

STUDY SUMMARY

Does removing gender bias in inheritance law decrease violence against women?

A case study from India

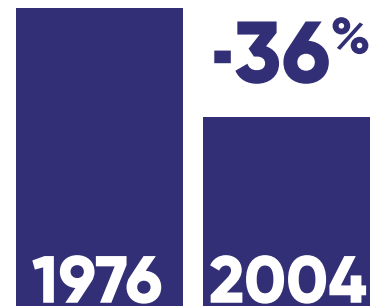
31%

of ever married women in India have experienced physical and/or sexual IPV

STUDY FINDINGS AT A GLANCE

This study assessed the impact of equalizing inheritance rights for men and women on levels of violence against women in 16 states in India. The authors used the staggered implementation of amendments to state laws governing inheritance for Hindu women to compare changes in levels of violence in states that liberalized female inheritance earlier versus later.

The study found that aggregate levels of violence against women (VAW) reported to the police fell by 36% in states where inheritance rights were made equal for males and females over a period of 28 years (1976 – 2004). The decline was consistent across three distinct measures of VAW, lending credibility to the findings. In addition, using household-level data, the study found that women who married after the amendments, were 17% less likely to ever experience intimate partner violence (IPV), a result explained by families increased willingness to invest in securing better marriage matches for their daughters.



Violence against women (VAW) fell by 36% over a period of 28 years

BACKGROUND

This study of India is the first ever to look explicitly at the impact of the changes in inheritance law on VAW.

Inheritance laws are thought to affect women's wellbeing by influencing their access to property and other assets, which are hypothesized to provide physical and economic security, bargaining power and potential route to escape abusive relationships. Granting equal inheritance rights to girls also increases their perceived worth, making families more likely to invest in their education and in securing a better marriage partner (via dowry payments).

Existing studies suggest that the effect of assets on IPV may be highly context specific.¹ Using matching strategies to

account for confounding factors, one study tested the association between asset ownership (housing or land) and women's experience of IPV in the last 12 months, using population-level data from 28 countries. In some countries, asset ownership increased a woman's risk of experiencing IPV; in others, it decreased it; and elsewhere there was no observed relationship. This suggests that there is no simple relationship between owning property and risk of IPV—and importantly that methods are needed that can establish causality, rather than a simple association.

CONTEXT

Violence against women in India is a major public health concern that affects women's well-being and that of their children. Crimes against women in India- including cruelty by husband or relatives, dowry deaths, rape, and sexual harassment - increased 83% between 2007 and 2016, likely reflecting an increase in reporting after a series of high-pro-

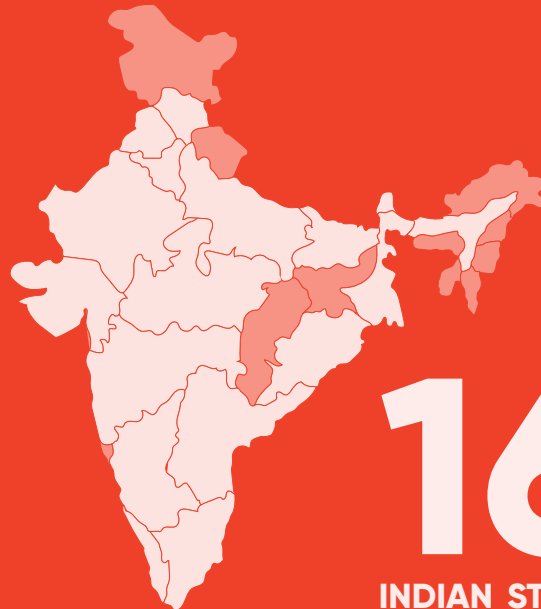
file rape cases in 2012.² According to India's latest National Family Health Survey (NFHS-4), 31% of ever married women have experienced physical and/or sexual IPV, with 23.7% experiencing IPV in the last 12 months.³ This study was undertaken in 16 states of India.⁴

PROGRAM DESCRIPTION

In this study, the “intervention” is the legal reform of inheritance rights applying to women subject to the Hindu Succession Act (HSA) of 1956.⁵

In 2005, the central government amended section 6 of the HSA, making inheritance rights equal for sons and daughters. Prior to the national reforms of 2005, however, various states had already amended their laws to equalize inheritance between male and female children.

This created a “natural experiment” that researchers could use to explore the impact of equalizing inheritance laws on average levels of IPV and other crimes against women, across different states.



16

INDIAN STATES

This study assessed the impact of equalizing inheritance rights for men and women on levels of violence against women in 16 states in India.

STUDY DESCRIPTION

This study examined the impact of state level amendments to the HSA on three measures of violence against women:

- The number of cases of violence against women reported to the police (state level administrative data, yearly);
- Levels of unnatural deaths among women (state level administrative data, yearly); and
- Levels of lifetime IPV reported by women married before and after the HSA amendments were passed (population-level National Family Health Survey, 1998-99 and 2005-06).

The authors use econometric techniques to compare the change in incidence in each measure of violence (Crimes against women, unnatural deaths and IPV) first among states that amended the inheritance law compared to those that did not over time, and then among individual women subject to the amendments at the time of marriage compared to those who were not.⁶



NOTE

Econometric techniques are statistical methods that economists often use to determine whether one factor has a causal effect on another.

KEY FINDINGS

- The number of crimes against women reported to the police fell by 36% over a period of 28 years (1976 – 2004) in states that equalized inheritance for males and females, thus removing gender-discriminatory aspects of the HSA. Evidence confirms that this decrease was not related to increased rates of reporting or a generalized decrease in crime.
- Women newly eligible for inheritance (i.e. affected by the amendments) were 17% less likely than other women to experience IPV.
- IPV decreased only for women who were beneficiaries of HSA amendments: no effects were seen for women not covered by the law, for example, Muslim women.

- Accidental deaths due to “unnatural causes” decreased among females after the amendments, but not among males. This suggests that equalizing inheritance also reduced crimes against women, such as bride burning and homicides, that often show up as deaths by “unnatural causes” in mortality statistics.

17%

Women who married under the new inheritance law were less likely to experience IPV than women not subject to the law.

“This paper shows empirically that female inheritance legislation has important implications for women’s well-being. It establishes the relation between inheritance rights of women and violence against them. The results contribute to a growing literature on the effects of women’s economic conditions on violence against them and on the importance of policies targeted specifically to women.”

[Amaral 2017, p. 28]

IMPLICATIONS FOR POLICY, PROGRAMMING AND RESEARCH

- These results highlight the importance of reforming unequal inheritance regimes as a strategy to reduce overall levels of violence against women.
- According to the World Bank’s Women, Business and Law report from 2018, 39 economies (21% of all countries) prevent daughters from inheriting the same proportion of assets as sons.⁷ These countries should be the focus of renewed policy attention.
- Other studies have shown that with the passage of the amendments, female education increased,⁸ women’s mortality decreased,⁹ and son preference was reduced.¹⁰
- Likewise, other studies have shown that the HSA amendments increased women’s likelihood of inheriting land¹¹ and improved their bargaining power and autonomy.¹²
- Advocates and social movements seeking to reduce violence should exert pressure to reform inheritance laws that discriminate against daughters.

RESOURCES

¹ **Peterman et al (2017)** “Women’s Individual Asset Ownership and Experience of Intimate Partner Violence: Evidence From 28 International Surveys” American Journal of Public Health

² **Mallapur, 2017**

³ **International Institute for Population Sciences (IIPS) and ICF. 2017.** National Family Health Survey (NFHS-4), 2015-16: India. Mumbai: IIPS.

⁴ **Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh and West Bengal.** Notes that in 2001 the states of Chhattisgarh, Jharkhand and Uttarakhand were carved out of the states of Madhya Pradesh, Bihar and Uttar Pradesh respectively. To make the results comparable across time the data for these states was merged with the original states.

⁵ **In India, inheritance laws depend on one’s religion.** Inheritance for Buddhists, Hindus, Jains and Sikhs is governed by the HSA, which covers 83.6% of the total population of India as assessed in the 2001 Census. The study’s findings do not apply to the 14.2% of India’s population who follow the Muslim faith.

⁶ Police reports of cases of VAW are taken from the National Crime Record Bureau (NCRB). They include crimes against women as defined in the Indian Penal Code, namely, cruelty by husband and relatives, dowry deaths, importation of women and girls, kidnapping of women and girls, molestation, rape and sexual harassment. This study also includes crimes under the Dowry Prohibition Act, the Immoral Traffic (Prevention) Act and the Indecent Representation of Women (Prevention) Act.

⁷ **World Bank, 2008,** Women, Business and the Law 2018, Washington D.C.: World Bank.

⁸ **Deininger, K., Goyal, A., Nagarajan, H., 2013.** Women’s inheritance rights and intergenerational transmission of resources in India. Journal of Human Resources 48 (1), 114–141; Roy, S., 2015. Empowering women? inheritance rights, female education and dowry payments in India. Journal of Development Economics 114, 233–251; Bose, N., Das, S., 2016. Women’s inheritance rights, household allocation and gender bias.

⁹ **Calvi, R., 2017.** Why are older women missing in India? The age profile of bargaining power and poverty. Re-submitted to Journal of Political Economy. Unpublished Manuscript. <https://sites.google.com/site/rossellacalvi2/research>; Calvi, R., Lewbel, A., Tommasi, D., 2017. Women’s Empowerment and Family Health: Estimating LATE with Mismeasured Treatment. <https://sites.google.com/site/rossellacalvi2/research>

¹⁰ **Jain, T. (2014)** “Where there is a will fertility behavior and sex bias in large families.” Journal of Human Resources 49 (2), 393–423.

¹¹ **ibid. Deininger et al (2013)**

¹² **Roy, S. (2008)** “Female empowerment through inheritance rights: evidence from India.” London School of Economics, London.

SOURCE DOCUMENT

Amaral, Sofia (2017) “Do Improved Property Rights Decrease Violence Against Women in India?”

Institute for Social and Economic Research.

Available at SSRN: <https://ssrn.com/abstract=2504579>

The Prevention Collaborative (2018)

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