in his development of Marxist theory. Beauvoir contested his claim that women’s oppression is related to the ownership of private property. She argues that because human consciousness’ includes the ‘original category of the other and original inspiration to dominate the other’, women’s oppression ensued in the division of labour between the sexes. Engels does not account for the specificity of women’s oppression, in Beauvoir’s view woman is not simply a worker, but a human being who has productive and reproductive capacities. Yet ‘she is for man a sexual partner, a reproducer, an erotic object-an *other* through whom he seeks himself (Ursula Tidd, 2007). Simone de Beauvoir always claimed for instance that as a Marxist she was primarily interested in a class-bases analysis which treated women a class among the oppressed all over the world rather than in the condition of women in itself. New historicists- of whose work Edward Said’s *Orientalism* is an example- have a vexed relationship with feminist theories.

Because land ownership in “developing” countries reflects dominant roles and elevated status in the society, and is a sign of power and dominance, the social structures surrounding land ownership may help sustain gendered imbalances in power and ultimately put women at risk to experience violence (Deere & Leon, 2001).

The Current Study

Until recently, men's institutional power over land and interpersonal power over women have been addressed independent of each other (Grabe, 2010a). However, by investigating how the patterned relations between women and men develop to predict domestic violence, we examine the dynamic interplay between different structures of domination, as they occur at macro levels. We hypothesized that because ownership of land among women can substantially enhance their social status in regions where owning land is associated with dominance, it should be related to an increase in women's power and control within their marital relationships and with reduced levels of violence against women regardless of varying cultural contexts.

To accomplish the aims of our study, we embraced a pragmatist orientation characterized by a mixed-methods approach, rather than choosing between positivism and constructivism with regard to methodology, logic, and epistemology. First, we quantitatively examined the links among land ownership, relationship power, and women's receipt of violence. We included a qualitative component to look beyond the numbers; in other words, to gain a fuller understanding of how the social context and actual lived experience of women could help to explain the role of land ownership in reducing violence against women.

Data Base and Methodology

Quantitative Methods

Universe

Jammu and Kashmir, with a predominately Muslim population, covers an area of 222,236 sq km. It occupies the North-West niche of India, bounded on the south by the Indian states of Himachal Pradesh and the Punjab, on the south-west and west by Pakistan, on the North by Chinese Turkistan and a little of Central Asian Country of Tajikistan, and

on the East by Chinese Tibet. The population of the state, according to the 2001 Census is 10,143,700 with a sex ratio of 900 females per thousand males and a literacy rate of 55.5 percent. The state comprises mostly mountainous terrain rising in several tiers from the plains to the high altitude valleys. Agriculture is the main stay of the Jammu and Kashmir economy. Nearly 82 percent of the state's population living in rural areas is dependent on agriculture and allied activities. More than 90 percent of land is being owned by men with little bit exceptions in the urbanized villages and towns of the valley. The ownership of land in the present study means the title deed of land in one's name. The joint ownership of the land between husband and wife has also been focussed and studied.

Sampling

The study is primarily an empirical one and based on an extensive sociological investigation in the field. For statistical reasons, 500 hundred respondents were only interviewed, to give representation to both sexes, and income-occupational-educational groups and sub-groups. We also ran sensitivity analyses on the following subsamples: (1) rural, (2) adult women (aged 15–45 years), and (3) by community prevalence of women's land ownership. For subsample analysis, we considered any land ownership (e.g., sole, joint, or both). We chose the subsamples from past literature and theoretical predictions around the relationship between women's land ownership and violence. Because land is the most substantial asset in terms of wealth and potential productivity, there is interest in replicating the analysis in a rural subsample in which livelihoods are more closely connected to agricultural activities.

Likewise, younger women who may have brought assets into marriages may experience different dynamics in comparison with those who earned or gained assets after marriage. In other words, this sample represents the possibility of land ownership acting as

a primary prevention mechanism for violence. Also, the sample is less likely to suffer from selection bias from separation, divorce, or widowhood over time.

Finally, the acceptability of women's land ownership may influence the direction of the relationship between land ownership and violence, where women in communities with a higher prevalence of women's land ownership will be better able to leverage this wealth for their own benefit. Conversely, women in communities where land ownership may threaten customary gender norms may experience violence from men who seek to reassert their dominance.

Survey Measures

Land ownership and relationship power

Women were asked whether or not they owned land. Participants were asked whether their partners generally prohibit or control their abilities to carry out everyday activities (e.g., "visit family or friends") and whether they exhibit controlling behavior or jealousy (e.g., "insists on knowing where you are at all times"). Two additional items were added to assess whether partners prevented women from working outside the home or studying.

Violence

The study examines the violence being inflicted on women by the spouse and in-laws as it is the most widespread customs of torture in this region. The Conflict Tactics Scale was used to measure physical and psychological violence in the previous 12 months ((Shelly Grabe, Rose Grace Grose, and Anjali Dutt, 2014). Physical violence was assessed with 6 items that assessed receipt of violence in order of severity, including slapping or throwing objects; pushing, hitting, kicking, or dragging; choking; and the use or threat of a weapon. Violence in order of severity refers here the level of magnitude and dimension of a particular type of violence inflicted including in terms of injuries sustained which is

based on the respondents ranking the items. Psychological violence was assessed with 4 items indexing insults, humiliation, intimidation, and threats. A sum of reported behaviours in each area was taken as an index of violence. Because these scales were count scores, internal consistencies were not computed.

Quantitative Results

Descriptive Statistics

There was hardly any difference in landowners versus non-owners within valley in terms of population traits. The average ages of the respondents in each sample were in the early to mid-40s, and the majority of the women in each area had more than two children. Approximately three quarters of the women surveyed were in marital relationships. However, in South and Central Kashmir, a substantially higher number of women had received early schooling and could read and write.

Tests comparing landowners and non-landowners within each region suggest that landowners differed from their non-landowning counterparts on several study variables. Specifically, landowners in both localities reported less partner power than non-landowners, and a trend for psychological violence that approaches significance (and has a notable effect size) suggests landowners in South reported less psychological violence than non-landowners. Moreover, as predicted, correlations within each region demonstrate that land ownership was related to partner power, and partner power was related to both physical and psychological violence.

Out of total number of sampled women owning land 84 per cent said that land and other asset ownership had improved their income security and relationship power. In the case of patriarchal society of Kashmir, 59 per cent said that land ownership has marginally improved women's decision making roles and responsibility with regard to land transactions. Majority of the land owning sampled women from all the regions of the

Valley of Kashmir said that land ownership has increased the economic well-being for their own future as well as of their children and families. Their social esteem and decision making abilities also extended to their group and neighbourhood. The land ownership has phenomenally decreased violence against women in all its forms across all regions of the valley of Kashmir.

Qualitative Results

The Transformative Potential of Land

Although there were differences in the ways women discussed their experiences both within and between, land ownership was identified as having the transformative potential to alter the contexts in which women lived. Women in all categories connected owning property to increased power and status within their communities and to having greater control within their relationships.

As suggested earlier, the exclusion of women as property owners in land privatization efforts enforced and strengthened men's dominant position while exacerbating women's dependence on their husbands ((Shelly Grabe, Rose Grace Grose, and Anjali Dutt, 2014). In South Kashmir, several women suggested that the power accompanying land ownership interrupted gender norms by reformulating power relations between women and men, thereby decreasing women's dependence. For example, one woman discussed how owning land relieved her of the traditional arrangements that had previously fostered reliance on her husband: landowners are looked upon as being in a better situation because they've got land that they can work on to produce...if you have your own little house and your own plot of land then you are much happier in your life because you don't have to depend only on your husband. Through owning land women had the ability to create opportunities for themselves and enhance their livelihood,

independent of their husbands. Additionally, many women explained that owning land provided them with a source of security. Rather than being forced to depend on a male partner for shelter and sustenance, a landowning woman could provide for herself without resources or support of a male partner.

Furthermore, women in South Kashmir discussed how owning land enhanced the perceived and actualized power and status of women at both the community and household level. The majority of women interviewed connected the structural power afforded by land to increased respect from their husbands and to an enhanced ability to make decisions that impacted their lives. For example, one woman shared: Before [I owned land], he only made those decisions. But now we make decisions together. If we are going to buy something, we're going to sow something, we talk first. If we're going to sell an animal, I'm taken into account. He tells me what he wants to do or whatever and I say what I think about it, if I agree with it or not. So I'm taken into account and we make decisions between the two of us...Even the way he speaks has to be different (Laughs). As the above-mentioned quote exemplifies, owning land provided women with resources of their own and therefore the power to negotiate within their relationships. Women's increased ability to hold something of tangible value transferred into an increased valuing of women's contributions and capabilities within their relationships.

In Central Kashmir, women similarly discussed the role of land in bringing women to power within their relationships. For example, one woman shared how owning land would grant her more autonomy and an ability to make decisions in areas that affected her life: I will be able to use my land as I want...I will harvest and sell and buy whatever I want, maybe some livestock...It will help me also, maybe from everything I earn from that farm, I will be able to solve my own problem, and then send my children for schooling, and some little things that I need, too. Thus, owning land was perceived as having the

potential to create new opportunities for women, equipping them with material power to create change in their lives. This finding was particularly important in Kashmir context because in local culture it is not normative for women to own property. Rather, all possessions of the family are considered the property of the husband, and status as a property owner, in part, affords one status and rights within the community. Thus, landowning has the potential to elevate women to property-owning status, thereby positioning them as more agented and deserving of rights.

Land Ownership and Violence Reduction

As the examples mentioned earlier highlight, property ownership interrupted sociocultural structures of male power by strengthening women's ability to address their needs independent of their husbands. As a result, many women explained how lessened dependence resulted in reductions in violence. Several women explained that the shift in power afforded by land could increase women's security. The experience of increased power and autonomy was particularly important because many women associated these with the opportunity to leave an abusive partner: It's good that women should be owners of their land. Because, when a man may take over and they are owners of everything and they run women out of the home. But it's now a good thing that women are, are now owners of their own land because now they can then run away, run the men off if they betray them.

Land ownership enhanced women's safety and security by expanding their ability to provide for themselves through material resources and the freedom from having to stay with violent partners. And, importantly, the interviews suggest that both men and women understood the implications of women's enhanced power. Specifically, most women did not report that their reduction in violence was due to leaving abusive situations. Instead, most explained a shift in the way they were perceived and treated by their husbands that

led to a new reality in which male behaviours that exerted violence and control were no longer socially acceptable.

Similar to the processes demonstrated in rural and urban Kashmir women suggested that restructured power dynamics associated with land ownership were related to women's receipt of violence. Women frequently made connections between men's dominant position as property owners and their "right" to exert violence. Several women discussed how land ownership would interrupt women's susceptibility to experiencing violence. One woman explained how this process operated: The beating will stop and it will help most of the women because as I told you from the beginning that men are always finding out the reason to beat a woman. But if he finds out you have your own place, and you produce from your own place, he won't have any right to come and bother you in your own place. Those times he used to beat you because he knows you depend on him and you depend on his place or clothes. But now if he finds that you have your own place, he can't be able. As landowners women would no longer be perceived as property, thereby interrupting men's opportunity to treat them as such. The interviews suggest that land ownership was related to violence reduction because it shifted women's actualized and perceived status in their relationships and communities.

In summary, changes in power dynamics between women and their partners reflected multifaceted experiences and varied from woman to woman. However, women consistently connected institutional contexts and power relations to their lived experience. Interviews with women illustrated that land ownership was frequently connected to the restructuring of power in marital relationships that allowed women greater freedom from violence.

Discussion

Although the contexts in each category are inarguably different, the quantitative and qualitative outcomes in each location are strikingly similar—namely that women’s land ownership challenges traditional relationship power dynamics and is associated with reduced levels of physical and psychological violence. Demonstrating the findings in different areas reflects the robust nature of how intersections of multiple systems of power may reduce violence against women in contexts where gendered power imbalances have been exacerbated by neoliberal policies. Furthermore, the results provide a lens through which to better understand the ways gendered violence is being negotiated and challenged by women in Kashmir.

The combined use of quantitative and qualitative techniques adds strength to our study’s findings. The primary advantage of the quantitative data is that large samples and a comparative analysis offer something by way of generalizability that qualitative data cannot. Moreover, the indirect effects demonstrating that relationship power explains how institutionalized power relates to women’s receipt of violence lend evidence to the idea that individuals embody social relationships and processes (Connell, 2012). This is important in light of knowing that most approaches to women’s human rights are centered on categorical thinking (i.e., focusing on disparities between women and men separately) rather than on gendered processes that impact women. This may perhaps explain why legal advances in women’s rights have not been matched by significant progress in women’s lived experience. Our quantitative findings underscore that taking the dynamic nature of power into account is imperative.

The qualitative data, on the other hand, allowed us to examine how land ownership shapes everyday gender relations in different locations. In particular, women’s explanations more clearly flesh out the patterned nature of gendered relations and the mechanisms by which land ownership leads to changes in relationship power and violence

in different locations. Specifically, the women described how structural power is related to factors such as dependence and decision making within the marital relationship, both of which were associated with women's vulnerability to violence. Furthermore, the women's testimonies make evident the causal nature of these processes by illustrating that it was not women with already existing high levels of relationship power who became landowners (Maxwell, 2004). The qualitative data underscore that when institutionalized male dominance is interrupted, significant changes in interpersonal power result that directly predict women's experience of violence.

Strengths and Limitations

By taking a structural approach, rather than an individual, we demonstrate that it is important to recognize both institutional (i.e., land) and cultural (i.e., relational dynamics) structures of domination in women's rights violations. In doing so, we have demonstrated that macro-level processes involving resources and power may operate similarly across different contexts while at the same time allowing for the processes to be identified by local values.

It is also possible that creating a study design that facilitated a cross-analysis may have introduced study limitations, in particular regarding the psychometric properties of the scales we employed. However, it is also possible that a longer history of land ownership among the women, may explain the more robust finding. It is also true that only a small percentage of variance in violence was explained in the proposed models, suggesting that additional factors related to women's marginalization (e.g., employment and income) need to be taken into account for a full understanding of what puts women at risk. Future research examining additional factors may facilitate a deeper understanding of gendered relationships in these contexts.

Practice Implications

Despite our study's limitations, the findings have promising potential for informing both practical intervention and theory. Moreover, the study findings are timely. They illustrate the mechanisms by which altered structural changes—namely women's land ownership in contexts that challenge gendered power—can bring about profound social and psychological change for women at a time when gender-based violence is receiving unprecedented levels of international attention. In the current study, the organizations' strategic use of women's land ownership was informed by self-mobilized grassroots efforts in the Valley of Kashmir that critique capitalist, and gender oppressions in a manner that strategically addresses policies and norms that substantiate male power and control rather than conforming to a neoliberal agenda focused solely on privatization. Our findings importantly demonstrate that organizations should be informed by marginalized voices that can, and ought to, determine their own agendas for liberation.

Conclusion

Given the healthy nature of our findings the article lends strong evidence to the processes articulated by the theory of gender and power. In particular, our findings illustrate the social dynamics of gender by linking institutional power to interpersonal relationships in a manner that both explains structures and processes that put women at risk and also holds promise for change. Finally, we believe that the framework offered in our article has much to offer socially marginalized communities that are working for women's human rights in an increasingly globalized world.

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