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Raquel Ludermir Bernardino

**Housing for Survival:
insecurity of tenure, property loss and domestic violence against women in Recife, Brazil**

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Thesis submitted to the Postgraduate
Programme in Urban Development of the
Federal University of Pernambuco,
as a partial requirement for obtaining the degree
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Dias mulheres virão!

(Common greeting among feminists in Brazil hopefully announcing,
with a play on words, that better days are coming)

Dedicated to all the women who share or silence their experiences,
and to Rosa Ludermit, who teaches me to appreciate the beauty of being an eternal apprentice.

*Para todas as mulheres que partilham ou silenciam suas experiências,
e para Rosa Ludermit, que me ensina a apreciar a beleza de ser uma eterna aprendiz.*

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ABSTRACT

Domestic violence against women is a devastating problem and yet, while its consequences for housing have been well documented, the residential scenarios where it occurs remain underexplored. This thesis explores the intersections between domestic violence against women and housing challenges – before, during and after abuse – with a particular focus on insecurity of tenure and property loss. Using a feminist grounded theory, the thesis examines the housing trajectories of 56 low-income women interviewed in a domestic violence court and in three selected settlements in Recife, Brazil. Additional data coming from document review and interviews conducted with 28 key informants allow triangulation and provide insights into the disjuncture between legal and policy frameworks and women's lived experiences.

Findings show that, even before domestic violence occurs, material and socially constructed disparities based on gender shape the residential scenarios where domestic violence takes place, weakening women's *de facto* and perceived property rights, despite formal equality, leaving them more vulnerable to evictions and dispossession than men. During abusive relationships, these disparities combined with gaps between law and practice may expose women to a crucial dilemma: tolerating domestic violence in exchange for a place to live or not to lose property, or fleeing their homes to survive cyclic and escalating violence. The thesis introduces two concepts: "*trade-offs for shelter*", made by survivors who lack housing alternatives to escape abuse, and "*gender violence evictions*", encompassing the specific form of insecurity of tenure provoked by domestic violence. After leaving abusive relationships, while public policies fail to address their basic housing needs, survivors and their children are often pushed into a housing deficit, and are likely to face new or persistent cycles of abuse, housing insecurity and inadequacy, effects that can transmit disadvantages across generations.

The thesis also addresses "*patrimonial violence against women*", a specific form of domestic violence legally recognized in Brazil, but sometimes exercised in a seemingly non-violent manner. Findings reveal how women are likely to lose their rightful share or property upon separation and inheritance, while their attempts to claim and exercise property rights might trigger or aggravate gender violence. Nevertheless, despite legal recognition, patrimonial violence against women remains poorly recognized by survivors and neglected in police and courts, contributing to the reproduction of gender inequalities and women's subordination to men. Findings also reveal contradictory outcomes of tenure regularization and housing policies

that, even when trying to empower women, may be disadvantaging them by silencing account of violence and trapping women in abuse.

The thesis contributes to the debate on housing in domestic violence contexts by considering, beyond the consequences of abuse, the gender disparities within and beyond households that permeate the housing processes before violence. It also draws attention to the explicit housing deficit provoked by domestic violence, as well as a “hidden” housing deficit encompassing women unable to leave abusive relationships when lacking alternative housing. Addressing the immediate and longitudinal implications of domestic violence to women’s housing and asset portfolios is a crucial step towards the realization of gender equality and freedom from violence.

Keywords: Housing. Property. Security of tenure. Violence against women. Patrimonial violence. Gender.

RESUMO

A violência doméstica é um problema devastador e, muito embora os seus impactos na moradia das mulheres sejam bastante conhecidos, as estratégias de moradia que antecedem a violência são ainda pouco estudadas. Esta tese explora as intersecções entre violência doméstica contra a mulher e desafios de moradia – antes, durante e depois de relacionamentos abusivos – com ênfase em insegurança de posse e perda patrimonial. Por meio de uma abordagem feminista qualitativa, a tese examina as trajetórias de moradia de 56 mulheres de baixa-renda entrevistadas em uma vara de violência doméstica e em assentamentos precários do Recife. Análise documental e entrevistas com 28 especialistas permitem a triangulação de dados e evidenciam lacunas entre os marcos legais e políticos e as experiências vividas na prática pelas mulheres expostas à violência doméstica.

Os resultados revelam que, antes mesmo da violência acontecer, desigualdades de gênero materiais e socialmente construídas permeiam os cenários residenciais onde a violência é exercida, deixando mulheres mais vulneráveis a remoções e despossessão que os seus companheiros e parentes. Durante a violência, estas desvantagens se somam às lacunas entre leis e políticas e sua implementação, expondo mulheres a dilemas cruciais como sair de casa para sobreviver, ou tolerar violência para ter onde morar. A tese introduz dois conceitos: “*tolerância pela moradia*”, observada entre as sobreviventes sem alternativas de moradia para sair de relacionamentos abusivos, e os “*despejos via violência doméstica*”, que representam uma forma específica de insegurança de posse provocada pela violência de gênero. Ao sair de relacionamentos abusivos, os arranjos de moradia das sobreviventes evidenciam como a violência doméstica alimenta o déficit habitacional, e expõe as sobreviventes e seus filhos a novos ciclos de privações, violências e insegurança da posse, contribuindo para a reprodução e transmissão de disparidades de gênero entre gerações.

A tese também aborda a “*violência patrimonial contra a mulher*”, uma das formas de violência doméstica legalmente reconhecida no Brasil e, por vezes, exercida de forma aparentemente não violenta. Os resultados mostram como as mulheres tendem a perder sua parte legítima da propriedade no momento da separação e partilha de herança, enquanto suas tentativas de exercer seus direitos de propriedade podem desencadear ou agravar violências de gênero. No entanto, apesar do reconhecimento legal, a violência patrimonial contra a mulher permanece pouco reconhecida pelas sobreviventes e negligenciada nas delegacias e varas especializadas,

enquanto que contradições nos programas habitacionais e de regularização fundiária podem silenciar, mesmo quando alegam empoderar as mulheres.

A tese contribui para o debate sobre moradia em contextos de violência doméstica ao considerar, para além das consequências, as disparidades de gênero que permeiam os processos de moradia que antecedem a violência. Também chama atenção para o déficit habitacional explícito que resulta da violência doméstica, bem como um déficit habitacional invisibilizado, que inclui as mulheres impossibilitadas de sair de relacionamentos abusivos por não ter alternativas de moradia. Enfrentar os efeitos imediatos e longitudinais da violência doméstica na moradia e patrimônio das mulheres é um passo crucial em direção à realização da equidade de gênero e da prevenção da violência.

Palavras-chave: Moradia. Patrimônio. Segurança de posse. Violência contra a mulher. Violência patrimonial. Gênero.

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1 INTRODUCTION

“I don’t know how I lived through all those years. He would come home and hit me, humiliate me, threaten to kick me out and leave me in the street... Some people think it’s easy to get out of a situation like that, but where would I go, taking three children? Life was bad with him, but worse without him, because at least there I had a roof over my head. It was not fair that I was the one who had to leave my house and lose everything. (...) But that day, it all became so serious that I had no other choice but to run away with the kids to avoid the worst. Now I depend on goodwill, living at other people’s homes as a favour and hoping not to be kicked out again...” (ELI)

It was with these words that ELI¹, a domestic violence survivor and resident of a low-income settlement in Recife, recounted her experiences of abuse intertwined with struggles to keep a roof over her head. Her narrative provides but one example of how women may be compelled to tolerate domestic violence in exchange for a place to live, forced to flee their homes to escape abuse, and pushed into housing instability when seeking relocation. This thesis is about these housing trajectories. It explores the relationships between housing and domestic violence against women, seeking to better understand the effects of abusive relationships on women’s ability to keep their homes and build a patrimony for themselves and their children.

Housing, at the most practical level, is what people rely on for shelter, to eat, sleep, enjoy, thus recognized as a component of the human right to an adequate standard of living (UN-CESCR, 1991). At a more strategic level, housing can be an ongoing process through which people mobilize resources to improve their living conditions, accumulate assets, transmit them across generations, and take advantage of its exchange value; adequate housing can serve as a buffer during emergencies, and ultimately as a way out of poverty (Turner, 1972; Deere & Doss, 2006; Gandelman, 2009; Ward, 2012; Moser, 1989; 2009; 2016; Marcuse, 2020).

Domestic violence against women² is a disturbingly common and widespread issue reported to affect one in every three women worldwide (WHO, 2017). It is a highly complex phenomenon, related to multiple risk factors, usually perpetrated by current or former intimate partners, but

¹ Participants’ names have been replaced with codes to protect their identity.

² Domestic violence can be perpetrated against men, but the overwhelming majority of survivors are women (WHO, 2013), so this study focuses on domestic violence perpetrated by men against *inter alia* their wives, partners, sisters, mothers, daughters, in-laws. This study does not focus on other forms of violence against women, such as in urban, political or institutional spheres, nor on other forms of violence which are not based on gender.

also by relatives such as brothers, fathers, sons, and in-laws; a behaviour rooted in aspects of a patriarchal society, rather than in attributes or weaknesses of individuals, persistently affecting the rights and wellbeing of women and girls (UN, 1993; Sagot, 2000; Watts & Zimmerman, 2002; Meneghel et al., 2011). It encompasses any act or omission based on gender that can cause death, injury, physical, psychological and sexual suffering, moral or patrimonial damage or loss, in a domestic, family or intimate relationship context (WHO, 2013; BRASIL, 2006).

The connection between domestic violence against women and housing struggles has been pointed out in several documents and reports. For instance, the United Nations (UN) Special Rapporteurs on violence against women have drawn attention to the fact that poverty and lack of housing options challenge women to leave violent family situations, and that forced evictions from home and land have a disproportionate and devastating impact on women, especially when correlated with violence committed by spouses or in-laws (UN-OHCHR, 2012, p.6). Domestic violence against women and girls has been acknowledged not only as a situation that can lead to eviction, but also as part of the wide range of harassments and violations exercised before, during and after eviction (UN-HABITAT & UN-OHCHR, 2014; p.1-4). Homelessness is, perhaps, one of the clearest manifestations of the links between domestic violence and housing struggles. In countries where data are available, such as the United States, for example, studies show that 57% of homeless women report that domestic violence was the direct cause of their becoming homeless; at least 38% of domestic violence survivors experience homelessness at some point in their lives; and the lack of housing alternative is often reported as one of the primary barriers that women face when trying to leave an abusive partner (NRCDV, 2015; NNEDV, 2016). It should not come as a surprise that domestic violence disturbs housing arrangements, and that housing arrangements may influence domestic violence experiences.

However, despite the empirical nexus between the two issues, there seems to be a disjuncture between housing and domestic violence literatures. Domestic violence is often mentioned but remains underexplored in housing research. In fact, an important part of the housing literature has avoided gender and “private” intrahousehold matters altogether. In the 1990s, Ann Varley noted that women’s housing needs did not figure prominently in the housing literature, while housing received little attention in the gender studies literature at the time (Varley, 1993). Over two decades later, in a more recent review of the literature, Carole Rakodi (2014) showed that this neglect continues. She pointed out that there is still limited research on women’s access to land and property in urban areas; very few programmes that aimed at increasing the urban poor’s access to land and housing have been evaluated from a gendered approach; and only few

programmes that explicitly claimed to take women's needs into account have been systematically evaluated, resulting in an enormous gap in evidence to discuss the issue. Rakodi also highlights that gender has been neglected or has received only passing references in key edited collections on access to urban land, such as those of Durand-Lasserve and Royston (2002); Fernandes and Varley (1998), and Payne (2002).

Over the years, a wealth of literature has been rectifying this neglect, exploring the relationships between gender, housing and property, heavily informed by empirical evidence from Latin American contexts, especially Mexico and Ecuador. A common focus has been on the role of women as "community managers", engaging in urban social movements advocating for housing improvements and settlement servicing (Moser, 1989; 2009; Sagot, 1992; Levy et al., 2016). Another common focus has been on the disproportionate struggles faced by female household heads, who must perform productive and reproductive work to care and provide for their families, and often struggle to make ends meet (Machado, 1987; Chant, 1997; 2006; Deere & Doss, 2006). What these two approaches to gender and housing have in common is that they both avoid addressing gender disparities within households. According to Varley (1995, p.170), this reflects a fear of feminist scholars of being criticized for suggesting that "a woman's place is in the home", and, to avoid confusion, it was safer to explore the housing of women without a resident male partner or to study activities in the so-called public sphere, where women are literally outside the home.

What is the relevance of gender and intrahousehold dynamics to housing processes? Feminist theories have challenged the notion of the "household" as a unit of congruent interest and equal distribution of resources, responsibilities and rewards, showing that individual and household wellbeing is not necessarily the same (Agarwal, 1994; Chant, 2006; Deere & Doss, 2006). Along with improvements in understandings and measurements of poverty in its multiple and intersecting dimensions, it became clear that despite the level of household resources, women and girls may not be able to access or benefit from it due to inequitable resource allocation in male-headed households (Chant, 2006; Bradshaw et al., 2017). The household is a site of "cooperative conflict" (Sen, 1991); a contradictory social unit where solidarity and confrontation coexist, and where individual interests conflict with collective ones (Gonzalez de la Rocha, 1994; 2006). For the purpose of my study, the household is precisely where domestic violence is likely to occur, thus the emphasis on intrahousehold disparities between women and men in terms of power and resources.

The research efforts to address intrahousehold disparities between women and men in housing and property often bump into the paucity of data on women's individual ownership and command over property and call attention to the dangers of gender analysis conducted at household level that may end up comparing the status of single-income households headed by women with double-income households headed by men or couples, resulting in misleading findings that portray women as the "poorest of the poor" (Chant, 1997; Deere & Doss, 2006; Moser, 2016). The studies that managed to overcome this challenge methodologically have revealed disadvantages faced by women to access housing resources, hold on to property, and accumulate an asset portfolio, including land and housing (Deere & León, 2001; Varley, 1993; 2007; Moser, 2009; 2016). Intrahousehold gender disparities were also revealed in the construction of dwellings and continuous home improvements, due to women's disproportionate struggles to earn income, generate savings and engage in construction work, struggles that are linked to gender norms and stereotypes and to a gendered division of labour (Chant, 1984; 1996). Women are also at a disadvantage, compared to men, to defend and claim the ownership of a home despite legal equality, as a result of gender bias in popular understandings of property rights, and differences in how women and men construe their relationship to property, which often conflicts with legal frameworks (Varley, 2000; 2010; Deere et al., 2014). However, even though these studies reveal a series of gender disparities, and frequently acknowledged tensions and conflicts within households (Varley, 1993, 2000; Meth, 2003; 2016; Moser, 2009, Chapter 8; Deere et al., 2014), it seems that more attention has been dedicated to *cooperation* than to *conflict*, a topic where my research interest lies.

Regardless of the gaps mentioned above – around gender, intrahousehold disparities and conflicts – the housing literature provides a nuanced understanding of the processes by which housing and property may be accessed, improved, held, and eventually lost in the kind of urban, low-income contexts focused on in this thesis. In these contexts, housing is usually a dynamic, continuous, incremental process rather than a static outcome, and this process shapes and is shaped by people's and families' access to resources within and beyond households (De Souza, 1998; Moser, 2009; 2016). In addition, housing and property rights are often "clouded", and complex household arrangements entail a web of overlapping entitlements and claims to property rights (Varley, 2010), which may not necessarily reflect legal frameworks but rather how people perceive and exercise property rights in practice. Therefore, in these settings, it is not enough to consider the formal, legal or documented dimensions of housing ownership and possession; less tangible aspects of housing processes can influence housing outcomes and how

people perceive and exercise their property rights, such as how/when/by whom the plot has been accessed and the dwelling has been built and improved, government response to informal land occupation, levels of settlement servicing, and how people perceive and construe their relationship to property (Santos, 1978; De Souza, 1998; Varley, 2000; 2010; Ward, 2003).

Unfortunately, this knowledge on housing and asset building processes provided by the housing literature is not fully reflected in domestic violence studies on housing. A common approach of these studies is to focus on the consequences of abuse for housing, both short- and long-term, including homelessness, housing instability, lack of housing affordability, late rent and mortgage payment, frequent residential moves or subsequent evictions, and the psychological issues associated with housing instability (Bell, 2003; Pavao et al., 2007; Ponc et al., 2011; Rollins et al., 2012; Daoud, 2015; Ocampo et al., 2016). Others have mapped the geographies of women when escaping intimate partner violence (Warrington, 2001; Bowstead, 2017). These approaches overlook important aspects of housing and asset building processes that may occur before and during abuse.

This thesis seeks to expand the focus beyond the consequences of domestic violence related to housing by taking into consideration the residential backgrounds and scenarios where domestic violence takes place. This attempt is based on two premises:

- inequalities in the distribution of resources contribute to women's subordination to men (Connell, 1987; Agarwal 1994, 1997; Deere & León, 2001);
- housing is a crucial process, often biased in terms of gender, through which individuals and families not only meet a basic need but also access, control, accumulate and redistribute resources (Chant, 1985; Varley, 1993; 2000; Ward, 2012; Grajeda & Ward, 2012; Moser, 2016), as mentioned above.

It seems that an examination of residential backgrounds and scenarios where violence happens could reveal power relations and inequalities within households, in addition to some of the factors that can influence women's decisions to leave or remain in abusive relationships. Moreover, is it possible that tenure insecurity (risk of eviction) starts being perceived and experienced even before eviction *per se*, while women are still living in the marital home? If so, the length and dynamics of housing instability may actually be much longer and different from what studies focusing on the post-violence phase reveal. Therefore, my research considers women's housing trajectories, before, during, and after domestic violence.

To explore the residential background and scenarios where domestic violence happens, I build on a third premise:

- women's property ownership increases their power within households and relationships and can reduce domestic violence (Agarwal, 1994; Panda & Agarwal, 2005; Grabe et al, 2015; Deere et al., 2014)

Feminist bargaining theories hypothesize that women's ownership of property can improve their fallback position (the outside options which determine how well-off she would be in case of the dissolution of the marital relationship), increase women's power within households, and consequently reduce or deter violence (Agarwal, 1994). Panda and Agarwal (2005) first showed that women who owned assets were less likely to report intimate partner violence in India. Similar studies have been replicated in countries such as United States (Christy-McMullin & Shobe, 2007), Nicaragua and Tanzania (Grabe et al., 2015), Ecuador and Ghana (Oduro et al., 2015) strengthening the idea that women's asset ownership could reduce domestic violence and provide exit options to survivors.

However, although I am inspired by these studies, my first concern is that a focus on property ownership can reduce complex housing processes and outcomes to binary variables like women who own property vs. propertyless women (Panda & Agarwal, 2005) or landowners vs. non-landowners (Grabe et al., 2015). Another concern, linked to the first, is that an overtly economic approach to housing and property predominates and hinders discussions around other forms of tenure and around "clouded" property ownership and possession, widely observed in the low-income, so-called "informal settlements" where my research interest lies.

A focus on clear-cut property ownership may overlook, for instance, the soft and intangible aspects of housing processes mentioned earlier, such as who acquired the plot and how the dwelling built and improved, aspects that can influence how people perceive and exercise property rights in practice, not necessarily aligned with formal property rights. This focus may also overlook the fact that, in informal settlements, families may live for generations on plots of land that are not formally owned by them, or which are not properly documented or registered in their names, meaning that their names would not appear in official property records. If the property is documented (properly or in a precarious manner), women's names may not appear in the title even when they have property rights. In fact, factors as subtle as who keeps the document (the actual paper) can become a problem in case of emergency, for instance, for women unable to take the property documents with them when fleeing to escape abuse.

In other cases, people may have only use rights to public land, or couples may live in rental accommodation or lose “concession” arrangements (*casas ou quartos cedidos*). What happens when no one in the household formally owns the property, neither the woman/potential victim, nor the man/potential perpetrator? How do women who do not own property (tenants or those living with their in-laws) cope with domestic violence? Is the location of the property in relation to in-laws another important aspect, influencing survivors to either stay or leave abusive relationships? These are some of the elements directly related to housing and property processes, in addition to property ownership *per se*, that can influence women’s housing experiences in domestic violence settings, which seem relevant to my study and remain underexplored.

In summary, binary approaches to property ownership seem to be insufficient to capture a range of housing tenure arrangements and complex asset building processes exercised in urban, low-income, Global South contexts, and their implications for women’s domestic violence experiences. They revolve around an economic approach to housing, seen as an asset or an outcome, rather than as a nuanced, complex and dynamic process and a social right, not necessarily linked to property ownership.

Therefore, in my research, in addition to property ownership, I propose to incorporate the notion of tenure security defined minimally as protection against eviction or one’s ability to remain in occupation, which can be attained / should be ensured in various forms of tenure, including possession, concession and rental (UN-CESCR, 1997). Such an approach can be helpful to examine the multiple ways in which people access, hold, use and exchange housing and property, the multiple and possibly overlapping rights people may be entitled to and how they construct and exercise these rights, before, during and after domestic violence. In other words, I draw on housing literature to examine the housing background, scenarios, strategies and outcomes of domestic violence against women in low-income settings.

This proposed distinction between property ownership and tenure security is also important in order to address a specific kind of domestic violence against women that is often neglected or misunderstood, although legally recognized in several Latin American countries³, namely “patrimonial violence against women”, minimally defined as the violation of women’s property

³ Patrimonial violence against women is legally recognized in the domestic violence laws of countries like Brazil (2006), Venezuela (2006), Costa Rica (2007), Mexico (2007), Colombia (2008), Argentina (2009), Bolivia (2013), Peru (2015), Ecuador (2018).

rights based on gender (Brasil, 2006; Deere et al., 2014). It is commonly observed in marital relationships especially upon separation and divorce settlements, but also in broader family disputes over inheritance. A relevant body of literature in Latin America has highlighted the importance of inheritance and property sharing as a means of access to housing in low-income settings where residential choices are constrained, as well as the tensions that can result from extended household arrangements when the original property owners get older and die, exacerbating conflicts between heirs, second, and third generation dwellers (Ward et al., 2011; Ward, 2012; Grajeda & Ward, 2012). Research has also revealed gender bias in inheritance practices favouring sons over daughters, tensions between women and their in-laws, as well as women and their brothers over family property (Varley, 2000; 2010; Deere & León, 2001; Grajeda & Ward, 2012). Carmen Deere (Deere, 2014; Deere et al., 2014), in the few known articles explicitly focused on patrimonial violence against women (termed as such), showed how informal partnerships and women's lack of legal knowledge undermine women's ability to secure their rightful share of property upon separation, divorce, or widowhood in Ecuador.

What is most important to be featured in this introduction, considering the literature on inheritance practices, is that disputes over property that constitute patrimonial violence against women can happen concomitantly with other forms of domestic violence like physical, psychological and moral, perpetrated by partners, former partners, and other male relatives like brothers, uncles, and in-laws. However, patrimonial violence against women may not necessarily provoke an eviction, such as in cases where women have left the family property before the dispute (for instance, when they moved out upon marriage or partnership formation following a patrilineal residence choice pattern). In such cases, patrimonial violence does not affect women's housing rights but rather their long-term asset accumulation strategies and their asset portfolio, which are crucial to live economically sustainable lives (Moser, 2016).

Therefore, for the purposes of my study, the distinction between property ownership and tenure security allows to explore the circumstances in which domestic violence against women may lead to:

- eviction and property loss (usually in intimate partner violence settings, when women may be forced to leave a marital home that they own partially or entirely; or in patrimonial violence perpetrated by relatives when survivors live in a family property being disputed);

- property loss but not eviction (usually in patrimonial violence settings perpetrated by brothers, when women no longer live in the family property);
- eviction but not property loss (when survivors live in rental, concession or shared arrangements, and escaping domestic violence may affect their social and human right to housing, but not necessarily their economic rights *per se*).

Moreover, this distinction between tenure security and property ownership allows for a discussion in terms of the use and exchange value of housing and property, referred to earlier. To frame these two dimensions of housing and property in a gender perspective, I build on what Molyneaux (1985) and Moser (1989; 2016) called the practical and strategic gender needs: (i) practical gender needs being those pursued by women in a survival mode, possibly preserving and reinforcing the sexual division of labour and female subordination, and (ii) strategic gender needs such as those that confront the nature of gender inequality and entail strategic goals such as freedom from violence, empowerment, emancipation and equality. An appreciation of these dimensions of housing and property helps to guide this study, interested in how and under what circumstances domestic violence might affect women's immediate housing needs (practical gender needs) and asset accumulation (strategic gender needs).

The next section presents the basic information of the empirical context to complement the theoretical concerns mentioned so far.

1.1 The empirical context

My research is empirically based in urban, low-income contexts in Recife, one of the major capitals of the Northeast region of Brazil, located in Figure 1. Domestic violence against women and housing struggles can probably be observed and investigated in most cities across Brazil. Recife seemed like an interesting choice because of its socioeconomic characteristics marked by high rates of poverty and housing deficit, as well as gender inequalities and domestic violence (as detailed in Section 2.5). It is an empirical context where the effects of domestic violence are likely to overlap with historic and socio-economic challenges faced by the urban poor to access and hold on to housing. The following concerns emanate from this empirical context and raise specific research questions to be addressed in this thesis.

Figure 1 - Location of Recife



Source: Adapted from Wikimedia Commons

The first empirical concern to be addressed in this thesis is related to the consideration of women's housing needs in the domestic violence law passed in 2006, known as *Lei Maria da Penha*⁴ (Law N° 11.340/2006) and the subsequent policy developments. On the one hand, the law is commemorated by feminist movements as a milestone for women's rights; it mandates governments at all levels to engage in eliminating violence against women through a multi-sector and multi-disciplinary approaches; it is also widely known across all socio-economic groups (Montenegro, 2010; Montenegro et al., 2018). On the other hand, the lack of attention to women's housing needs in these provisions is unsettling. For instance, in a country with a population of over 200 million people, there are less than 80 official domestic violence shelters, concentrated in less than 3% of cities across the country, accessed only in the most acute stages

⁴ The Brazilian domestic violence law is named after Maria da Penha Maia Fernandes, who experienced two homicide attempts by her husband in 1983, which made her quadriplegic. She spent 19 years trying to punish the perpetrator and managed to reach the Inter-American Commission on Human Rights of the Organization of American States (OAS) in Washington, that accepted, for the first time, a domestic violence case. The emblematic case became a symbol of impunity for gender violence in Brazil, explored by media and civil society campaigns pushing for changes in the legislation. <https://www.institutomariadapenha.org.br/quem-e-maria-da-penha.html>

of abuse, which have already reached the point of death threats and attempted murder (Brasil, 2011; IBGE, 2019). In some cities and states, specific programmes provide rent subsidies to domestic violence survivors. Without having to discuss affordability (price of rent in cities vs. the amount received by survivors), it is clear that the reach of such programmes is extremely limited. For example, in cities like São Paulo, which has over 12 million inhabitants, such programmes served only 32 women in the first semester of 2015 and are currently on hold due to austerity measures and political turbulence (Paixão, 2017). Meanwhile, conventional housing programmes, such as the My House, My Life Programme (Law N° 11.977/2009), that technically target women as beneficiaries, can take several years to become a concrete exit option for women trying to escape abuse.

Still regarding immediate housing needs, survivors who manage to officially report the violence may request judicial protective measures to continue living in the marital home and exclude the abusive partner or family member from the property, regardless of who owns the property (Law N° 11.340/2006, Art.22). In principle, this seems like a positive response to protect women's right to housing, even outweighing property ownership rights – unlike what happens in other types of conflicts and forced evictions in which the civil rights of property owners surpass constitutional housing rights. However, these measures are only temporary, and survivors often become subject to continued and sometimes more severe violence since the perpetrators know exactly where they live and their daily routines (Meneghel, et al., 2011). Leaving or staying, one woman in Brazil is battered every 7.2 seconds, and there is one femicide in every 4 hours, mainly affecting young, poor, non-white, uneducated women (DataSenado, 2015; Instituto Maria da Penha).

The issues mentioned above have not received much attention in official housing data or in recent housing literature in Brazil that often acknowledges domestic violence (see Viana, 2005; Oliveira, 2013; Levy et al., 2016; Meylan, 2016; Lima, 2018; Helene, 2019) but usually avoids gender analysis altogether (see Cardoso, 2013; Morais et al., 2016; FJP, 2018). Few articles are starting to address the housing constraints for women who want to leave abusive relationships, such as Machado et al. (2017), acknowledging that the lack of social rent policies is driving women to drop judicial cases and go back to live with abusive partners.

This thesis seeks to contribute to the debate on the short-, medium- and long-term housing needs of domestic violence survivors to escape and remain free from domestic violence. Where and how do survivors live between the moment when they decide to leave abusive relationships

until they find themselves in a permanent housing arrangement free from violence? How are government policies addressing these housing needs, and whether the limited provision or access to housing alternatives is exposing women to continued or new cycles of violence?

A second concern emerging from the empirical context that suggests specific research questions addressed in this thesis is related to **patrimonial violence against women**, recognized in the Maria da Penha law as:

“any conduct that causes partial or total retention, subtraction or destruction of women’s personal belongings, work instruments, personal documents, **assets, valuables and rights or economic resources**, including those that serve to meet her needs” (Law 11.340/2006, art.7º).

Over a decade after legal recognition, patrimonial violence against women remains largely underexplored. A recent systematic review of the literature on domestic violence showed that no article focused on patrimonial violence against women have been published between 2013 and 2015 in two of the major research databases in the country (Sordi, 2017). Scattered studies have acknowledged the legal inconsistencies between the 2006 domestic violence law and the 1940 criminal code, rendering men unpunishable for patrimonial violence against their wives or partners (Delgado, 2014; Oliveira, A. 2013; Fernandes, V. 2013). Anticipating some of the interview data discussed later in Chapters 5: in multiple interviews with court officials and domestic violence experts conducted for this study, patrimonial violence was generally associated with the retention or destruction of objects and documents, such as breaking cellphones, tearing clothes, or keeping civil documents like IDs and children’s birth certificates. Housing and property concerns were often acknowledged as an important aspect of violent relationships, influencing women’s decisions to leave or stay but were rarely referred to as patrimonial violence *per se*. Another common idea surrounding patrimonial violence mentioned by participants is that “men treat women as their own property”, again, not related to ownership and control of housing assets.

In my study, I explore how patrimonial violence happens and may end up being silenced in practice. What are the legal and practical barriers rendering patrimonial violence related to housing so poorly understood and reported? Are women aware of their property rights, and can they recognize and report patrimonial violence against women? How are police and court officials recording and addressing the patrimonial violence cases that eventually reach the police and courts?

A third empirical concern addressed in this study is connected to women's formal property rights in inheritance and marital regimes, and how these rights are understood and exercised in practice by women and their families. According to the 1988 Constitution and the 2002 Civil Code and other national laws (detailed in Section 2.4), the default marital property regime in Brazil is a partial community property regime, valid for couples officially married, formally and informally partnered under consensual union. This regime defines that the property acquired before marriage/consensual union or through inheritance remains the individual property of each spouse/partner, while the property acquired during the relationship belongs to both spouses/partners irrespective of who contributed to the payment. However, in low-income contexts, it is not rare to find couples in informal relationships, living on informally acquired and undocumented property, making it difficult to understand and prove when, how and by whom each asset has been acquired and who would be legally entitled to property rights. In such contexts, how are property settlements being negotiated in case of separation and divorce? What are the challenges faced by women to keep their rightful share of property or demand compensation?

Inheritance provisions in Brazil differ from other Latin American contexts mainly in terms of testamentary freedom, which is much more limited in Brazil than in countries where individuals can bequeath their property as they desire (Deere & León, 2001; Grajeda & Ward, 2012). Technically, in Brazil, all children, regardless of sex and including extramarital ones, are necessary (or forced) heirs. Widows are also mandatory heirs, in the same line of succession as children, meaning that in addition to their half of marital property, widows are entitled to a share of the deceased's estate equal to that which children are entitled to inherit (widows' inheritance is often confused with their rightful share of marital property). Moreover, widows are legally entitled to remain in the marital home even if they are not homeowners. In practice, however, how are inheritance agreements being negotiated within families?

I am interested in exploring whether women are aware of their property rights and able to claim and exercise these rights in practice, upon inheritance and dissolution of consensual union. To what extent do property settlements within families, seemingly "non-violent", actually constitute patrimonial violence against women? The Brazilian literature provides only partial answers to some of these questions, focusing either on rural contexts (Carneiro, 2001) or on a historical perspective (Melo & Marques, 2001), without reaching contemporary practices of distribution of wealth within families as I intend to do in this thesis.

The fourth empirical concern featured in this introduction is that, since 2005, all housing programmes in Brazil have been mandated by a national law to prioritize women as beneficiaries (Law N° 11.124/2005), and there is scattered evidence⁵ that this priority was given to women even before it was mandatory. However, there are limited data and analysis on how this prioritization is taking place in practice, and what the effects of such a measure for women in the short- and long-term are. For instance, regarding the My House, My Life programme, although several documents highlight that women are the targeted beneficiaries of the programme, I found only one official document containing information on the gender of beneficiaries, and this was actually referring to participants of a satisfaction survey conducted by the Caixa Econômica Federal Bank (Ministério das Cidades, 2014), not necessarily reflecting the broader universe of the beneficiaries. More commonly, analyses of the programme simply mentions that it targets women and do not examine what is happening in practice, or the territorial, social, economic and political effects of such a measure (see Subsection 2.4.3). It seems that housing studies in Brazil have been avoiding a deeper assessment of whether women are actually being prioritized by housing policies, which profile of women has been included or targeted in such initiatives (single household heads or married/partnered women), and how this is being implemented and unfolding in practice.

I was surprised to find out⁶ that a gender perspective is also absent in important assessments of housing needs in Brazil. For instance, the “Housing Deficit Study”⁷, adopted by the federal government as the official assessment of the housing problem in Brazil, published regularly by the Fundação João Pinheiro (FJP), covers regional and income class distribution of the housing deficit/shortage and housing inadequacy, but it does not even mention the words “gender” or “woman” in its most recent publications (FJP, 2018; FJP, 2016). Another example is the document, organized by the National Institute of Applied Economic Research (IPEA), that claims to cover the current status of informal settlements in the country but lacks any assessment of women’s specific conditions in more than 500 pages (Morais et al., 2016).

⁵ Interviews with residents of different low-income areas and experts from different organizations and governmental departments and levels suggest that land and houses have been often allocated to women.

⁶ I conducted a crude word-count exercise, looking for the words “woman / women” (mulher / mulheres) and “gender” (gênero) in some of the key textbooks and official assessments of housing issues in Brazil, searching for relevant data for my study. I hope this is a partial and provisional picture, assuming that the importance of the topic will trigger new studies sooner or later to rectify this neglect.

⁷ A new report of the Housing Deficit Study (FJP, 2021) was published a few months after this thesis was defended, finally incorporating some level of gender analysis; analysis conducted at household level, however, show only the status of female headed households and overlook the specificities of women living in male-headed households.

My study seeks empirical evidence of gender inequalities in housing and property in low-income settings in Brazil, particularly at the intrahousehold level, and explores how housing and tenure regularization policies are being implemented in practice in relation to gender. Is the allocation of property and the regularization of tenure in women's names helping to close a gender gap in housing?

In terms of the relationship between allocation of property to women and reduction of domestic violence, relevant insights from the international literature remain understudied in Brazil. Women's individual ownership of property may empower them and reduce risks of domestic violence (Panda, Agarwal, 2005), but can also lead male partners to assert their control through violence in contexts where asset ownership is a marker of men's dominance (Peterman et al., 2017). Joint ownership can also provide women with a better bargaining position in divorce negotiations, but this is likely to prolong unhappy and violent relationships (Blanco Rothe et al., 2002 quoted in Varley, 2007, p1747). Finally, housing programmes targeting women may trigger a violent backlash from male relatives (Meth, 2016) and simply turn domestic violence into an even less visible and heard about problem, after settlements are upgraded, the layout of houses is changed, and the physical structure of houses is improved (Duncan, 1996 quoted in Meth, 2003).

How do these insights resonate in the Brazilian context? Is it possible that gendered power relations and inequalities within the household may be challenging women to fully access housing and land policies? Do housing policies that include or target women as beneficiaries trigger a masculinity crisis and increase the risks of domestic violence? Are women "choosing" to stay in abusive relationships so as not to lose their homes and property – especially considering that housing programmes in Brazil can only be accessed once in a lifetime? By addressing these questions, this thesis seeks to contribute to the debate on the impact of housing policies in terms of reduction of violence and women's empowerment.

In summary, Brazil has somewhat progressive legal and policy frameworks related to gender in housing and land policies, women's inheritance and marital property rights, as well as domestic violence against women. However, women's lived experiences are often shaped by the gaps between these frameworks and their implementation. My research is interested in these gaps between the law, policies, and practice and their implications to women's ability to access, improve, hold on to, feel safe in, and accumulate a key asset in urban, low-income contexts: their homes.

1.2 Research aims and objectives

The **aim** of this thesis is to investigate the relationships between domestic violence against women, housing tenure insecurity and property loss in urban low-income settlements in Recife, Brazil. The **central research question** is how and under what circumstances domestic violence might affect women's ability to keep their homes (immediate housing needs) and build a patrimony (accumulate housing assets) for themselves and their children in urban, low-income contexts in Recife, Brazil.

This question encompasses the more predictable cases of intimate partner violence driving women out of their homes, provoking both tenure insecurity and property loss. It addresses patrimonial violence that does not necessarily affect women's housing arrangements, like women being deprived of inheritance rights to a property they no longer live in; as well as evictions that do not necessarily violate women's property ownership rights, but rather their housing rights, from a social and human rights perspective, like when women are evicted from their in-laws or from rental accommodations. The research question also intends to address the immediate and potentially longitudinal impact of domestic violence on women's asset accumulation and whether it can expose women and their children to further housing insecurity and domestic violence.

Specific objectives of the thesis are:

- To examine and characterize the **preconditions** of domestic violence considering women's individual housing background, and couples' and families' housing and accumulation strategies that shape the residential scenarios where domestic violence happens, focusing on plot ownership or possession, home improvements, as well as perceptions and documentation of property rights.
- To understand women's coping **strategies** in relation to housing and property during an abusive relationship, considering different forms of violence, how women cope with and try to end abusive relationships, how property disputes take place upon seemingly non-violent separation and inheritance settlements.
- To examine and characterize the **outcomes** of domestic violence in terms of housing and property after abusive relationships, considering where and how women and their children seek shelter when fleeing their homes to escape abuse; what the challenges and new risks associated with re-housing are; as well as long-term asset erosion.

- To identify and analyze how **public policies and legal frameworks** in Brazil and Recife address the interplay between domestic violence, housing and property, considering government response to the housing needs of survivors; how patrimonial violence against women is understood, reported and addressed in practice; and how conventional housing policies can influence in this interplay.

Other forms of violence against women that are not domestic or familiar, such as institutional violence or perpetrated by strangers in urban spaces, as well as domestic violence against men are out of the scope of the thesis.

1.3 Overview of the methodology

The research aims and specific objectives were addressed through an inductive, qualitative approach to research informed by constructivist and feminist grounded theory methods (Charmaz, 2006; Wuest, 1995, 2011). As will be detailed in Chapter 3, the study is empirically based on narratives of the housing and property trajectories of 56 low-income women interviewed in a domestic violence court and in three selected settlements in Recife, seeking to reach different profiles of participants: self-reported survivors who have reached domestic violence courts to prosecute perpetrators, silenced survivors who may have not been able to officially report or access government support to address the violence, and women who have not reported domestic violence. Participant selection criteria included being female, at least 18 years old, and a resident of a low-income settlement.

The three low-income settlements were selected as they were consolidated areas where there were no external threats of eviction, to ensure participants would focus on potential threats of eviction coming from within their households. These areas were also illustrative of different processes by which low-income residents access housing in Recife, and different levels of government intervention in terms of housing tenure security, including gender-neutral tenure regularization and settlement upgrading (Morro da Conceição), allocation of land plots targeting women (Passarinho) and allocation of housing units also targeting women (Vila Santa Luzia). Interviews were conducted between 2018 and 2019.

Additional data came from interviews conducted with 28 key informants, including officials of domestic violence courts, domestic violence reference centres, and housing agencies, researchers, representatives of non-governmental organizations (NGOs) and social movements,

and local community leaders. Interview data were complemented with a review of documents focusing on laws, policies and assessments of their implementation and outcomes. This allowed triangulation and provided insights into the disjuncture between legal and policy frameworks and women's lived experiences. The analysis focuses on emerging themes, similarities and differences, and the chain of events related to housing and property before (preconditions), during (process) and after (outcomes) domestic violence.

1.4 Document structure

The thesis was structured in the following chapters. Following this Introduction, **Chapter 2** presents the literature review, and **Chapter 3** details the research methodology.

Research findings were organized from the most to the least explicit forms of domestic violence and, in parallel, from the most practical to the most strategic (longitudinal) dimensions of housing and property.

Chapter 4 focuses on intimate partner violence and its effects on women's tenure security. It provides an overview of the housing trajectories of 31 survivors before, during and after abuse, followed by an analysis of policy implementation and challenges related to the practical housing needs of survivors.

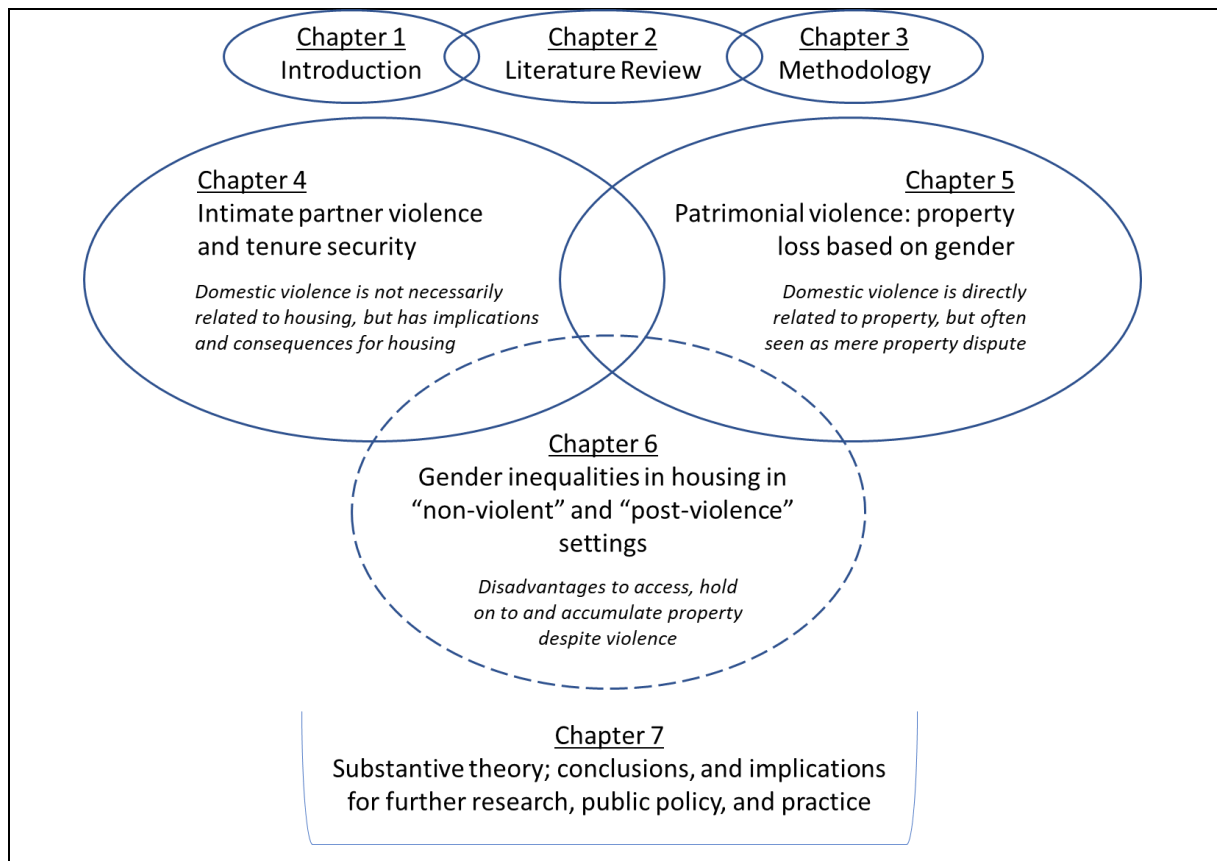
Chapter 5 focuses on patrimonial violence against women, exploring property disputes within families upon separation and inheritance. It reviews some of the cases presented in Chapter 4, only of survivors who managed to end their relationships, to provide a deeper analysis of the property loss upon separation. It also explores the narratives of women who experienced patrimonial violence in inheritance disputes, followed by a policy discussion. Despite some overlaps with Chapter 4, having a specific chapter on patrimonial violence was intended to distinguish analytically the domestic violence that is directly related to property from other forms of domestic violence, that may or may not happen concomitantly.

Chapter 6 focuses on the narratives of participants who did not report domestic violence, or who overcame abuse, examined in contrast with the cases presented in the previous two chapters, exploring elements of their housing trajectories which may be related to freedom from violence. Chapter 6 also provides insights into contradictions and perverse outcomes of government housing programs, and on the longitudinal effects of domestic violence in housing and property.

Chapter 7 proposes a substantive theory on tenure insecurity and property loss among women experiencing domestic violence, followed by the conclusions of the thesis and a discussion of the implications for further research, policies and practice, and unanswered questions.

The document structure is schematically presented in Figure 2, below.

Figure 2 - Document structure



1.5 Expected contribution

This thesis uncovers the basic social process through which domestic violence affects women’s ability to keep their homes and accumulate property. It shows that, despite legal and policy progress and rhetoric, urban poor women in Recife still face highly constrained residential choices before, during and after domestic violence, and how these choices are linked to persistent gender-based disadvantages in access to and control over housing resources.

The study sheds light on a phenomenon that remains underexplored in the housing literature: a specific form of insecurity of tenure provoked by domestic violence against women, here termed as “*gender violence evictions*”. It also introduces the term “*trade-offs for shelter*”, observed among survivors who lack housing alternatives to escape abuse. Chapter 4 shows that domestic violence combined with lack of access to housing alternatives forces women to choose between violence or homelessness, exposing them to evictions and pushing them into housing deficit and inadequacy and subsequent tenure insecurity.

The study also deepens current understandings around a phenomenon often overlooked both by the housing and the domestic violence literature, namely *patrimonial violence against women*, a specific form of domestic violence directly related to housing and property rights. Women often lose their rightful share of property in seemingly non-violent disputes and settlements within families, and this remains understudied and poorly addressed in practice. This thesis explores why in Chapter 5.

Findings also show that the housing and property implications and outcomes of domestic violence against women – trade-offs for shelter, gender violence evictions and property loss through patrimonial violence – stem from and reinforce broader *gender inequalities in housing processes*, highlighting a cumulative, longitudinal effect of violence on women’s ability to access, hold on to and accumulate housing assets, live economically sustainable lives, and challenge gender relations. This is examined in Chapter 6.

In doing so, the thesis contributes to housing studies from a gendered and intrahousehold perspective (beyond the gender-neutral analyses conducted at community and household levels), and contributes to domestic violence studies, from a housing tenure security perspective to examine the housing processes and scenarios where the violence takes place (beyond the common focus on property ownership and on the consequences after leaving abuse). The thesis contributes to the debate on gender and asset accumulation by expanding on the role of domestic violence in asset erosion, even if through seemingly non-violent processes as patrimonial violence against women may be. The findings stress the need to consider gender, intrahousehold dynamics and conflict in further housing studies, to refine housing analysis in domestic violence and feminist economic empowerment studies, and to emphasize the role of family conflicts and tensions in gender asset accumulation studies.

From a policy perspective, focusing on the Brazilian context, the research findings stress the need for integrated policies to address the housing needs of survivors, as well as the need to

raise awareness and improve the reporting of patrimonial violence against women related to housing and property. With regard to housing policies, the research findings contribute to the discussion on gendered implementation and outcomes of housing allocation and tenure regularization initiatives in empowering or trapping women in abusive relationships. It also shows that gender violence evictions are driving women into a housing deficit when seeking relocation in overcrowded and unaffordable housing, and such issues can only be observed through gender-disaggregated data at individual level, rather than the gender-neutral, household-level data commonly used for housing analyses.

While the end of domestic violence against women seems like a utopic aim, women need housing for survival, otherwise, they may be compelled to exchange one thing for another, as suggested in the title of this thesis.

2 LITERATURE REVIEW

The previous chapter briefly introduced how the disjuncture between housing and domestic violence literatures inspired and shaped my research question. Here, I expand on how I build on the literature on housing, property and gender to bridge this disjuncture. A crucial common ground to do so is the attention to both the practical and the potentially transformative role of housing and property (access to and control over it) as a means out of poverty, to reduce women's subordination to men, and to reduce domestic violence against women.

The first section focuses on housing and asset building processes in the midst of urban poverty. The second section brings gender and intrahousehold dynamics into the debate, showing the disadvantages faced by women to access and keep housing, and to acquire and accumulate assets. The third section provides background information on the nature and dynamics of domestic violence against women, to then focus on the existing literature on domestic violence and housing. The fourth section provides background information on the empirical context of Recife, Brazil, focusing on policy and legal frameworks and their implementation in practice that influence peoples' lived experiences. The final section summarizes the theoretical and empirical concerns that I address in the thesis.

2.1 Housing and asset building among the urban poor

Different notions of poverty and deprivation will be referred to in this chapter, the first being income poverty and how it affects people's access to housing, a basic yet remarkably expensive item of families' living costs. How low-income families meet their basic housing needs in cities has been widely explored by housing literature: while some manage to save and earn enough money to purchase or rent property formally or informally, others informally squat, self-build, subdivide, and share their homes with kin to make the best use of resources available (Chant, 1996; Ward et al., 2011; Maricato, 2012). Government response to so-called self-help or informal settlements has historically ranged from tacit tolerance to massive evictions, sometimes combined with relocation, to the recognition of squatters' rights, provision of essential infrastructure, tenure regularization, and allocation of land plots or housing units (Doebele, 1987; Grajeda & Ward, 2012; Ward et al., 2014).

From the range of aspects that could be explored in these low-income settlements, my primary concern in this thesis is women's security of tenure and asset building processes, that is, how

women access and hold on to their homes to meet basic housing needs, and how they accumulate (or eventually lose) property, particularly in domestic violence settings, in their pursuit of coping with and reducing poverty.

2.1.1 Housing tenure security: holding on to a home

The word “tenure” comes from the Latin root “*tenere*”⁸, meaning to hold or possess something (Barlow and Duncan, 2007). Land or housing tenure refers to how the property is held by individuals or groups; a set of relationships amongst people with respect to property defined legally or customarily (UN-Habitat, 2008). Different types of tenure – like rental, owner-occupation, lease, cooperative housing – imply different property rights – like the right to use, occupy, alienate or retrieve property, often conceptualized as a “bundle of property rights” (Marcuse, 2020). These property rights can be invested in individuals or groups, applied to land plots and/or built structures, and be recognized by customary, statutory or informal practices (Payne & Durand-Lasserve, 2012; Doss & Meinzen-Dick, 2018). The distinction should be clear: “*tenure* relates to the means by which land is held and *property rights* relate to who can do what on a plot of land” (Payne & Durand-Lasserve, 2012, p.8).

Housing tenure security is defined by international law as the legal protection against forced eviction, harassment and other threats; it should apply to all types of tenure, including informal occupation of land or property, since it is acknowledged as a fundamental element of the human right to adequate housing as a component of an adequate standard of living (UN-CESCR, 1991). Forced eviction, still according to international law, is the “permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection” (UN-CESCR, 1997). For the purposes of this thesis, housing tenure security refers to one’s ability to keep one’s home, in any form of housing tenure, when facing external or intrahousehold threats of eviction.

Early approaches to tenure security focused on the legal or *de jure* aspects of tenure, closely linked to the documents or titles that families can hold as evidence of the legality or legitimacy

⁸ In Portuguese, unlike in Spanish and English, the word tenure is not linked to the Latin root “*tenere*” but to “possession” (*posse*), which can be linked to Portuguese speaking people’s constructions of tenure.

of their tenure status (UN-Habitat, 2011). It was argued that provision of property titles for residents of so-called informal settlements would provide not only tenure security against evictions but also stimulate home improvements and consolidation, provide access to credit, influence settlement servicing, raise property values, and liberate a true market economy (De Soto, 2000; criticized by Ward, 2003; Varley, 2016). However, the claimed benefits and underlying assumptions of land titling were heavily criticized and confronted with empirical evidence showing that tenure security / insecurity could be linked to a broad range of processes taking place at different levels, such as household, community and city, as well as national and global levels.

Countering the alleged benefits of land titling, evidence showed that titling was too costly and lengthy and not necessarily related to decision-making around service provision (Ward, 2003). Financial institutions were often unwilling to lend to poor homeowners, while low-income households were unlikely to risk their main asset for a loan (Rakodi, 2014). Legal tenure was not the determinant factor for home improvements but rather household savings capacity, stable income and building skills, in addition to their needs to improve their living conditions and physical security (De Souza, 1998). Additionally, despite limited documentation, informal land markets are not stagnant but rather dynamic, with free exchange of land and dwelling units, partly because informality makes homes affordable for the urban poor (Jones & Ward, 1994). Moreover, land titling could backfire by promoting commodification of housing and market-driven displacements of original populations of informal settlements, undermine collective solidarity, demobilize social movements, and encourage further invasions (Doebele, 1987; Varley, 2016, Marcuse, 2020).

The critique around land titling attracted attention to other aspects of self-help housing linked to tenure security, besides property titles and documents. Where property rights are clouded and undocumented, security of tenure can be linked to the form of land acquisition, length of residence, level of dwelling consolidation, and settlement servicing (De Souza, 1998; Ward, 2003). Additionally, how people construe their relationship to property, in alignment or sometimes conflicting with legal frameworks, and how they assess risks or probability of eviction, may also influence their perceptions of tenure security and behaviour in response to concrete threats (Santos, 1978; Varley, 2000; 2010; van Gelder, 2013).

Therefore, definitions of tenure security expanded beyond legal aspects of tenure, to acknowledge *de facto* and perceived elements, embracing notions such as “confidence”, “recognition” and “effectiveness” of government protection against eviction, as shown below:

Land tenure security can be defined in various ways:

- the degree of confidence that land users will not be arbitrarily deprived of the rights they enjoy over land and the economic benefits that flow from it;
- the certainty that an individual’s rights to land will be recognized by others and protected in cases of specific challenges; or, more specifically:
- the right of all individuals and groups to effective government protection against forced evictions (UN-Habitat, 2008, p.5).

A useful way to understand security of tenure is to examine the other side of the coin: which factors may be associated with tenure insecurity, and how, why, and when they can become a threat to someone’s ability to keep his/her home. Forced evictions can be provoked, *inter alia*, by large scale developments, urban renewal and transformation (including disaster prevention), changes in zoning or planning legislation or instruments, slum clearance and criminalization of poverty, political and ethnic evictions, land grabbing, conflicts between occupants and between occupants and alleged property owners, in addition to domestic violence, the focus of this study (UN-Habitat & UN-OHCHR, 2014, p.3-4; De Souza, 1998).

In short, not all title holders have tenure security, and not only title holders have tenure security. Threats of evictions may be associated with a range of events, mechanisms and processes, and engage different agents, ranging from nation- or city-wide developments led by government and private sectors, as well as community, family and household dynamics, as summarized in Table 1. Tenure security / insecurity is neither static nor related only to legal tenure status; it results from a combination of continuous processes by which households incrementally improve their homes and may strengthen (or weaken) their *de facto* and perceived relationship to property, that can be more or less affected by internal and external factor.

Table 1 - Key factors associated with tenure security and insecurity

Tenure security factors	Tenure insecurity factors
<ul style="list-style-type: none"> - Formal access to property; - Documentation, property titles; - Length of residence; - Dwelling consolidation; - Government tolerance to squatting; - Service provision by governments; - Protective legislation, zoning and planning rules; - Strong squatters' legal rights; - Strong perceived relationship to property; 	<ul style="list-style-type: none"> - Informal access to property; - Disputes over possession and ownership of property; - Violence and disputes among neighbors; - Family conflicts and domestic violence; - Development- and market-led displacements; - Disasters, climate change; - Civil conflicts, political and ethnic displacement; - Weak squatters' legal rights; - Weak perceived relationship to property;

Approaching security of tenure from a dynamic perspective, De Souza (1998, p.4) argued that tenure security must be understood beyond its conventional legal meaning as it depends on “who perceives it, how such tenure has been gained, which actors have been involved in securing the tenure for particular households, and what is perceived as secure”. Based on this rationale, he showed that different households with similar legal tenure status located in the same settlement may have different *de facto* and perceived relationships to property depending on how and when the property has been accessed, investments in home improvements, and people’s constructions of property rights.

These findings prepared the ground for the following set of questions that will be addressed in this thesis. Considering gender-based inequalities within households and beyond, can women and men living in the same household have different tenure status, depending on their different contribution to housing strategies? Which factors and processes may be shaping women’s security of tenure? Are women disadvantaged, in relation to men, to keep their homes in case of family disputes over property? Is there a gender gap in tenure security, and how is domestic violence related to it?

Tenure security – protection against forced eviction – is a crucial step to consolidate assets and prevent erosion, what Moser (2016, p.6) called moving from the first to the second generation of asset accumulation, in which the former revolves around basic needs, and the latter enables an intrinsic strategic process of empowerment and transformation, as discussed below.

2.1.2 Asset building and accumulation: leaving poverty

Housing is more than the space where reproductive life takes place; it is also a process by which families and individuals can access and accumulate assets over their life course and across generations (Deere & Doss, 2006; Gandelman, 2009). A widely used expression is that housing has use and exchange value, referring to the fact that housing is a major asset that can be sold or passed on to one's heirs (Moser, 2009; 2016; Grajeda & Ward, 2012). Housing can be used to generate income, such as by renting rooms or by using space for home-based production activities (Moser, 1998; Agarwal, 1994); it provides a buffer in case of an emergency (Deere & Doss, 2006). Housing can also generate status and social advantages, serve as a platform for families and individuals to assets such as social (reciprocity networks, for example) and human capital (health, education and nutrition, for example) (Moser, 2009).

From a poverty perspective, asset poverty, as opposed to income poverty, better illustrates how economic inequality accumulates over the life cycle of individuals and families (Deere & Doss, 2006). Alternatively, as pointed out by Gandelman (2009, p.525), "since shelter is usually the most expensive consumption item for families, adequate housing may be an effective means to alleviate poverty". Asset accumulation is closely linked to one's ability to live economically sustainable lives, move out of poverty, and challenge inequalities, what Moser (2016) called strategic empowerment beyond practical housing needs.

The housing literature has widely explored how low-income households consolidate their homes and build assets incrementally over time, via self-help, families, community, markets and government mechanisms. Inheritance is an important shortcut for individuals' asset accumulation (Ward, 2012); capacity to mobilize resources such as income, savings, labour, and help from reciprocal networks are other major elements for home improvements (De Souza, 1998). Affirmative action from the government, such as the allocation of land plots and houses, is another important means of asset building, as are improvements to settlements that can improve the exchange value of property (Moser, 2009). Tenure regularization can contribute to consolidate possession of assets, but asset building can and often does take place where property rights are clouded.

For the purposes of my research on gender norms and inequalities in access to resources, relevant questions include: Do women and men access and accumulate assets in the same way? What factors may influence women's ability to accumulate property through their lives and

across generations? What role does domestic violence play in asset accumulation? How can asset inequalities help or hinder transformation in gender relations?

The following section explores the literature on gender, housing and property, which has addressed some of these questions.

2.2 Gender, housing, and property

It is now well established that inequalities between women and men cut across different levels (individual, interpersonal, family, community and social) and are present in various sectors such as health, education, economy, politics, justice, violence, as well as poverty and urbanization (Chant, 2006; Falú, 2009; WEF, 2018). Even when legal equality is provided, women may be socially, economically or politically disadvantaged in practice; while gender inequalities intersect with other factors of discrimination such as class, race, ethnicity, age, nationality, marital status, etc. (Chant, 2010; UN-OHCHR, 2012). A rough estimate that is often cited when it comes to gender inequalities in command over resources is that “women constitute one half of the world’s population, one-third of the official labour force, do two-thirds of the work, but earn only one-tenth of the world’s income and own only one percent of the world’s property (UN 1980, p.8 quoted in Deere & León, 2001, p.2).

Much has been said about gender inequalities in labour, time and income, especially considering that gendered divisions of domestic labour and income generation is such a central theme in feminist theories and activism. Time poverty refers to women’s disproportionate responsibility for unpaid reproductive work, that challenges not only women’s ability to engage in more stable and better paid productive work but also their restorative rest, essential to their wellbeing (Bradshaw et al., 2017). Time poverty has a direct impact on women’s income poverty and cumulatively on their asset poverty. It also refers to the paid hours worked by women in comparison to men to earn similar levels of income, often in less formal labour arrangements. As Chant (2006) indicates, women are actually working more both at home and outside the home while there is no significant increase in men’s participation in reproductive work, and men seem to feel more entitled to periodic “escapes” than women (time out with friends, or consoling themselves with drugs, drinking, gambling), draining household finances.

Gender inequalities in ownership or control over land and housing, however, has received significantly less attention, partly because there is still limited gender-disaggregated data on

home and land ownership, and most analysis of gender distribution of assets are at household level, revealing only the status of the household head, disregarding intrahousehold disparities (Deere & León, 2001; Deere & Doss, 2006; Moser, 2016b). As mentioned in Chapter 1, feminist scholarship has challenged the notion of the household as a unit of congruent interests and preferences, where resources and benefits are shared equitably among all members, irrespective of gender (Agarwal, 1994). Alternatively, intrahousehold interaction contains elements of both cooperation and conflict, where gendered power balances operate; unpacking these dynamics can shed light on how gender asymmetries are constructed and contested (Agarwal, 1997). In short, household and individual welfare are not necessarily the same (Deere & Doss, 2006); therefore, gender analysis requires not only gender disaggregated data but also individual data to reveal intrahousehold disparities.

In this sense, the work of Deere and León (2001) has been groundbreaking in revealing what they called the “gender asset gap” in Latin America, by measuring gender inequalities in land ownership and means of acquisition of property. They showed that, compared to men, fewer women own property, and when they do it is of smaller size and of lower quality than land owned by men. Women are less likely than men to inherit land, due to social norms, and less likely to become successful buyers, due to their limited ability to generate savings and have access to credit. In short, gender inequalities in land access and ownership are closely linked to male preference in inheritance practices and male bias in land markets. Efforts to measure the gender asset gap have been replicated in Africa and Asia (Oduro et al., 2015) but generally focusing on rural contexts. For urban contexts, however, it appears that similar analyses of how women acquire, own, and control land and housing are still scattered across different studies.

As mentioned earlier, property sharing with parents and in-laws is an important strategy among the urban poor, especially young couples, to maximize resources such as land, labour and income, to save money to acquire and build property of their own, and it can also strengthen *de facto* inheritance rights (Varley, 1993; Chant 1996; Grajeda & Ward, 2012). But this practice is not gender neutral; it follows a patrilineal pattern. In countries like Mexico and Ecuador, women are expected to stay in their original family home until marriage or partnership formation and to move into their partners’ or in-laws’ homes when forming a family, demonstrating a patrilineal system of access to housing, also referred to as a virilocal or patrivirilocal residence pattern (Varley, 1993; 2000; Pauli, 2008; Moser, 2009, Ward et al, 2011; Grajeda & Ward, 2012). This patrilineal residence pattern reveals a male preference in property sharing and inheritance and can expose women to oppressive relationships with in-

laws as well as insecurity of tenure as they live on someone else's plot (Varley, 1993; Pauli, 2008). It can also unfold inheritance issues in case of intestate succession in which daughters who left the home may be at a disadvantage to claim property rights (Grajeda & Ward, 2012). In my research, I will explore whether, in the context of Recife, women follow patrilineal residence patterns and whether property sharing results in women's weaker relationship to property compared to men both in the marital home and in their original family property (weaker *de facto* inheritance rights), in addition to inheritance issues concerning older homeowners, especially widows.

Women's role in squatting and self-help housing strategies has been widely explored in the gender and housing literature though often focusing on single women head of households or on the role of women as community managers as an extension of their domestic work (Varley, 1993; 1995). Regarding labour invested in housing construction and consolidation, women often engage in secondary, unskilled jobs, while specialized construction is seen as male work (Chant 1985, 1996). Women's smaller kin network (especially when they moved into their in-laws' property and are living away from their natal families) and limited input into mutual help arrangements (or rather limited recognition of their input into mutual help arrangements) may also restrict the likelihood of women receiving unpaid help for construction from kin and friends. Limited income may also restrict women's ability to buy construction materials and hire professional construction labour. In short, housing construction and consolidation is a gendered process. In my research, I am particularly interested in self-help housing construction and consolidation (progressive home improvements) since De Souza (1998) showed that investments in home improvements increase household perceived tenure security. I will explore whether the positive relationship between home improvements and perceptions of tenure security identified at the household level also apply to the intrahousehold level; and the extent to which the disadvantages faced by women to invest income or labour in home improvements may be provoking gender inequalities in tenure security within households.

In property markets, women are disadvantaged to purchase land plots or gain entry to informal settlements, which may require paying community leaders or professional squatters and land plot sub-dividers (Ward & Chant, 1987; Moser & Chant, 1985; Chant, 1996). This is partly due to constraints to earn income and generate savings (linked to the gendered division of labour or even men forbidding their wives/partners to work), as well as limited access to credit, loans and smaller kin networks, mentioned above. The result is that women have a lower probability than

men of being homeowners (Gilbert & Varley, 1991; Gandelman, 2009; Morais & Rego, 2009) and must resort to other forms of tenure, like rentals.

In rental markets, it appears that the status of female household-heads as tenants and landlords (Varley, 1995; Datta, 1995) has received more attention than those women renting with partners, probably because many housing analyses are conducted at the household level and due to income constraints women are less likely to be the main tenants. Female household heads renting accommodation can be closely linked to high rates of women migrating to cities, income poverty among female-headed households, discrimination in inheritance practices, property markets, and government housing programmes (Gilbert, 2011). Female tenants can be discriminated against and exposed to greater tenure insecurity due to their often low and unstable income and informal, loose arrangements (Rakodi, 1995). In addition, settlement upgrading can increase rent and is likely to disadvantage tenants, many of whom are women-headed households (Rakodi, 2014, p.29). Moreover, there is a tendency for homeowners to be children of homeowners and tenants to be children of tenants, therefore, given the under-representation of women as homeowners, it is likely that this disadvantage may be passed on to the next generation (Varley, 1995). In my research, I am interested in how partnered or married women engage in property markets – purchase and rental – and how this may affect their security of tenure and asset accumulation, especially in domestic violence settings, as well as how women engage in these property markets after leaving abuse.

The role of governments in closing gender gaps in housing through allocation of property (land plots or houses) or tenure regularization including or prioritizing women has received certain attention. However, as mentioned in the introduction, very few programmes that aim at increasing the urban poor's access to land and housing have been evaluated from a gendered approach, and only few programmes that explicitly claim to take women's needs into account have been systematically evaluated, resulting in an enormous gap in evidence to discuss this issue (Rakodi, 2014). Varley (2007), empirically based in Mexico, has shown that providing a title for the household does not guarantee security for women, and legal equality may fail to prevent gender differences in property ownership. Meth (2016) has shown contradictory outcomes of government housing programmes in South Africa in which the eligibility criteria enhanced the likelihood of women household heads above 21 years-old qualifying and gaining access to housing. Women's access to housing brought benefits of overall safety and security, privacy, parenting, and identity. Negative outcomes, however, included poor housing construction and additional costs to improve starter homes; the location, that challenged

women's access to services and work opportunities; as well as rather unexpected forms of domestic violence perpetrated by male relatives like sons, cousins, and uncles of title holders (Meth, 2003; 2016). To sum up, it is highly complex to attribute changes to a specific housing programme, that are often accompanied by other policies and societal changes. I will return to this topic in the following section.

Feminist scholars working on gender and housing at an intrahousehold level stress the need to consider the potential gaps between the marital and inheritance provisions, which determine legal ownership of property, and popular understandings of property rights, which may be based on gendered constructions. For instance, under partial community property regimes, wives have a right to half of the property acquired during the relationship (unmarried partners have similar rights when consensual union equates to marriage in terms of marital property rights). However, even when women undertake exhausting work in dwelling construction and have contributed income to this incremental process, their labour and investments may not be recognized by their husbands/partners who claim to have built the dwellings on their own, resulting in homes often being considered the property of the man (Chant, 1987; Varley, 1995; Sánchez Plata, Bordi, 2012). This distance between entitlement and perceptions of property rights is even greater when women have not been able to invest or work directly on home improvements (Deere, et al., 2014).

Varley (2000) showed that in Mexico women and men construe their relationship to property differently from one another, leaving women more vulnerable to losing their rightful share or property and less able to defend their claims to the ownership of a home. She explained that women were less likely than men to be recognized, either by themselves or others, as 'fully-acting subjects' in relation to property, and more likely to see their title to the home as secondary to that of their husband or even children. On the other hand, men's relationship to property is more direct, and they often saw ownership as part of the package of rights and responsibilities that go with being a husband and father. These gendered constructions around property ownership are rooted in a combination of factors including cultural norms which deny women full agency in relation to property but require men to exercise ownership in order to be good husbands and fathers, while the illegality of tenure clouds property matters and disrupts the application of family law. Similar evidence of social constructions of gender undermining women's relationship to property despite legal equality is provided by Varley (2007; 2010).

Varley's findings resemble what Deere, Contreras and Twyman (2014), found in Ecuador. Misunderstandings around property rights (about who owns property acquired before and during marriage, and who is entitled to inherit immovable property), and women's lack of legal knowledge undermine their ability to hold on to their rightful share of the division of assets upon separation, divorce, and widowhood. Husbands impose upon their wives/partners their own idea of property rights, making women believe that they have no right to property and therefore no/weak fall-back position, thus they must accept the husband's dominance in the relationship. The authors also bring the perspective from judges and public officials on legal awareness, corroborating the finding that women tend to know less about their property rights (Deere et al., 2014). In my research, I will explore the extent to which these gendered constructions of property ownership are linked to men's dominance over women in a marital / conjugal relationship and the dynamics of domestic violence.

Another important aspect highlighted by housing and gender literature is whether and how the property is documented, in particular, whether women's names appear on the document (and I will later add that who keeps the actual document is also important in domestic violence settings, as is the ability to prove length of residence using utility bills in the absence of formal documentation). Empirical evidence shows the disadvantages faced by women to acquire property titles. In Mexico, even when dwellings were built by couples or when women were protagonists in the construction of the home, women's names do not necessarily appear on the title (Grajeda & Ward, 2012; Pauli, 2008; Sánchez Plata & Vizcarra Bordi 2012). Women often undertake most of the preliminary work in land regularization, but men take the day off to sign the papers (Varley, 2000). Women and men in Guadalajara, asked about whose name should appear on property titles revealed that women (as wives, sisters and daughters) have a secondary relationship to property, confirming gender bias in property relations. (Varley, 2010). In Ecuador, women taking advantage of the legal protections such as joint tenure can be viewed with distrust by their husband/partner, or this may imply that the relationship is in trouble (Deere et al, 2014), a situation also observed in countries like India (Rakodi, 2014, p.37).

Different treatment to marriage and consensual union in relation to marital property rights and succession can also be an important issue, affecting large numbers of women informally partnered rather than officially married. For instance, in Peru, the massive land regularization efforts in the 1990s issued joint titles to married couples, but since the law did not recognize consensual union, in the case of informally partnered couples, titles were issued in the name of male head of households, thereby excluding large numbers of women (Rakodi, 2014, p.30). In

Ecuador, although double signatures from both spouses/partners are required when selling or purchasing property, the fact that unmarried couples remain single in their civil documents makes it easier for men to alienate jointly owned property without women's approval, a clear example of patrimonial violence against women (Deere et al, 2014).

Lack of property titles can leave women more vulnerable to losing their rightful share of property upon inheritance, especially in contexts of large families and intestate succession. For instance, when adult children share property with their parents, with future interest in becoming the property owners, the death of original owners may trigger gendered inheritance issues which potentially affect the daughters of the original owners, as well as the widows (Grajeda & Ward, 2012; Deere et al, 2014). On the other hand, as pointed out by Datta (2006), titling, even if jointly with the husband, can increase women's participation in decision making, access to knowledge, information about public matters, sense of security, self-esteem, the respect they receive from their spouses, the ability to leave an unsatisfactory marriage, security in widowhood and old age, and ability to give children a stable future.

In my research, I will explore the relationships between incremental self-help housing processes, marital and inheritance provisions, and constructions of gender and ownership, in hindering or facilitating women's access to property titles, as well as the benefits and contradictory outcomes associated with each of these processes and frameworks. I will do so considering the potential disjuncture between law and practice when it comes to property rights, and bringing to the gendered housing analysis the definition proposed by Agarwal (1994) and Deere and León (2001, p.6) of "effective land rights" as including legal rights as well as the social recognition of these rights and the effective control over land. This definition emphasizes the fact that even when women have legal property rights, documented and otherwise, these rights may not be socially recognized by women themselves and by their partners or relatives, while gender norms and practical inequalities may allow for, or constrain, women's control over property.

This definition also refers to a fourth dimension of poverty featured in this chapter, that of power, whereby women and girls may be unable or unwilling to contest or resist male privilege or prerogatives, partly due to fear of violence or abandonment, or to deeply embedded gender norms (Bradshaw, Chant, Linneker, 2017, p. 4). Power poverty highlights the fact that, despite the level of household income or asset portfolios, women may not necessarily be able to access or benefit from them, leading to a sort of "secondary" poverty among women and girls due to

inequitable resource allocation in male-headed households (Chant, 2006). The discussion of power and control over property, which is crucial in gender approaches, is detailed in the following sub-section.

2.2.1 Gender, resources, and power: housing as practical and strategic gender needs

Structural inequalities in the distribution and command over resources contributes to women's subordination to men (Connell, 1987; Deere & León, 2001; Grabe, 2010); women's economic dependence on men is the material basis for gender oppression (Agarwal, 1994). Alternatively, access to and control over economic resources can be a means to escape or reduce women's subordination to men. The rationale behind this key premise of feminist economics theory states that women's ownership and/or control over property improves women's fallback position – the outside options which determine how well-off they would be in case of a relationship breakup – that in turn improves women's bargaining power in intrahousehold dynamics marked by cooperation and conflict (ibid). Bargaining power or relationship power determines “who does what, who gets what goods and services, and how each member of the household is treated” (Agarwal, 1997, p.4), which can be more or less beneficial to women and affect the wellbeing of women and families, gender equality and women's empowerment, or women's ability to exercise choice (Deere & León, 2001; Kabeer, 1999; 2005).

Embedded in the debate on gender and power, Molyneux (1985) and Moser (1989) proposed a distinction between practical and strategic gender needs which is applicable to housing. They propose that since women and men play different roles in society, they have different needs. A strategic gender need is formulated from the analysis of women's subordination to men and aims to confront gender inequalities and work towards women's emancipation. In this sense, effective property rights would be a strategic gender need that enables a woman to improve her bargaining power and challenge intrahousehold inequalities. Another example would be the abolition of the sexual division of labour that places a burden on women. Practical gender needs, on the other hand, are those that acknowledge gender differences but do not necessarily entail a strategic goal such as women's emancipation or gender equality. For instance, shelter, food, and water, although required by all family or household members, could be seen as practical gender needs since women are disproportionately responsible for domestic work; these practical gender needs preserve and reinforce the gendered division of labour rather than challenge it.

For the purposes of this thesis, given the disadvantages faced by women in housing strategies, mentioned earlier – gender biases in families, markets, self-help mechanisms to access and consolidate housing – practical gender needs seem closer to women’s tenure security, regardless of the type of tenure. Since women’s living arrangements are often tied to men’s resources, tenure security would be a practical gender need, women’s basic security of being able to remain in occupancy without the fear of eviction, to pursue very practical, immediate, basic needs for human survival. Women’s property ownership, however, entails a broader bundle of property rights – at least the right to use, exclude others, and transfer these rights to others – and would be linked to a strategic gender need towards gender equality and women’s empowerment. A major concern of my research thus revolves around women’s security of tenure in any living arrangement, and the effectiveness of women’s property rights in partial or full ownership, in domestic violence contexts. In which residential scenarios are women better able to keep their home and exercise their property rights, should domestic violence occur?

As mentioned in Chapter 1, the distinction between *tenure security*, as the fundamental element of everyone’s right to adequate housing in any form of tenure, and *property ownership*, as an often-desirable outcome of a highly complex housing and asset building processes, is important in my research for two main reasons:

- (i) because in urban low-income settlements property ownership is often clouded, and people exercise various other forms of tenure besides owner-occupation, such as rental and shared living arrangements; and
- (ii) to observe the circumstances in which eviction through domestic violence violates women’s housing rights but not necessarily legal property rights, and the circumstances in which patrimonial violence against women upon inheritance disputes does not necessarily affect the housing rights of women who have already left their natal family property but does affect their long-term economic sustainability.

The appraisal of housing as a practical and/or strategic gender need is helpful in this thesis to expand the discussion on gender, housing, and property that focuses on home or property ownership to encompass the notion of housing from a social right, in addition to an economic perspective.

2.3 Domestic violence, housing and property

This section first presents the background information on the nature and dynamics of domestic violence to then focus on the literature that explores its relationship with housing and property.

2.3.1 Gender-based domestic violence against women

For the purposes of this thesis, domestic violence against women encompasses any behaviour, action or omission based on gender that causes death, injury, physical, sexual or psychological harm, or moral or patrimonial loss, to a woman, within an intimate, family or household relationship (Sagot, 2000; Krug, 2002; Brasil, 2006). This includes the most common kinds of domestic violence against women, perpetrated by husbands or intimate male partners, in addition to violence perpetrated by other male relatives (particularly related to patrimonial and inheritance issues). It also includes different kinds of violence: acts of physical aggression, such as slapping, hitting, kicking and beating; psychological abuse, such as intimidation, constant belittling, and humiliation; various controlling behaviours, such as isolating a woman from their family and friends, monitoring her movements, and restricting her access to information or assistance (Krug, 2002). Finally, it also includes patrimonial violence against women, that is, the violation of women's property rights, affecting their ability to own, possess, control or manage the individual and joint property to which they are entitled (Brasil, 2006; Deere et al, 2014). The term domestic violence against women is used interchangeably with abuse, gender-based, family violence. The author of violence is referred to as perpetrator, abuser, aggressor. Women who experience domestic violence are usually referred to as survivors to avoid connotations of powerlessness and victimhood.

To some degree, women can also be violent in relationships with men, and violence sometimes occurs in same sex partnerships; however, the overwhelming burden of domestic violence is faced by women at the hands of men (Krug, 2002). For this reason, the focus of this study is on domestic violence against women, perpetrated by intimate male partners or other male relatives. The study also considers that violence against women takes place in various places such as in institutions and in urban public spaces (Falú, 2009; Siqueira, 2015); however, it will focus on the kind of violence that occurs within intimate, family, and domestic relationships.

Domestic violence against women is based on gender, that is, it is a specific form of violence that occurs within the context of women's subordinate status in society, and serves to maintain

this unequal balance of power; a kind of violence mainly anchored in social conditions, rather than solely on personal/individual attributes or issues (UN, 1993; Watts, Zimmerman, 2002; Rutherford et al. 2007; Meneghel, et al., 2011). Some authors call it ‘patriarchal terrorism’ or ‘intimate terrorism’ (Johnson 1995; 2008), while others call it ‘everyday terrorism’ (Pain, 2014), drawing attention to how intimate and unexceptional this phenomenon may be, since it is embedded in patriarchal society.

Patriarchy refers to a system of male domination and female subordination (Hunnicut, 2009); a socio-political system that impregnates and commands human, collective and individual activities, including the differentiation of roles and hierarchies between the sexes (Meneghel et al, 2011). In this sense, the concept of gender-based violence calls attention to the role of violence against women as instrumental to sustain women’s subordinate status in patriarchal societies. As put by Heleieth Saffioti, one of the main researchers of violence against women in Brazil: violence against women takes place when gender inequalities are not sufficient to ensure women’s obedience to the patriarch (Saffioti, 2001, p. 115). As various international studies have shown, where women have a very low status, violence is not “needed” to enforce male authority as it may be in societies where the status of women is in a state of transition (Krug et al, 2002, p.99).

Worldwide, a range of studies and surveys investigate the risk factors of domestic violence, seeking correlations between different forms of violence and factors such as age, educational level, marital status, number and age of the children, pregnancy, poverty, job status, unemployment, history of domestic violence in the family, supportive networks, participation in community activities, access to services, levels of delinquency in the community, among many others (Morrison, Biehl, 1999; Krug, 2002; Panda & Agarwal, 2005).

Individual risk factors associated with the incidence of domestic violence on the perpetrators’ side include young age, low income, low levels of education, involvement in aggressive or delinquent behaviour as an adolescent, the excessive use of alcohol by men, a history of violence in the family (having seen his mother beaten or having experienced violence as a child), and certain personality factors, such as insecurity, low self-esteem, depression and aggressive or anti-social personality disorders (Krug, 2002; Panda & Agarwal, 2005). On the survivor’s side, according to the WHO (2017) the risk factors associated with experiencing domestic violence are linked to low education, exposure to mothers being abused by a partner,

abuse during childhood, acceptance of violence, and male privilege contrasting with women's subordinate status.

Relationship factors that contribute to the incidence of domestic violence are often related to gender norms. The main triggers for violence reported by survivors include not obeying the man; arguing back; not having the meal ready on time; not looking after the children or home sufficiently well; questioning the man about money or girlfriends; going somewhere without the man's permission; refusing sex; and the man suspecting the woman of infidelity (Krug, 2002).

Among community level risk factors, poverty is constantly associated with domestic violence, but there is still some debate on whether this is due to other factors that come along with poverty, such as overcrowding and hopelessness, or whether domestic violence is not necessarily more common but rather more often reported or more evident among the poor (Velzeboer, 2003; Olarte, Loosa, 1999; Bell, 2003; Slabbert, 2016). Overall rates of violence or delinquency in a community and a community's acceptance of domestic violence are also linked to higher rates of domestic violence (Krug, 2002; Olarte, Llosa, 1999).

At societal level, the risk factors for violence include marked inequalities between men and women, fixed gender roles, cultural norms that support a man's right to inflict violence on his intimate partner, and weak sanctions against such behaviour (Krug, 2002). Here, it is important to note that:

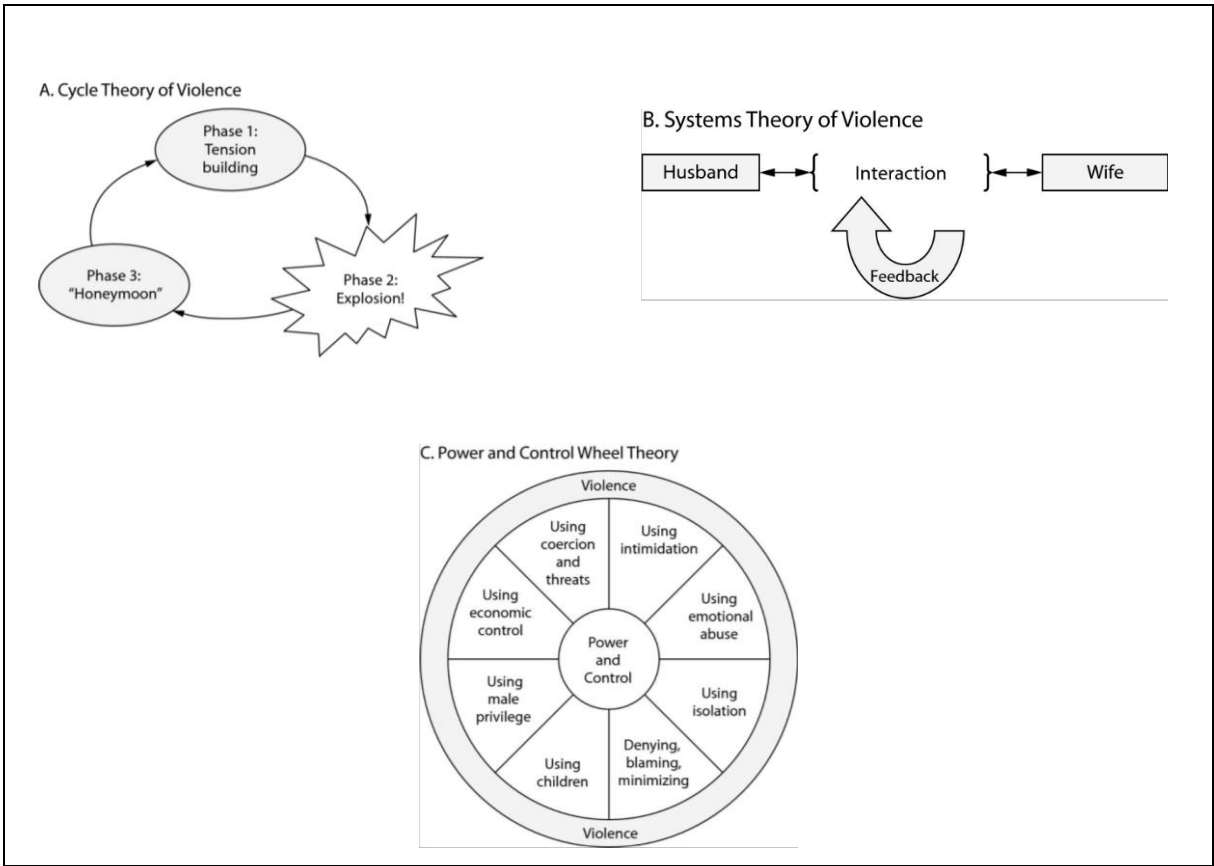
Societies often distinguish between "just" and "unjust" reasons for abuse and between "acceptable" and "unacceptable" levels of violence. In this way, certain individuals – usually husbands or older family members – are given the right to punish a woman physically, within limits, for certain transgressions. Only if a man oversteps these bounds – for example, by becoming too violent or for beating a woman without an accepted cause – will others intervene. (Krug, 2002, p.95)

In this sense, Chancer (2004) provides a compelling approach when noting that domestic violence can be conceptualized and understood along a continuum from "normalized" to "extreme", or from "ordinary" to "deviant" depending on how they are perceived. This approach was useful methodologically for my research to deal with the fact that participants experienced different levels of violence and understood their experiences along such a continuum from the least to the most evident forms of violence. This approach is also useful to explain, in part, why the exact scope of violence is difficult to ascertain and why underreporting

is such a major feature of domestic violence (Sagot, 2000; Watts, Zimmerman, 2002; WHO, 2005). It is estimated that between 20 and 30% of domestic violence against women is reported by survivors (Velzeboer, 2003, p.9).

The dynamics of domestic violence have been vastly explored. Katerndahl et al. (2010) provide an interesting overview of literature articulating three important theories about intimate partner violence, represented schematically in Figure 3. The Cycle Theory of Violence shows that violence occurs in cycles that include a tension building phase, an explosion phase (when the more severe or explicit acts of violence take place), and a honeymoon phase, when the perpetrator tries to reconcile and compensate the victim with kindness. The honeymoon pulls the victim back into the relationship, and she remains vulnerable to future victimization as the tension building phase starts again (Katerndahl et al., 2010). This theory shows that survivors women are not constantly abused, violent acts intercalate with moments of kindness; thus, even when victims believe the violence won't happen again, the Cycle Theory shows that violence is rarely an isolated event.

Figure 3 - Dynamics of domestic violence against women



Source: Katerndahl et al. (2010)

The Systems Theory of Violence also addresses the cyclic nature of domestic violence, but it shows that it often escalates as a result of interaction between husband and wife. At first, the husbands are distressed and contrite about their acts of violence, then tend to degrade the victims to somehow justify the violence, and afterwards they start to think that the victim does indeed deserve the violence. On the other hand, victims tend to get used to the situation and react less dramatically to the punishment, leading the perpetrator to escalate the violence to achieve similar effects (Katerndahl et al., 2010).

Finally, the Power and Control Wheel Theory depicts nonphysical abusive behaviour of the perpetrator: coercion and threats; intimidation; emotional abuse; isolation; denying, blaming or minimizing the violence; using the children; evoking male privilege; and economic control. This theory challenges the Cycle Theory to some extent, particularly the idea of a ‘honeymoon’ phase, by showing that abuse is a constant force in survivors’ lives. It shows that violence is used to control people’s behaviour, and that eventually the survivors’ ability to act autonomously is undermined (Katerndahl et al., 2010). For the purposes of my research, this theory is important to highlight that threats related to evicting the women from the home or the violation of women’s property rights that may be seen as non-violent behaviour are indeed an integral part of the violence cycle.

In summary, domestic violence occurs in escalating cycles that intercalate more severe and explicit forms of violence, such as physical violence, with patterns of constant controlling behaviour, that often include the use of economic control (where property can take on an important role). Once domestic violence happens for the first time, even when survivors believe otherwise, there is a great risk that violence will happen again, and it will be worse/more severe. A permanent end to the cycle of violence often requires separation between the perpetrator and the survivor, and thus the division of assets, including the house itself. My research explores how the separation and division of assets takes place when women decide to leave an abusive relationship, exploring the judicial and government response to the matter and women’s likelihood of accessing this institutional support.

Women’s strategies to cope with or end domestic violence are highly complex and constrained by multiple factors. A groundbreaking effort to understand these strategies was the study commissioned by the Pan-American Health Organization’s (Sagot, 2000) originally called “The Critical Path that Women Follow to Solve Their Problem of Domestic Violence”, first conducted in ten Latin American countries, and only later in specific Brazilian cities – Porto

Alegre (Meneghel et al., 2011) and Campinas (Baragatti et al., 2018). Among other crucial contributions of the critical route studies is to articulate the factors that facilitate or hinder women's attempt to end domestic violence.

Factors that compel women to tolerate abuse, according to Sagot (2000) and Velzeboer (2003), include:

- General lack of awareness of their rights; some women do not understand or do not recognize that they are experiencing gender-based violence;
- Fear of retaliation; fear that seeking help can worsen the situation;
- Lack of alternatives for economic support; concern for the children;
- Lack of support from family and friends, pressure from their mothers, children and other community members, desire to keep the family together; fear of being socially ostracized and stigmatized as an unmarried woman;
- Lack of institutional support; previous negative experiences with services providers;
- Emotional dependence on the aggressor; hope that he will change.

The turning point, according to the same authors, is when women realize that their coping strategies have not been working, that their partners will not change, that there was infidelity, that aggressors squandered their support, income, or possessions, and particularly when the violence escalated or when the aggression was aimed at their children. Other survivors eventually leave the relationships when the children have grown up.

When explaining when and how women manage to end abusive relationships, Sagot (2000) and Velzeboer (2003) stress that:

- The way out of domestic violence is often painful and extended, with frequent relapses back into the relationship; the majority of women take convoluted paths and sometimes contradictory steps, when carefully considering the possible risks and outcomes; only few women were successful in their initial attempt and were able to follow a straightforward course out of the situation;
- This process includes periods of denial, self-blame, and suffering before women come to recognize the reality of the abuse and to identify with other women in similar situations; some family members and friends may withdraw their support as they do

not understand the dynamics of the process (leaving and going back into the relationship with the aggressor);

- Reliable support from family members and friends, and gaining access to information about gender-based violence motivates women to take the first steps out of violence;
- The majority of women reach out to family members and friends, only a minority seek help through public services, either because they were unaware of the support these institutions could provide, or because they have received inefficient or humiliating treatment by these groups in the past;

Finally, regarding those who managed to break the silence and officially report the violence to seek government support, the critical path study (ibid) highlights the following issues:

- Survivors specifically mentioned the negative attitude of frontline service providers and their inability or unwillingness to meet their urgent needs; women often reported they feel frustrated and uncertain, and fear the violence will become worse and the aggressor would not be punished;
- Service providers often adhere to traditional views that gender-based violence is a private matter, and that women are often to blame. Providers were rarely aware of the complexities and risks faced by women trying to escape violence but expressed frustration that women rarely followed the straightforward paths that they were likely to prescribe;
- Women's impression of the behaviour of service providers was that their lack of understanding resulted in their indifference, questioning, mocking, and attempts to instill guilt. Providers rarely followed up the cases or refer survivors to appropriate services.
- As a result, survivors give up in frustration, particularly when dealing with the labyrinths of providing proof in order to initiate criminal or judicial proceedings;
- Many women reported the "futility" of getting their civil rights protected and receiving justice for the wrongs committed against them;
- Unfortunately, leaving the relationship many times does not end the violence as many intimate partner homicides involving women occur around the time that a woman is trying to leave an abusive partner.

In my research, I explore whether the factors related to housing and property noted in the critical path studies that compel women to leave or remain in abusive relationships and facilitate or hinder their access to institutional support resonate in the contexts of Recife.

Now, with the basic understanding of the dynamics of domestic violence, and women's critical path to escape or cope with it, we can finally examine the literature on housing, property and domestic violence.

2.3.2 Housing and the occurrence of domestic violence

Aligned with the premise that women's economic dependence on men is the material basis for gender oppression, and with evolving ways to measure and understand poverty beyond income deprivation, Bina Agarwal (1994) pioneered the argument that women's ownership of property could reduce domestic violence. Later, empirically based in Kerala, India, Panda and Agarwal (2005) showed that women who owned assets were significantly less likely to report partner violence. In terms of physical and psychological violence, the authors found that among propertyless women (owning neither land nor house), 49% experienced physical violence and 84% experienced psychological violence; clearly above the rates found among women who owned both land and home, 7% of whom reported physical violence and 16% psychological violence.

Similar studies have been replicated in the United States (Christy-McMullin, Shobe, 2007), Nicaragua and Tanzania (Grabe et al., 2015), Ecuador and Ghana (Oduro et al., 2015), and Mexico (Friedemann-Sánchez, 2006), strengthening the idea that women's asset ownership improves women's fallback position, increases their bargaining power, ultimately reducing levels of violence and providing concrete exit options for women to leave should violence occur.

Although inspired by these studies, as mentioned in Chapter 1, my methodological concern is that they seem to overlook what happens in other forms of tenure besides owner-occupation and to approach property ownership as an outcome and ignore the complex processes that preceded it. They seem to encapsulate complex housing and asset building process in a binary approach (such as property ownership and lack thereof), underexploring a range of aspects of the housing process that reveal and determine women's disadvantages in comparison to men, particularly the location of the property based on patrilineal residence patterns and popular

understandings of property rights based on gendered assumptions and norms rather than on legal frameworks, as mentioned in Section 2.2. In my research, I take a nuanced approach to housing and asset building to incorporate other forms of tenure and less tangible yet possibly gendered aspects of housing strategies that may influence women's ability to hold on to their homes when ending abusive relationships.

Another concern is that more recent analyses have contradicted the oft-perceived protective relationship between women's asset ownership and experiences of partner violence. Peterman et al. (2017) conducted an analysis between countries on the relationship between women's individual-level asset ownership and partner violence and found that the relationship is inconclusive and probably highly context specific. Women's asset ownership may empower women but it may also put them at risk of violence, especially in contexts where asset ownership is a marker of men's dominance, and women's asset ownership may lead to male partners to assert their control through violence. Other studies provided evidence of the contradictory effects of women's property ownership, such as women being trapped in abusive relationship so as not to lose property, and violent male backlashes related to women's attempts to exercise their property rights in Costa Rica (Blanco Rothe et al., 2002), Ecuador (Deere et al, 2014), and South Africa (Meth, 2016). The case of South Africa was mentioned earlier because, after women acquired homes through a government housing programme, the violence was not necessarily exercised by intimate partners but rather by sons, uncles, and cousins. In addition, since governments offer a one-off subsidy which residents can claim only once in their lives, women are compelled to tolerate abuse in the fear of losing further subsidies should they leave the property (Meth, 2016; Chenwi, McClean, 2009 apud Rakodi, 2014).

Contradicting the idea that property ownership may trap women in abusive relationships, however, Panda and Agarwal showed that 71% of survivors who left abuse owned property, compared to 19% who were propertyless. Although this data is presented in the text as a somewhat positive finding, suggesting that women who own property are less likely to tolerate violence given their fallback position, it seems that what is happening in practice is that women are losing their rightful share of property (in the marital home) to escape violence, or that the property that women owned was a house or a plot elsewhere, not linked to the marital home. Since the analysis is based on binary variables – women who own property or do not – with no clear indication of what property is owned by the women, whether the plot, or the house, or both, or a property in a different location – the study seems to bypass this aspect of analysis.

Deere, Contreras, Twyman (2014), empirically based in Ecuador, developed this topic further to address domestic violence that is directly related to property, legally recognized in various Latin American countries as patrimonial violence against women. Since women's formal property rights in Latin America are stronger than in other regions, the authors decided to focus on whether women's property rights were being enforced and recognized in practice, whether women were aware of their property rights and were able to demand that they be honoured. The authors showed how several misconceptions around property rights and, specifically, women's lack of legal knowledge often undermine their ability to hold on to their rightful share of the division of assets upon separation, divorce and widowhood. In other words, it is not enough to discuss legal property rights as women's legal literacy and ability to exercise these rights are of considerable importance.

Since patrimonial violence against women is also recognized by Brazilian domestic violence law, this became an important topic of my study, through which I explore women's understandings of their property rights, awareness of patrimonial violence, and the official response received by those who manage to report the violence.

2.3.3 Housing constraints when leaving abuse and seeking relocation

Domestic violence studies that acknowledge housing show that lack of alternative housing is a major factor compelling women to remain in abusive relationships and exposing women to housing instability after leaving abuse. Panda and Agarwal (2005) found that 88% of women who left and returned to abusers were propertyless. Bell (2003) traces a parallel between the cyclic nature of domestic violence (mentioned in Section 2.3.1) and survivors entering and exiting welfare, low-wage work, and domestic violence. Bell gathers evidence from a number of other studies like those of Dobash and Dobash (1979), who showed that 88% of domestic violence survivors in the United States report leaving home at least once, and of those who left, 47% left from two to five times, approximately half returning in less than a week; and Horton and Johnson (1993), who showed that women required an average of eight years to permanently leave abusive relationships.

The relationship between leaving domestic violence and homelessness is clear. In the United States, for example, 57% of homeless women report that domestic violence was the direct cause of their becoming homeless; at least 38% of domestic violence survivors experience

homelessness at some point in their lives; and the lack of alternative housing is often reported as one of the primary barriers women face when trying to leave an abusive partner (NRCDV, 2015; NNEDV, 2016). Ponc et al., (2011) bring evidence from a Canadian study that showed that 31% of women using a domestic violence shelter intended to return to the abuser because of lack of housing (Taylor-Butts, 2007); while in the United States another study showed that 31% of shelter users returned to the abuser, and a follow-up study estimated that this number had increased because of a reduction in public housing (Melbin, Sullivan, & Cain, 2003).

Housing instability after leaving domestic violence has been shown and measured in terms of evictions, lack of housing affordability, late rent and mortgage, frequent residential moves, and discrimination in rental markets (Backer, 2003; Pavao et al., 2007; Ponc et al., 2011; Rollins et al., 2012; Mayock, 2015; Daoud, 2016; Meyer, 2016; Adams, 2018, Broll & Huey, 2000). Other studies discussed psychological aspects of housing instability (Ocampo et al., 2016) and mapped the geographies of women when escaping IPV (Warrington, 2001; Bowstead, 2017). As Bartlett (2018) summarized, domestic violence survivors are often forced to move in with a friend or relatives, pay far more than they can afford, skimp on other necessities, and live in physically unsafe or illegal housing. Other studies reveal the connections between housing and child support, intrusion from relatives and former partners, challenges to heal from trauma (Wuest et al., 2003; Ponc et al., 2011; Guo, Slesnik & Feng, 2016)

My concern with these studies is twofold. First and foremost, it appears that the attention is focused primarily in high-income countries; I found rather limited data and analyses of the housing outcomes of domestic violence in lower-income countries besides the acknowledgement that domestic violence affects housing arrangements, especially for women who leave. I will seek evidence on what is happening to women in a context where domestic violence services may be even more limited, and the challenges to access adequate housing may be even more pressing than in higher-income countries. The second concern is that the focus of these studies seems to be the event of domestic violence (or multiple events) and its consequences, rather than on the housing processes that shaped the residential scenarios where violence takes place, and how it can influence women's coping and exit strategies by either leaving or staying. Limited attention was also given to the policies and measures being adopted to exclude the violent partner from the marital home and ensure women's protection and property rights. In this sense, I reaffirm my research interest in housing processes and constraints before, during, and after violence.

The following section expands on the background information related to the empirical context.

2.4 Housing, gender and domestic violence in Brazil and Recife

Turning to the Brazilian literature, housing and property in cities, and gender and domestic violence have been studied in a rather isolated manner. Housing approaches sometimes mention but underexplore domestic violence, while domestic violence approaches sometimes mention but underexplore the housing scenarios where the violence takes place, and the housing constraints that compel women to tolerate abuse and challenge their relocation when leaving abusive relationships. This section is an attempt to trace some parallels between, on the one hand, the developments in the area of housing and urban reform, and, on the other hand, in the area of domestic violence and gender reforms. The section is organized into three historical periods – from the 1500s to 1800s, the 1900s, and the early 2000s – followed by a summary of the empirical context of Recife and field work sites.

2.4.1 From the 1500s to the 1800s: land becomes a commodity that the poor can't afford, while women are legally subordinate to men, and "wife-beating" is legally authorized

From the 1500s until 1822, during Brazil's colonial period, the Portuguese crown was entitled to distribute land use rights to settlers under regimes known as *capitanias*, *sesmarias* and *forais*, with the condition that the land should be productively used and effectively occupied, and that the settlers paid the Crown for using the land (Rolnik, 1997; Whitaker, 2005; Imparato, Saule Júnior, 2007; Reydon, 2007). Up to this point, land had limited exchange value; the Brazilian economy was still weakly monetized, and families were making a living from agriculture, using slave labour coming mainly from Africa (Rolnik, 1997; Melo, Marques, 2001). The territorial boundaries of land parcels that could be used by settlers were eminently imprecise, and formal transactions required revalidating the use rights concession, which rarely occurred; in practice, landholders exchanged and sold parcels of land and passed them on to heirs despite the lack of proper documentation (Melo, Marques, 2001).

In terms women's property rights during the colonial period, the few known accounts focus on the status of free white women, unsurprisingly since non-white women were likely to be

enslaved. Melo and Marques (2001) explain that, under the Philippine Ordinances⁹, the legal property rights of free women were undermined by patriarchal norms and practices. Women were considered legally incapable (*fragilitas sexus*), kept under the rule of their fathers or husbands. Daughters usually left their family property upon marriage to move in with their husbands or parents-in-law; in wealthier contexts, women received a dowry as a form of anticipation of inheritance, usually consisting of money and movable property, not necessarily land (Carneiro, 2001). However, single women could be denied inheritance rights if their behaviour disrespected patriarchal authority or social expectations, such as getting married without parents' consent or losing their virginity before marriage (Oliveira, Bastos, 2017).

According to Melo and Marques (2001), married women were entitled to half of couples' property but, in practice, these rights were subject to social norms and limited by the fact that men were the formal household heads, entitled to control families' and women's individual property. Widows were entitled to become head of families and control couples' assets, on behalf of the children's wellbeing, following the Roman tradition. However, the conditions for widows to exercise control over property depended on their being assigned by a local judge as legal tutor of the children, behave according to traditional norms, 'honestly and with discretion', and have a male guarantor to take formal responsibility for the family's assets. In other words, in practice, widows' control over property depended on other male relatives and local judges not opposing their exercise of property rights.

Rare accounts reveal how freed black women adopted pre-nuptial agreements and wills to protect the property they had struggled to acquire following their "freedom" (Melo, Marques, 2001). Other accounts show that a few free white women officially requested parcels of land from the Portuguese Crown in Northeast Brazil, becoming powerful landholders or "*sesmeiras*" (Bulhões, 2016; Fonseca, 2016). A closer look at these accounts, however, reveals that these women were actually claiming property that already belonged to them, after the death of their husbands or fathers, fearing that male relatives would take over the property and evict them.

Regarding what is currently known as violence against women, women were treated as men's property, while husbands were entitled to beat and even kill their wives, upon alleged misconduct (Montenegro, 2010; Colling, 2015). Men's right to punish their wives was outlawed

⁹ The Philippine Ordinances were a consolidation of laws in force in the Iberian Peninsula and in Luso-Hispanic colonies, in force in Brazil from 1603 (Aleixo, 2010).

in the 1830 Criminal Code, although the notion of wife-beating and -killing “in defence of honour” exempted men from criminal punishment for killing their wives for another 150 years, until the 1980s (Cooling, 2015; Dias, 2010), as discussed later in this chapter. Regarding rape, historically known as “crimes against customs”, the criminal law explicitly distinguished “honest” women who deserved legal protection from “dishonest” women, who were treated not as victims but as provocative agents, and deserved punishment; such distinction was outlawed in the 1940 Criminal Code but has left lingering echoes until today both within the judicial system and across society (Montenegro, 2010). Until 2005, if a woman got married to the man who raped her, this would nullify the possibility of criminal punishment of the rapist (1940 Criminal Code, art.107, outlawed by Law n° 11.106, de 2005).

Montenegro (2010) summarizes that a major concern of the civil law was to determine how assets should be distributed within families and limit women’s civil capacity, decision-making and patrimonial power in social and family realms. Meanwhile, as Montenegro complements, a major concern of criminal law was to qualify women as “modest” or “dishonoured” (*honesta ou desonrada*), entitled or not to receive protection against the crimes committed against them.

During the 1800s, important changes were taking place in Brazil, such as the independence from the Portuguese Crown in 1822, the end of the “*sesmarias*” land regime in 1823, and the new constitution in 1824, establishing the notion of individual private property (Imperato, Saule Júnior, 2007). In 1850, an important land law was passed, which turned land into a commodity, some years before slavery was abolished in 1889, which became a decisive moment for the urbanization process that was about to be intensified.

The 1850 Land Law established that, from then on, the only legal way to acquire land would be through purchase; all other forms of land access and possession would be considered illegal. Land became a commodity, but not everyone could acquire it. Martins (2010), in his book *The Captivity of the Land (O Cativo da terra)* explained how the Portuguese and Brazilian elites, seeking to maintain and reinforce land concentration in the hands of few land owners, managed to “capture” land across the country, years before the enslaved Afro-descendants were freed and before European immigrants arrived in Brazil. In this sense, the 1850 Land Law would delay, if not prevent, the enslaved people, about to be set free, from having formal access to land, since they had not been wage-earners and therefore had no savings to buy land (Reydon, 2007).

When slavery was abolished, former slaves had to leave the property where they had once worked and dwelt, to find themselves a place to live; former slave “owners” were no longer responsible for providing them with housing, and the State was not yet accountable for this responsibility (Villaça, 1996). Lacking alternative housing and formal access to land, some former slaves remained living with their former owners, in exchange for a place to live, while many others left and informally occupied land that was unclaimed, usually in environmentally sensitive areas such as hillsides and near bodies of water, and self-built their houses (Villaça, 1996; Maricato, 2012). Since this period the proliferation of informal settlements has marked the urbanization process in Brazil (Fernandes, E. 2011).

It is noteworthy that informality was not an exclusive practice of the former slaves or the poor. As mentioned earlier, given the limited land records from colonial period to verify the boundaries¹⁰ of the land parcels that had been granted by the Portuguese Crown to the settlers, the 1950 Land Law determined that all landholders had to demarcate and register the parcels in their possession so that unclaimed land would be considered public land (Alfonsin, 2007; Imperato, Saule Jr., 2007). Reydon et al. (2014) explained how overlapping property rights claims and labyrinthine mechanisms to measure, register, and regularize property in Brazil facilitate practices like land corruption (*grilagem*) and increase land conflicts. As Holston (1991, p.1) puts it, the land law in Brazil is so confusing, indecisive, and dysfunctional in its own terms that it may promote rather than resolve conflict.

In summary, the 1850 Land Law turned Brazilian land into a commodity, which could only be purchased. All other forms of land acquisition were considered informal, precisely when large numbers of black, impoverished population were released from slavery, forced to meet their basic needs, such as housing, on their own, when the only option available was squatting on unclaimed land and self-build their homes. Informality marked the urbanization process of Brazilian cities, not as an exclusive practice of the urban poor but rather as widespread across Brazilian society, possibly associated with “extrajudicial solutions and political impositions that inevitably legalize usurpations of one sort or another” (Holston, 1991).

Free and wealthy women, most of whom were white, faced gender-specific disadvantages and barriers to exercise their legal property rights while being legally subordinate to men and

¹⁰ This context of unverifiable boundaries led Rui Cirne Lima (1988) to conclude that the lack of precision in the geographical description of land parcels granted by the Crown was a government strategy to put the landholders against each other, fighting over land borders, leaving them no time to join together against the Portuguese Crown.

possibly exposed to wife-beating. Poor women, on the other hand, many of whom were black and freed from slavery, were about to start their housing struggles from scratch in a context where poverty overlaps with gender disparities.

The next section discusses the legal and practical progress both in terms of the recognition of the housing needs of the urban poor as a social right, and in terms of emancipation of women.

2.4.2 The 1900s: from massive eviction to upgrading of informal settlements, while women are still legally subordinate to men, and domestic violence is justifiable

Through the 1900s, the urbanization process of Brazilian cities was marked by squatters informally occupying (“invading”)¹¹ or purchasing land, and self-building their homes and dwellings, often in environmentally sensitive areas like wet riverside zones and steep hillsides (Maricato, 2012; Valladares, 2000). It was only in 1988 that the Constitution explicitly addressed the urban issue, when over 80% of the country’s population already lived in cities (Bassul, 2010). Only in the year 2000 was housing recognized as a social right, through a constitutional amendment, implying State responsibility (Brasil, 2000). Throughout this 100-year period, the State response to the housing needs of the urban poor evolved from forced evictions, to relocation, to an increasing recognition of squatters’ rights and investments in upgrading informal settlements, a process heavily pushed by the housing and urban reform movements, especially since the 1980s (Villça, 1996; Cardoso, 2007, Perlman, 1975).

Regarding the emancipation of women, similarly to what happened in the housing and urban reform arenas, it was only in the 1980s, following the end of the military dictatorship in 1985, that women’s rights movements managed to achieve meaningful changes in laws and policies related to gender equality and in response to domestic violence. The Women’s Special Police was inaugurated in 1985, followed by the implementation of shelters and reference centres, and the 1988 Constitution outlawed gender discrimination (Art.5). But it was only in 2006 that a law specifically on domestic violence was approved in Brazil (Lei Maria da Penha).

¹¹ The term “invasion”, widely used in housing literature, carries a derogatory meaning linked to the illegal and informal dimensions of such a practice. More recently, academics and activists alike have been using the term “occupation”, emphasizing the process of occupying property that is not fulfilling a social function, a principle established by the 1988 Constitution, on which most Brazilian urban policies are based.

Unpacking this century of evolution, starting with the transformations related to housing, a first phase (1920-1960) of government housing policies and intervention in low-income settlements was marked by massive evictions, justified by hygienist arguments that linked these areas with poor health and the spread of diseases, detached from sufficient provision of alternative housing (Cardoso, 2007). In Recife, for example, from 1939 to 1944, the “Social League Against Slums” led by the state government evicted around 12,434 families living in houses on stilts in river-side areas and built only 5,415 new houses, eligible only for healthy, officially married, and formally employed household heads, engaged in workers’ unions or associations (Sousa, 2005; Leite, 2006; Cavalcanti, 2017). The aftermath of these evictions was the proliferation of informal settlements in other parts of the city, as on steep hillsides, sometimes tolerated by alleged land owners who charged families rent to use the land (Souza et al., 1984; Sousa, 2005). As will be detailed in Chapter 6, there is some evidence that women were not excluded from the housing provision, given the new areas being named after female professions (*Vila das Costureiras* and *Vila das Cozinheiras*, villages of seamstresses or cooks), but there is no known gender analysis of the programme and its outcomes.

A second phase (1964-1986) of government housing policies took place under the military dictatorship, from the creation of the National Housing Bank and the Housing Financing System in 1964 and 1966, respectively, when almost five million new housing units were built over 20 years, through a centralized financing system and a decentralized network of promoters across regions (Valença, Bonates, 2010). However, these housing units were not targeted at the poorest and most vulnerable population, but mainly benefited middle-income groups (Azevedo, 1988; Bonduki, 1998; Valença, Bonates, 2010). From a gender perspective, however, the apparent silence of the literature is unsettling. In Valença and Bonates (2010), for example, the word “poor” (“*pobre*”) comes up 26 times, showing that there was some attention to the would-be beneficiaries of the programme, but the word “woman” (“*mulher*”) or “gender” (“*gênero*”) were not even mentioned. The only known study to explore gender exclusion or disparities in this housing programme, to be discussed in Chapter 6, was Machado (1987) showing how the selection criteria probably rendered women ineligible for the programme, mainly due to challenges to earn and prove sufficient and stable income to pay their debts and build the homes in the land plots received.

A third phase (1980 – 2000) of government housing policies was when the role of women gained more prominence in practice and attention in the literature. The period was marked by government efforts to upgrade and provide property titles for the residents of informal

settlements, closely linked to claims of the housing and urban reform movements and innovative participatory research showing the feasibility and benefits of *in loco* alternatives to consolidate and improve informal settlements (Moraes et al., 2018). As noted by Saule, Uzzo (2009) and Rolnik (2009), a combination of factors influenced this process, including the macro-economic crisis and the rise of social movements advocating for urban reform, in reaction to unsettling socio-economic inequalities and unbalanced benefits and burdens of urbanization. As Brazil ended the military dictatorship, decentralization and municipalization were both on the political agenda, although the resources allocated to local governments were imbalanced with the increasing responsibilities (Miranda, 2005). Nevertheless, important initiatives at local level pointed towards ensuring the tenure security and improving the living conditions of informal settlements. One example was the Special Zones of Social Interest (ZEIS), implemented in Recife in 1983, recognizing informal settlements in the official city zoning, and, later, in establishing the frameworks for legal and urban regularization.

Women's specific needs or gender inequalities finally entered the housing research and policy agendas in the efforts to investigate the urban reform movements from the 1980s. This may have been a reflection of what Deere and León (2001) called the second wave of feminism and the growth and consolidation of national and local women's groups in Latin America, influencing women's leadership in urban social movements. Women's increasing role in self-help settlements may have been a result of male leaderships being hired by progressive local administrations which had been in power since the 1990s, leaving voids in community organizations to be filled by women and younger people (Levy et al., 2016). This may also have been a reflection of the fact that many housing and settlement improvement programmes being conducted at the time were sponsored by international agencies like the World Bank and the Inter-American Development Bank, which required priority to be given to female household-heads (Pordeus, 2006; Rosa, 2007).

Nevertheless, as in other Latin American contexts (Varley, 1995), the housing and gender literature in Brazil still focuses on the role of women beyond households, in public spaces engaging in political movements, like women's struggles to cope with gender inequalities within the movement itself, or on the status of female heads of households (Viana, 2005; Macedo & Costa, 2014; IBDU, 2017; Meylan, 2019). On the latter, domestic violence is often mentioned as an important driver for women to join housing movements when struggling to find a place to live after having escaped (Oliveira, 2013; Lima, 2008; Helene, 2009), but the topic remains underexplored.

Turning to the evolution in terms of women's rights and recognition of domestic violence, under the 1916 Civil Code women were still considered legally incapable and subordinate to men while husbands were the legal household heads, entitled to manage joint and women's individual property, to allow their wives to work or otherwise, and to beat and kill their wives in the name of honour (Melo, Marques, 2010; Colling, 2015). The 1940 Criminal Code (in force until today) established two important mechanisms to exempt men from crimes against women. First, regarding sexual abuse, as mentioned earlier, the Criminal Code established that if a victim of rape got married to the man who raped her, the cause of punishment would cease to exist (Art.107, outlawed only in 2005). The Criminal Code also defined patrimonial crimes like theft, extortion, usurpation, damage, misappropriation, and fraud; however, it established that those who commit patrimonial crimes against a spouse, ascendants or descendants are not criminally punishable (Art.181), characterizing what would be later recognized as patrimonial violence against women as mere property disputes to be dealt with in family courts (Fernandes, V. 2013).

The legal progress towards women's emancipation included the 1962 Statute of Married Women, when women were considered legally capable and allowed to exercise a profession regardless of their husbands' consent. In 1977, with the Divorce Law, partial community property became the default marital property regime, establishing that property acquired before the relationship and through inheritance remains individual property upon marriage, while property acquired during the relationship is jointly owned by both spouses, regardless of who paid for it, implicitly recognizing the importance of women's unpaid domestic labour. In 1988, the Constitution established legal equality between women and men (Art.5) and recognized consensual union as equal to marriage (Art.226), and in 1994 partial community property also became the default marital regime for couples living in informal/*de facto* consensual union.

However, this legal progress was intertwined with setbacks and conservative responses from police officers and judicial authorities. At police stations, victims of physical and sexual abuse were often neglected, blamed, and harassed by officers, usually men, who routinely ignored and rarely prosecuted these cases (Nelson, 1996, Montenegro, 2010). Many cases, like wife-murder or so-called "honour killing", reached the judicial system when it was already too late. In the state of São Paulo, from 1980 to 1981, at least 722 men claimed defence of their honour as justification for killing their wives accused of adultery (Brooke, 1991). Besides adultery, it appears that divorce and property settlement were also reported as triggers of honour killings, as noted by prominent Brazilian feminist activist Rose Marie Muraro: it is easier and cheaper

for a man to get a hired killer to shoot his wife than to get a divorce and share the property with her (quoted in Brooke, 1991). Throughout the 1970s and 1980s, emblematic wife-murder trials (in which men were considered not guilty or sentenced with minor punishment when claiming to have killed to protect their honour) were widely reported by the media and turned into important advocacy tools that strengthened the voice and claims of feminist movements (Nelson, 1996; Dias, 2010; Cordeiro, 2017).

In 1985, the first Women's Special Police Station (*Delegacia Especializada de Atendimento à Mulher*) was opened in São Paulo, and others were then opened in other cities. They were initially criticized for encouraging informal conflict resolution and serving as a gatekeeper of the cases that “deserved” to reach the judicial system (MacDowell Santos, 2005; Montenegro et al., 2018). In 1995, domestic violence cases were assigned to Special Courts (*Juizados Especiais*), which were criticized for encouraging reconciliation or alternative punishments like the donation of food baskets to charity or payments of fines, implying a message that women should forgive and reconcile with abusive partners or relatives, and that violence against women was tolerated when abusers could pay for it (Roure, 2009; Montenegro et al., 2018).

Government housing provision for women experiencing domestic violence has historically focused on temporary shelters, established since the 1990s, but they only receive women facing the risk of death or death threats from perpetrators (Cordeiro, 2017). The main criticism regarding these domestic violence shelters is the need to maintain the location and identity of women and service providers classified, which implies complete isolation of survivors and often their children, and both groups must abandon their homes, social networks, work, etc., to start a new chapter of their lives from scratch (Cordeiro 2017). Only in the 2000s is there evidence of rent subsidies being provided to enable women to leave the shelters, or judicial measures being established to exclude the perpetrator from the marital home and allow women to remain in the home, as will be discussed in the following section.

In summary, during the 1900s, there was some progress in legal and policy frameworks, both in terms of recognition of the housing rights of residents of low-income settlements and in terms of women's rights to equality and freedom from violence. The lived experiences of low-income women, however, were still permeated by intersecting layers of discrimination.

2.4.3 *The early 2000s: legal recognition of the right to housing and to freedom from violence*

The 2000s started with a crucial milestone for the housing and urban reform movements, namely the Constitutional Amendment that included housing among the fundamental social rights to which all Brazilians are entitled (Brasil, 2000). In 2001, the Statute of Cities finally regulated Articles 182 and 183 of the 1988 Constitution, by establishing the guidelines of the national urban policy, the first being “guaranteeing the right to sustainable cities, understood as the right to urban land, housing, sanitation, urban infrastructure, transportation and public services, work and leisure, for present and future generations” (Brasil, 2001a, Art. 2º, I). The Statute reaffirmed the existing legal instruments for tenure regularizations: adverse possession (*usucapião*) for private property and concession of real use rights of public land (*concessão de direito real de uso – CDRU*), and establish a new form of concession of housing use rights of public land (*concessão de uso especial para fins de moradia – CUEM*) regulated a few months later by a provisional measure (Brasil, 2001b). The Statute also reaffirmed the Special Zones of Social Interest (ZEIS) as the key planning instrument to conduct tenure regularization and upgrades in informal low-income settlements. From a series of legal and planning instruments local governments and decision-makers could choose the best way to ensure tenure security and improve the housing conditions of the most disadvantaged groups.

In 2003, the Ministry of Cities was created to centralize efforts related to urban planning, housing, sanitation, and transport. In 2004 the National Housing Policy was established, followed by the creation of the National System and Fund for Social Interest Housing (*Sistema Nacional de Habitação de Interesse Social – SNHIS*, and *Fundo Nacional de Habitação de Interesse Social – FNHIS*), in 2005.

This legal and institutional framework set the ground for a fourth phase of government housing policy in Brazil, that combined the Growth Acceleration Plan (*Plano de Aceleração do Crescimento - PAC*), launched in 2007, and the My House My Life Programme (*Minha Casa Minha Vida - MCMV*), launched in 2009. These two programmes became the main mechanisms through which low-income settlements could be upgraded and housing units could be built and allocated to low-income families, while explicitly aiming at strengthening economic development through public and private investments (Cardoso, Denaldi, 2018). In parallel, in 2004 an important cash transfer programme, known as *Bolsa Família*, unified basic income efforts related to education (*Bolsa Escola*), food security (*Programa Nacional de Acesso à Alimentação – PNAA*), health (*Bolsa Alimentação*), and cooking gas subsidies (Brasil, 2004).

This series of affirmative action established a promising environment to improve the living conditions of historically disadvantaged groups in Brazil.

However, the housing struggles of the urban poor persist. One important series of assessments of the housing needs and shortages in Brazil, initiated in 1995, and officially adopted by the federal government is the *Housing Deficit Study*, developed and conducted by Fundação João Pinheiro (FJP), using data from the National Household Sample Survey (PNAD) prepared by the Brazilian Institute of Geography and Statistics (IBGE) (FJP, 2016). The methodology of the study classifies housing needs as (i) housing deficit, including precarious housing, involuntary shared residence, rent burden in urban areas, and overcrowding in rental accommodations, and (ii) housing inadequacy, including lack of infrastructure, overcrowding in owner-occupation accommodation, lack of bathrooms, inadequate roofing, and tenure inadequacy.

The latest official data shows that, in 2015, the housing deficit in Brazil consisted of 6,355 million households, representing 9.3% of the total of households (FJP, 2018). The major form of housing deficit was rent burden in urban areas, including 3,177 million households with monthly income up to three minimum wages, spending over 30% of their income on rent. The second major component of the housing deficit was involuntary shared residence, encompassing 1,902 million households who declared the intention of moving on to a new household. With regional differences, discussed in the following section, the housing deficit is concentrated mainly in urban areas, in the Southeast and Northeast regions. In terms of housing inadequacy, it was estimated that 7,225 million households (12.3% of the total) present at least one form of housing inadequacy, concentrated in the Northeast region (3,077 households). Lack of at least one form of infrastructure (electricity, water, sanitation, and rubbish collection) is the main form of housing inadequacy, observed in 7,225 million households (12.3% of the total), followed by tenure inadequacy, that was present in 1,871 million households (3.2% of the total), consisting of households who report owning the house but not the land plot where it sits.

Tenure inadequacy is used as a proxy for tenure insecurity; these data are collected to outline the need for tenure regularization to avoid forced evictions. However, as Morais and Cruz (2017, p.18) point out, this data underestimates housing informality as compared to deeper case studies partly because “it relies only on self-declaration of the respondents and does not gather information on the existence of land title or other *de facto* evidence of tenure security or any kind of selling or rental contracts”. I add that tenure inadequacy data does not consider a number of factors that may contribute to tenure insecurity (see Section 2.1), such as changes in planning

regulations, large-scale developments, and, in particular, intrahousehold conflicts like domestic violence that have a direct effect on women's tenure security. In my research, I seek to refine understandings of tenure insecurity to suggest improvements in the way it is currently measured, considering extra- and intrahousehold and possibly gendered dynamics.

As mentioned in Chapter 1, the housing deficit and inadequacy data are not disaggregated by gender, and there has been limited attention to women's specific needs or constraints in official housing data. Scattered observations, presented below, can be found in preliminary analysis; these remarks were not processed and published in the major study volumes but in internal memos and discussion papers. In addition, as they are based on household level data, they mainly reveal the status of female headed households, underexploring the status of women living in male-headed households.

There is evidence from the 1990s that the housing deficit was disproportionately higher among nonwhite single women headed households, located in the poorest areas of Brazil like the Northeast region (Morais, 2005). For 2007, data showed that the major group involuntarily sharing residence with others (*cohabitação*) consisted of single women with children, trapped in these living arrangements due to lack of economic resources to form a different household (IPEA, 2008). In terms of rent burden, there is no conclusive evidence that women are disproportionately affected. One must connect the fact that women are less likely than men to become homeowners (Morais, Cruz, 2017) with the income gaps between women and men, and women's still limited participation in the labour force (Pinheiro, Soares, 2005; Fontoura et al., 2017), to speculate whether the rent burden predominates among women, or whether women are so income constrained that they end up sharing residence with relatives or friends against their will. This second scenario could, in fact, explain the predominance of single mothers in shared residences. Meanwhile, important publications completely bypass gender analysis and overlook women's specific housing needs. This is the case of the recent 500-page IPEA study that claims to cover the current status of informal settlements in Brazil but lacks any assessment of women's specific needs (Morais et al., 2016).

This lack of attention to women's status in official housing data, particularly of women living in male-headed households, contrasts with affirmative action by governments and the legal framework to ensure the inclusion or prioritization of women in housing projects and programmes. As mentioned earlier, several housing and tenure regularization projects financed by international agencies since the 1990s have been targeted at women, and it seems that local

governments did so even before this was required by funders. The *Projeto Moradia* (Instituto Cidadania, 2000) designed as the housing platform of the Workers' Party for the presidential elections, acknowledged the international frameworks and recommendations to ensure women's rights to housing and explicitly defined women as a target group of the coming national housing policy. Since 2005, with the creation of the National System of Social Interest Housing, all government housing programmes have been legally mandated to prioritize women (Brasil, 2005), and this includes the My House, My Life programme, launched in 2009. However, as already mentioned in Chapter 1, despite the legal requirement and political rhetoric, this topic has been largely overlooked both in official data and academic research. Several studies (such as Cardoso, 2013; Bezerra, 2014) have assessed the political, institutional, financial, social, territorial mechanisms and outcomes of the My House, My Life programme, but none have aimed to check whether the claimed prioritization of women has been implemented in practice, and the effects of such for the wellbeing of households, communities, and society as a whole. In my research, I will explore gender inequalities in housing, including within households, and the role of government housing policies in minimizing these inequalities, seeking to inform further efforts that intend to measure it.

Turning to the legal and policy frameworks related to domestic violence, the Secretariat for Policies for Women (*Secretaria de Políticas para as Mulheres*) was created in 2003, in parallel with the Ministry of Cities. The same year saw the launching of the National Policy to Address Violence Against Women, establishing the guidelines for cooperation between the three levels of government, and different sectors within them (Cordeiro, 2017).

In 2006, the Domestic Violence Law, frequently referred to as Maria da Penha Law, was approved, defining five different types of domestic violence: physical, moral, psychological, sexual, and patrimonial (directly related to housing and property). The law created Special Courts for domestic violence with a hybrid competence (criminal and civil), operated by a multidisciplinary team including social workers, psychologists, and lawyers; established judicial protective measures, such as the exclusion of the perpetrator from the marital home or family property; and mandated governments at all levels to address the prevention of domestic violence through educative measures such as with young people in schools, as well as research to better understand the issue (Montenegro et al., 2018). In 2015, femicide was legally recognized, followed by the recognition of sexual harassment in public spaces in 2018 (Brasil, 2015; Brasil, 2018)

However, the domestic violence rates in Brazil are alarming, despite the variation in figures. Between 29% and 37% of Brazilian women report having experienced domestic violence (OMS, 2005). 1.3 million women are battered every year, and 13 women are killed every day as victims of female homicide, especially after trying to leave an abusive relationship (IPEA, 2019, Waiselfisz, 2015). Around 80% of domestic violence is perpetrated against women by their intimate partners or ex-partners, and this is often an ordinary part of women's lives: in 43% of the cases, survivors report experiencing violence daily while 35% reported that violence occurs every week (DataSenado, 2015; Dossiê Agência Patrícia Galvão).

According to DataSenado (2015), black women make up nearly 70% of the victims of female homicide and 63% of domestic violence survivors; 66% of victims are under 29 years of age (DataSenado, 2015); and the incidence of domestic violence is higher among women with lower levels of education, 27% compared to 12% among women with higher education. Poverty is also an important risk factor for violence. However, there is an urge to avoid stereotyping, and it must be stressed that any women, from any income class, can experience domestic violence (Soares, 2005). Nevertheless, the higher incidence of domestic violence against women appears to mainly affect poor, black, young, uneducated women. This is the focus population group of the present study.

It is worth noting that domestic violence is a remarkably underreported phenomenon. Between 20% to 50% of survivors do not report the violence they experience (Krug, 2002; DataSenado, 2015; Datafolha, 2017). Of those who broke the silence, 20% sought help from relatives, 17% went to the regular police, and only 11% contacted the special police for women; 34% sought help after the first violent event, 9% the second, and 31% the third (DataSenado, 2015).

Meanwhile, as mentioned in Chapter 1, there are less than 80 official domestic violence shelters nationwide, concentrated in less than 3% of cities across Brazil, accessed only in the most acute stages of abuse, which have already reached the point of death threats and attempted murder (IBGE, 2019). Lack of housing alternatives, like rent subsidy, is a major cause of desistance among women who managed to officially report the violence (Machado et al., 2017). Judicial protective measures are highly ineffective in the sense that the women who try to continue in the marital home face continuous harassment from former partners; while those who have left are encouraged by judges to return to perpetrators when they lack alternative housing, a process that helps to exacerbate the violence upon return and undermine women's confidence in judicial support (Meneghel et al., 2011). In Recife, for instance, it is estimated that only 1.7% of

survivors reach domestic violence shelters, where they are able to stay for up to 180 days; when leaving, less than 12% apply for a regular rent subsidy, and around 1% apply for the My House, My Life programme (Cordeiro, 2007; Silva et al., 2012).

Patrimonial violence against women remains largely understudied, especially in terms of housing tenure security and asset accumulation, areas which I intend to examine. There are data, for instance, on the damage of material things/objects, home invasion, or suppression of documents by a perpetrator, usually a partner, and at home (ISP/RJ, 2018). Other studies approach patrimonial violence against elders, mixing male and female survivors, in which the gender aspect of the violence become clouded (Pereira, et al., 2013); while others tend to focus on the subtraction of income, valuables and goods (Oliveira, A. 2013). I intend to contribute to the domestic violence literature from a housing tenure security and asset building approach.

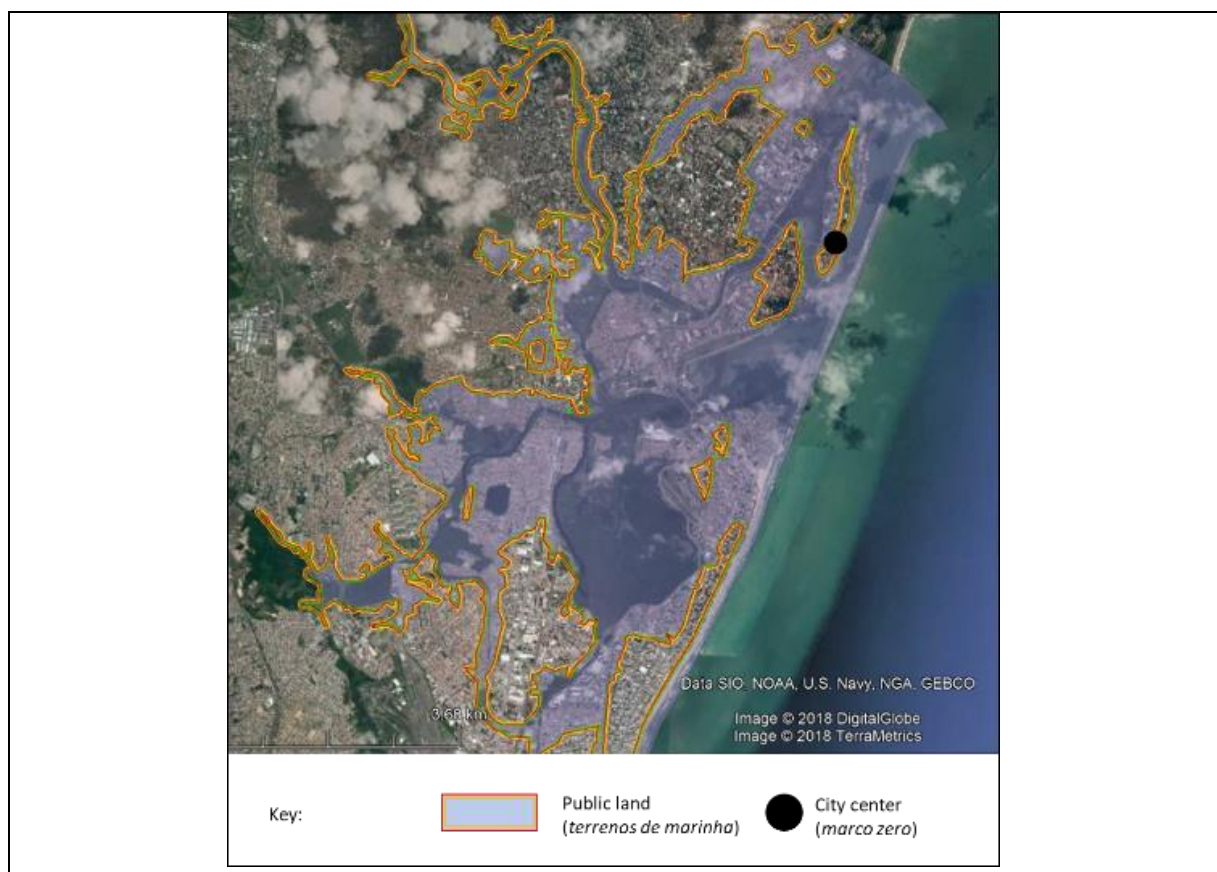
As mentioned earlier, domestic violence is a cyclic and escalating phenomenon: when survivors continue living under the same roof with the perpetrators there is always a chance that violence will happen again and be more severe (Katerndhal et al., 2010). Women's critical path to escape domestic violence is rarely straightforward, often including relapses back into the relationship, individual, family and community level barriers, as well as challenges to access and navigate public services (Sagot, 2000). Survivors often report being threatened or thrown out of the common residence by the perpetrators (Krug, 2002); many others report losing property as a result of violence (Slabbert, 2016). For the purposes of this research, what is most important to highlight is that a permanent end to domestic violence is likely to occur only when the survivor leaves the relationship, which often means leaving the common residence to maximize protection of themselves and their children. This implies the division of assets and property settlement in a context of gender inequality so extreme that it eventually evolved into this form of gender-based violence, known as domestic violence against women.

2.5. Recife and the field work sites

Domestic violence and housing struggles can probably be observed and explored in most cities across Brazil. Recife seemed like an interesting choice because of its socioeconomic characteristics marked by high rates of poverty and housing deficit, as well as gender inequalities and domestic violence. The challenges of ending domestic violence and seeking relocation overlap with chronic poverty and housing deficit, as articulated below.

Located in one of the first regions of Brazil to be occupied in the colonial period, Recife developed along its bodies of water and the axis connecting the port by the sea with the sugar mills to the west (Sousa, 2005). A characteristic that increased the complexity of land matters in Recife is the importance of public land called navy land (*terrenos de marinha*), consisting of the 30-metre strip along all bodies of water in Brazil, which was declared public land and in Recife covers a large area which was once flooded and is now filled in (*assoreada*), notably in the city centre (Figure 4). These areas were where many impoverished residents, such as former slaves, managed to squat and build their homes (Figure 5 and Figure 6). In addition, after the 1985 Land Law mentioned earlier, when landholders were expected to demarcate and register their possessions, these areas were subject to land corruption (*grilagem*) through which elites forged fake documents claiming possession since colonial period and started to charge land rent from the low-income residents living in the area (Falcão & Souza, 1985).

Figure 4 - Public land around the city center of Recife



Source: adapted from Borges, 2015

Figure 5 - "Mocambos" built in riverside areas



Source: Museu da Cidade do Recife

Figure 6 - "Mocambos" built in riverside areas



Source: Santos (2014)

In 1913, a census conducted by the municipality showed that 44% of the population lived in *mocambos* (houses on stilts) in these flooded areas (Moraes, et al., 2018). In 1939, the Census of Mocambos identified 45,581 *mocambos*, representing 63% of households, most of which were made with adobe and straw; 76% paid land rent (*aluguel de chão*), 8.6% were occupied by owners, and 14.8% were concessions (*cedidos*) (Cezar, Costa, 1992 apud Sousa, 2005). In that same year, the League Against Mocambos, mentioned earlier, evicted over 12 thousand families and provided alternative housing to fewer than half of them (Leite, 2006).

This intensified the occupation of hillside areas: in 1943, a photogrammetric survey by the Geographic Service of the Army showed that important areas on the northern and southern edges of the city were already occupied by houses built by residents themselves while qualitative research indicates that these residents also paid land rent to alleged official land owners (Souza et al, 1984). While improving their homes, residents also rudimentarily built the access roads, drilled wells for water extraction, and set up illegal electricity networks (ibid).

One of the fieldwork sites of my research, known as Morro da Conceição, was selected to represent the settlements formed and self-built under these circumstances, which only decades after the initial occupation received government investments. In the case of Morro da Conceição (

Figure 7, Figure 8, Figure 9 and Figure 10), it was only in the 1980s that the area was acquired by state government, transformed into a Special Zone of Social Interest by the municipality, to be upgraded and regularized, as summarized in Box 1.

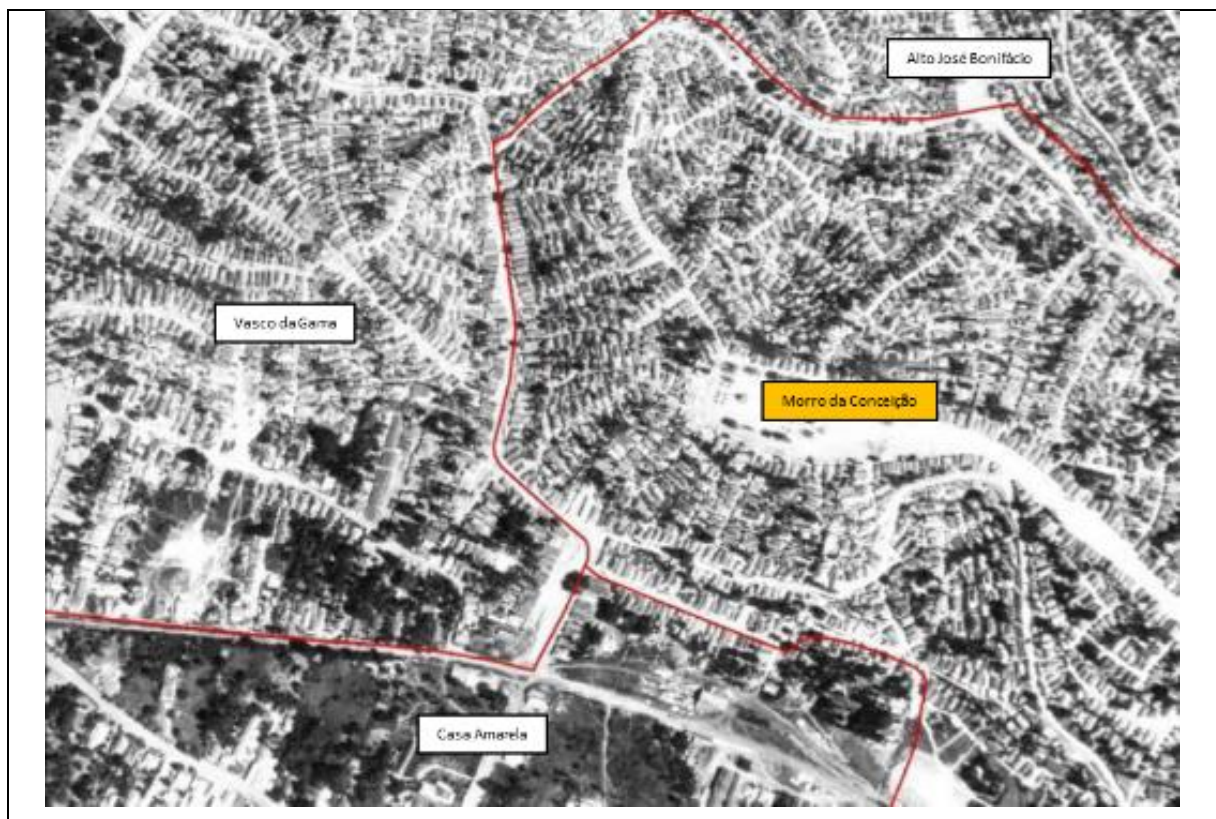
Box 1 - Fieldwork site - Morro da Conceição

The initial occupation of Morro da Conceição is estimated around the 1940s by families evicted by government intervention in the lower part of the city, as well as former slaves that went straight to the hillsides where they would be less likely to be harassed (Santana, 2019). Residents initially paid land rent to the heirs of alleged original land holders, a practice that in itself afforded some level of formality of tenure (or perception thereof) (Falcão & Souza, 1985). In the 1970-80s, when low-income residents were struggling to make ends meet, while bearing the costs of land rent, the housing and urban reform movements were taking shape towards the end of the military dictatorship. The movement “No one’s land” (Terras de

Ninguém) was organized to question the property rights of the alleged original land owner, since residents were living there for decades, and to pressure governments to conduct tenure regularization.

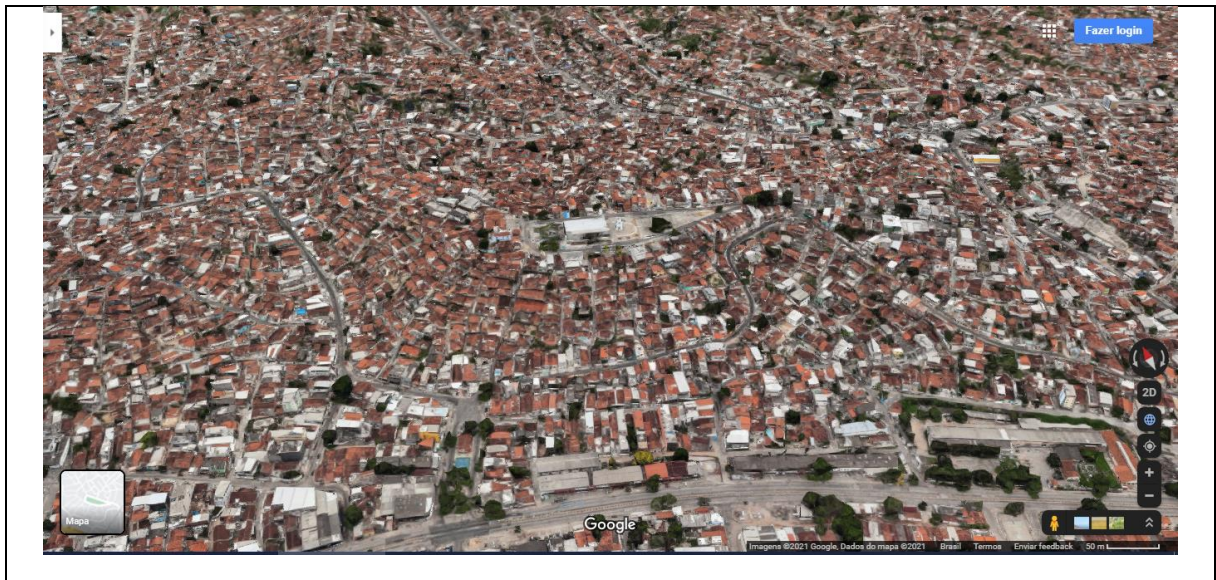
In 1980, the land was acquired by the Pernambuco state government; in 1983, the area was recognized as one of the first Special Zone of Social Interest (ZEIS Casa Amarela); and in 1988 the land titles started being delivered to residents. In a sense, the semi-formality persists, since only 1.600 of the 12.000 titles were properly registered in the notaries' office. Nevertheless, tenure security in this area was a result of consolidated houses, government investments in settlement servicing and zoning rules protection, and some form of property documents provided by governments. There is no evidence suggesting that women were prioritized; since tenure regularization was conducted after decades of occupation and incremental improvements, this may be an area where men have a greater sense of entitlements given their likely greater direct investments in home improvements compared to women.

Figure 7 - Morro da Conceição and surrounding hillside settlements in 1951



Source: Prefeitura do Recife, extracted from in Santana (2019)

Figure 8 - Morro da Conceição - current aerial view



Source: Google Maps

Figure 9 - Morro da Conceição - distant view

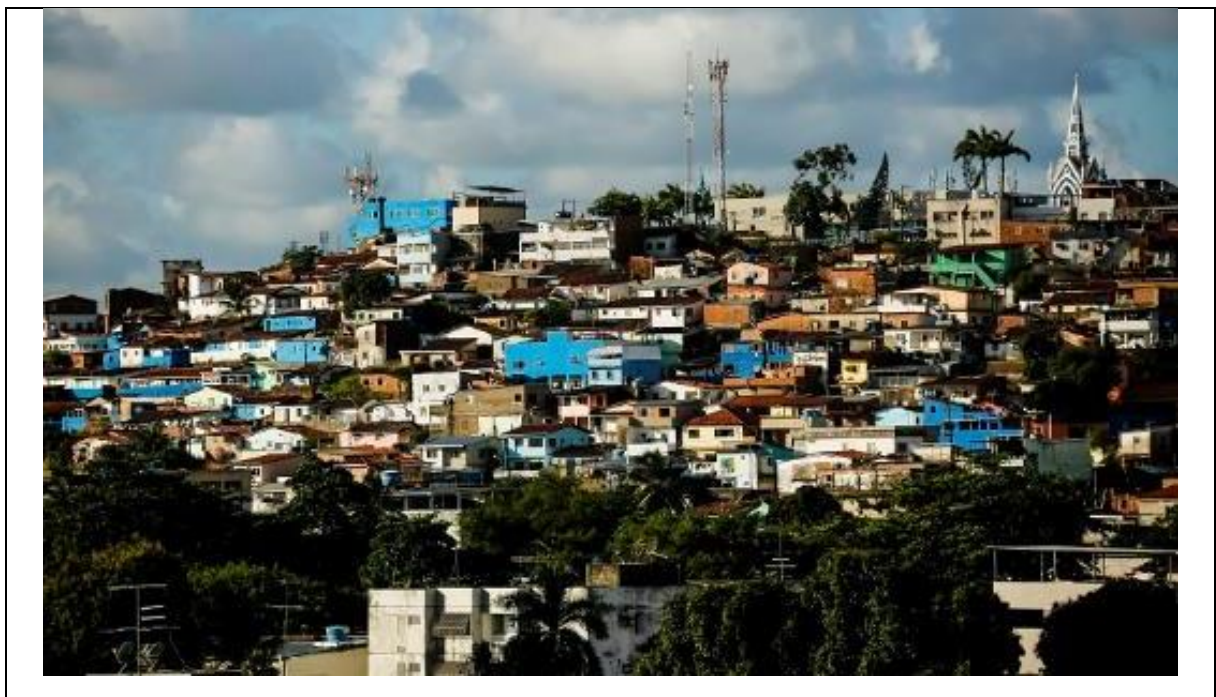


Photo: Andrea Rego Barros

Figure 10 - Morro da Conceição - view of the streets



Photo: Raquel Ludermir

In the 1960s and 1970s, while residents of areas like Morro da Conceição were self-building their homes, local government housing agencies were primarily concerned with conventional approaches to build new housing units through the National Housing Bank (Cavalcanti et al., 2009). Towards the end of the 1970s, local government attention started to turn to so-called “alternative approaches” to improve consolidated settlements, resettle families evicted in these improvements to sites with services or embryo homes, both those of the National Housing Bank, and projects funded by the World Bank and Interamerican Development Bank (Souza, 1990). The names of the programmes are very literal, revealing what was covered in each one of them: the Programme to Finance Urbanized Plots – PROFILURB, in 1975; the Programme to Finance the Construction, Conclusion, Expansion and Improvement of Social Interest Housing – FICAM, in 1977; and the Programme to Eradicate Substandard Housing – PROMORAR, in 1979. A distinctive feature of these alternative approaches in relation to conventional ones was the purposeful selection of intervention sites to work specifically with communities with a higher level of political organization (Souza, 1990).

The second fieldwork site, Vila Santa Luzia (Figure 11,

Figure 12, Figure 13,

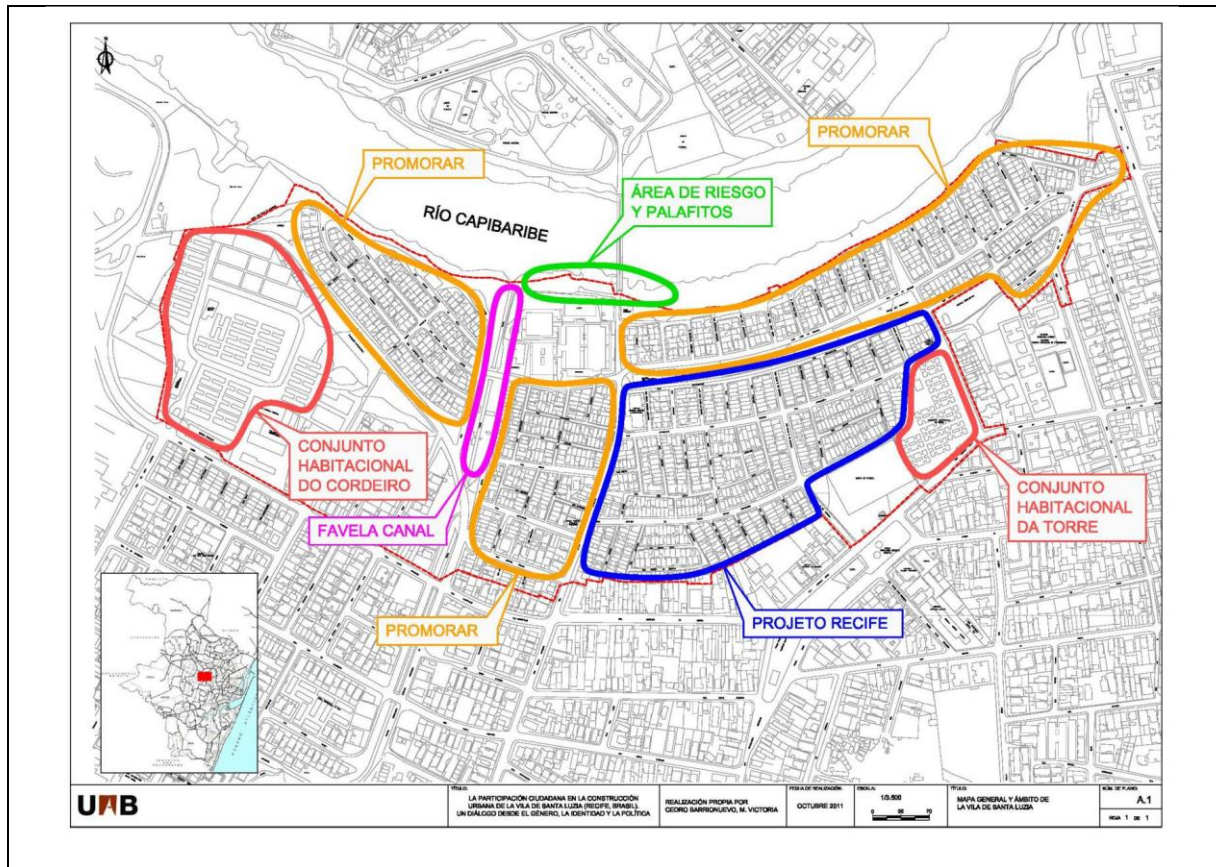
Figure 14), represents these alternative approaches. In the urban fabric of Vila Santa Luzia it is possible to note how some areas within the settlement were consolidated and upgraded and others cleared and rebuilt, as summarized in Box 2 below. An important feature of Vila Santa Luzia that justifies its selection is the fact that women were targeted as the main beneficiaries of the allocation of plots and starter houses (*casa embrião*), a feature that may have an effect on women's ability to hold on to their homes when experiencing domestic violence.

Box 2 - Fieldwork site - Vila Santa Luzia

It is estimated that the occupation of Vila Santa Luzia dates back to the 1970s. It occurred through a rapid and collective process in a period when affirmative action from governments pointed towards consolidating rather than evicting low-income dwellers stimulating organized squatting in different areas of Recife. The successive government investments in the areas included the construction of new houses through the Program PROMORAR, in 1979; the implementation of infrastructure and construction of more new houses through the Projeto Recife, linked to the revitalization of the river-side areas that caused several evictions, since 1982; the construction of two major housing projects known as Conjunto Habitacional da Torre in 2000 and Conjunto Habitacional do Cordeiro, through the program Habitat Brasil BID, in 2005. Women were targeted as main beneficiaries of these government efforts, partly to meet requirements of international funders, in this case the BID.

The property title received by the beneficiaries was a concession of use rights, since the area is located in the riverside and therefore is considered public land. However, there is evidence – both from interviews with government officers who worked in the area and with residents who took part in my study – that, in several cases, up to the present day residents have not received the proper document proving concession, some residents hold on to the badges provided by the municipality during the construction work. The area was not transformed into ZEIS; housing consolidation and government investments in the area and some level of documentation of tenure seems to be what provides tenure security for the residents in Vila Santa Luzia.

Figure 11 - Vila Santa Luzia - different layers of government intervention



Source: Cedro (2015)

Figure 12 - Vila Santa Luzia - current aerial view



Source: Google Maps

Figure 13 - Vila Santa Luzia – area where homes were allocated by local government



Photo: Andréa Rêgo Barros

Figure 14 - Vila Santa Luzia – area where residents self-built their homes



Photo: Raquel Ludermir

In the late 1980s, early 1990s, the urban reform movements were very active in Recife, and populist governments were well aware of the benefits associated with housing programmes and projects (electoral ones, in particular, but also for families). This is the moment when the Special Zones of Social Interest (ZEIS), created in 1983, were regulated, establishing the legal, planning, and participatory frameworks for upgrading informal settlements (Recife, 1987). Investments in infrastructure were also being planned at the metropolitan level, like the PROMETRÓPOLE, carried out by the Metropolitan Agency of the Pernambuco State Government (FIDEM) to upgrade low-income settlements around specific hydrographic basins, resulting in some evictions. Governments were pressured by housing movements and community organizations to provide for the relocation of families affected by the upgrade of informal settlements, those who would not “fit” into the resettlement schemes. A common response from governments in these circumstances was to allocate land plots to families, frequently prioritizing women.

The third fieldwork site of my research, the area known as Passarinho (

Figure 15, Figure 16), was selected to illustrate this government approach to housing, namely, the provision of land plots, not necessarily “sites and services”, since infrastructure would come only later, as summarized in Box 3.

Box 3 - Fieldwork site - Passarinho

Passarinho is located in the extreme North of Recife, near the border with Olinda. There is evidence that the first residents arrived in the area between the 1940-60s, but it was only in around 1988 that the occupation became denser and with recognizably urbanized. Most of the residents who arrived in this second wave used to live in other hillside areas nearby, in zones prone to disasters (landslides) that could not be consolidated. The state government created the Program Floor and Roof (*Chão e Teto*) in 1988 to relocate these families to other areas. Land plots were provided to women, and families were expected to self-build their homes. Although there was some level of planning observed by the layout of streets and plots, the basic infrastructure was promised to a subsequent phase, that started only in 2002 with the PROMETRÓPOLE intervention, and still today does not cover all the area.

In 2013, the state government launched the Program My Legal Property (*Meu Imóvel Legal*) to regularize the tenure of those who received plots in previous government efforts, and eventually reach those who came afterwards. The tenure regularization delivered formal title deeds in the name of women, following previous government affirmative action to target women, and legal requirements posed by the 2005 law of the National System of Social Interest Housing that mandated governments to prioritize women in all housing efforts. Tenure security in Passarinho was mainly a result of government land allocation and settlement servicing.

Figure 15 - Passarinho – current aerial view



Source: Google Maps.

Figure 16 - Passarinho - view of the street



Photo: Raquel Ludermit

In summary, the fieldwork sites were selected to illustrate different means by which low-income residents manage to access and acquire housing in Recife, with more or less support from governments, as summarized in Table 2. Morro da Conceição was selected as an illustrative case of a gender-neutral tenure regularization and settlement upgrades, Vila Santa Luzia as a case of housing allocation targeting women, and Passarinho as a case of land allocation targeting women. As will be expanded in Chapter 3, which details the methodology, a criterion for selecting these areas was that there were no current external threats of eviction, such as those related to conflicts with governments or the original land owners, to ensure that participants would focus on the threats of evictions related to domestic violence.

Table 2 - Characteristics of fieldwork sites

	Morro da Conceição	Vila Santa Luzia¹²	Passarinho
Physical feature	Hillside	Mangrove swamp	Hillside
Decade of occupation	1940	1970	1990
Source of public investment on housing	State Government and Municipality	Municipality	State Government
Gender awareness of housing approaches	Gender-neutral tenure regularization and settlement servicing	Housing allocation to women	Land plot allocation to women
Land ownership	Private area; land titles provided by state government	Public area; use rights concession provided by municipality	Private area; land titles provided by state government
Planning zone (as per the 2008 City Master Plan)	Special Zone of Social Interest (ZEIS)	Moderate Construction Zone; Environment Protection Zone – Capibaribe River	Restricted Construction Zone Environment Protection Zone – Beberibe River
Population density (2010)	25.944,42 people/km ²	12.587,67 people/km ²	7.176,31 people/km ²
Population (2010)	38.604 inhabitants	8.200 inhabitants	40.329 inhabitants
Female population (2010)	20.703 (53,63%)	20.873 (51,76%)	4.460 (54,39%)
Income per capita (2010)	R\$376,17	R\$519,53	R\$334,50

¹² Vila Santa Luzia is located very close to middle-income class area called Bairro da Torre and, therefore, some of the averages for the area may not necessarily reflect the reality of poorest areas within the neighborhood where the interviews were conducted.

Income poor people (2010)	17,22%	12,86%	22,29%
Extremely income poor people (2010)	5,61%	4,55%	7,59%
Population above 18 years of age with complete elementary school (2010)	56,04%	59,56%	45,44%
Unemployment rate	16,14%	13,20%	15,98%
Population above 18 years of age with formal employment	64,17%	61,85%	59,38%
Population with access to piped water	99,19%	97,05%	95,91%
Population with access to electricity	99,95%	100,00%	99,65%
Population in households with garbage collection	98,88%	94,31%	90,14%

Sources: E-SIG Prefeitura do Recife; Atlas de Desenvolvimento Humano Brasil

Regarding the domestic violence services in Recife, it is estimated that 25.3% of women report having experienced domestic violence, of whom only 20.8% manage to break the silence and reach institutional support beyond family and friends, including police, courts, hospitals and clinics, church, women's groups and NGOs; and only 1.7% of survivors are able to reach domestic violence shelters (Silva et al., 2012). There were six, and now there are only four domestic violence shelters in the entire state to provide emergency support for 15 women in each shelter, available only to survivors facing risk of death; the location of the shelters is not available for security reasons, and so it is not possible to ascertain how many are in Recife or in other cities (Cordeiro, 2017). There is no rent subsidy for women to assist with escaping abuse, except for one-off payments of R\$250 for women to move to another city to escape (Pernambuco, 2009).

There is only one women's police station in Recife, and another two in the neighbouring towns of Paulista and Jaboatão dos Guararapes. There are three Reference Centres to provide multidisciplinary support for women, including legal, psychological and social work aid. There are three Domestic Violence Courts, which receive the complaints identified through the police and reference centres. Chapter 3 provides further details of how these government services

operate and why I decided to interview survivors in a specific domestic violence court, and subject matter experts in other services.

2.6 Summary

In grounded theories studies, there is a vast discussion about when and how literature reviews should be conducted since researchers are expected to enter field work sites with as few predetermined ideas as possible (Glaser, 1978; Charmaz, 2006). In my study, the literature review has been a continuous process, conducted in parallel with data collection and analysis, when new themes that I was not familiar with emerged in interviews. For instance, domestic violence was not my major research topic when I first started field work, and as it was a new topic to me, I had to refer to existing literature when I was already engaged in field work.

This chapter was actually the last one that I wrote for this thesis, and after some debate about where and how it should be presented – perhaps the information presented here could be dissolved in the discussion section of Chapters 4, 5 and 6 – I decided to concentrate it here. The intention was to expand on the background information on the research topics and empirical context initially presented in the Introduction to the thesis and show how existing knowledge and data (or gaps therein) suggested key themes to be induced or further explored during data collection and analysis, and where my study could make a contribution. In particular, I sought to explain how I build on the gender, housing and property literature to minimize the disjuncture between housing and domestic violence knowledge.

Table 3 summarizes the key topics that emerged from the literature review and which were useful in outlining data collection and analysis detailed in Chapter 3. This can be helpful for future research that intends to replicate or improve the observations contained in this thesis.

Table 3 - Key themes and questions emerging from literature review

Key premises and questions		
<ul style="list-style-type: none"> - Housing and property have use and exchange value; it can be a practical and strategic gender need; - Inequalities in command over resources contribute to women subordination to men; - Property ownership can deter or reduce domestic violence; but also trap women in abuse; - Tenure security and property ownership can be a means by which women can leave poverty, gender subordination and domestic violence. 		
<i>Housing and property</i>	<i>Gender, housing and property</i>	<i>Domestic violence</i>
<ul style="list-style-type: none"> • Land is often accessed, held and re-distributed informally within families; • Subdivision of land plots and anticipation of inheritance is a key step in asset building among low-income families; • Self-help construction of dwellings is a crucial process, influenced by one's ability to mobilize income, savings and labor, besides the land plot; • Many other forms of tenure besides homeownership are exercised in low-income settings, such as rental and concession arrangements; • Homeownership \neq tenure security: not only homeowners are secure, and not all homeowners are secure. • Legal and documented tenure may contribute to tenure security; whether the property documents are valid, whose name appear in the document and who keeps the document are also important; • Length of residence influences tenure security, the longer the more secure; • Dwelling consolidation and investments in home improvements may increase perceptions of tenure security; • Settlement servicing and government responses to 	<ul style="list-style-type: none"> • Intrahousehold gender disparities: household is not a unit of congruent interest and distribution of resources and benefits, but a place of conflict and cooperation; where gendered power operates; • Women often move into their partners' family property, as a result of gender norms and culturally accepted gender roles of "men = provider, women = caregivers"; rendered exposed to tensions with in-laws that reproduce gendered dynamics; • Feminization of poverty: women are usually poorer than man in terms of time, income, assets, power; poverty is multidimensional and accumulates over time; • Gender asset gap: women own less and less valuable property and access it mainly through inheritance and government programs; there are important gender bias in inheritance and property markets; • Women are disadvantaged to access housing resources, such as income to buy construction material and hire professional builders, or time and skills to build or improve dwellings; • Legal literacy: many women are not aware of their property rights; popular understandings of property rights leave women in a secondary relationship to 	<ul style="list-style-type: none"> • Domestic violence against women is based on gender; it is widespread but extremely under-reported; • Some survivors don't recognize their lived experiences as domestic violence; others face practical and subjective barriers to break the silence; • There are different types of domestic violence like physical and psychological, with housing implications and consequences; • There is also a specific kind of domestic violence directly related to property and housing, namely patrimonial violence against women; • Perpetrator are usually intimate partners, but can also be other relatives; • Poverty may be a risk factor for violence; economic dependence on the abusive partner may challenge women to escape; • Domestic violence is a cyclic and escalating phenomenon; • Women's critical route out of domestic violence is highly complex and convoluted, with relapses back into abuse;

informal land occupation also influence tenure security; • Tenure security is a dynamic notion that depends on who perceives it, how such tenure has been gained, which actors have been involved in securing the tenure for particular households, and what is perceived as secure;	property, despite formal equality; • Housing and land policies may have contradictory outcomes for women; • Housing can meet women's practical and strategic needs, to cope with or transform gender inequalities	• Many survivors remain in abusive relationship when lack the means to scape; others are forced to leave their homes (and lose property) when violence becomes too severe; • After leaving, women experience challenges to relocate and find affordable and safe shelter;
<i>How do low-income people manage to access, improve, and fear losing their homes? How does intrahousehold dynamics influence this process?</i>	<i>How do low-income women access, improve, and fear losing their homes? How does gender inequalities in access to resources influence this process?</i>	<i>How do domestic violence survivors experience, cope with, and end abusive relationships? How does housing and asset gaps influence this process?</i>

Considering that the literature on domestic violence and on housing tend to focus either on the consequences of violence after women leave abuse and often lose their homes, or on property ownership as a possible factor to reduce violence, I intend to contribute to existing knowledge by focusing on the complex housing process that precedes domestic violence and shapes the residential scenarios where it takes place, which can influence women's coping strategies and exit options, and ultimately the housing outcomes of violence.

Considering that the literature on gender and housing often mentions but still understudies domestic violence, I intend to contribute to existing knowledge by providing a deeper understanding of the complex relationships between domestic violence and housing, and of patrimonial violence against women, which is directly linked to control over resources.

To develop the housing literature that remains gender-blind and emphasize analyses at household level, I intend to emphasize the gender and intrahousehold disparities that permeate people's housing processes, either through self-help, families, community, market or government approaches. This thesis calls for housing studies to incorporate gender and intrahousehold conflicts as important drivers of tenure insecurity and asset erosion especially, but perhaps not only, for women.

Bringing these theoretical concerns presented throughout the chapter and summarized above to the appraisal of the case of Recife, my major concern is the gap between legal and policy frameworks and people's lived experiences. For the little over 20% of domestic violence

survivors who manage to break the silence and seek institutional support, what kind of government and judicial services are they getting to meet their housing needs and gain compensation for eventual property loss? For the other 80% of survivors who cope with or leave abuse on their own, what is the relationship between tenure security, patrimony, and domestic violence? How does domestic violence affect women's ability to keep their homes and accumulate assets in the urban low-income settings of Recife? The following chapter details how I addressed these research questions.

3 METHODOLOGY

Before detailing the actual steps taken for data collection and analysis, this chapter provides an overview of how my engagement with fieldwork shaped the research focus and process. To start, domestic violence was not my central research topic. At first, I was concerned with gender inequalities in housing more broadly, inspired by a wealth of research exploring gender gaps in other disciplines like economics, politics, and public health. In particular, I came across the measurements of the “gender asset gap”, primarily focused in rural areas (Deere & León, 2001; Deere & Doss, 2006) and was surprised by the lack of attention that gap was receiving in urban and housing studies, in Brazil at least. As mentioned earlier, the housing literature in Brazil, when acknowledges gender, usually focuses on women’s roles in urban social movements (in the public sphere) or in the housing of women as single female household heads (the private sphere, but without a male resident). A feminist grounded theory approach to research (West, 1995, 2011; Charmaz, 2006) seemed appropriate to address insufficient knowledge on intrahousehold disparities between women and men in urban contexts in Brazil¹³, with emphasis on the disadvantages faced by women to access, keep and accumulate property.

As a fieldwork site, I selected one low-income settlement known as Passarinho as it was an area where women had received plots of land in their own names through a Pernambuco state government programme. The initial idea was to work only in this specific area and discover, within the settlement, participants who had received the plot and those who had not, in order to verify how a government programme targeting women could help to reduce gender disparities in the control over resources and contribute to women’s empowerment and gender equality.

It was only through this first contact with participants that domestic violence emerged as a central research topic. Participants often referred to domestic violence either explicitly or implicitly, sometimes unrelated to housing but with an important housing impact, and at other times the violence was directly related to property disputes upon separation (between partners) and inheritance (between women and other family members, such as brothers, uncles, in-laws and step-family). However, many women did not refer to violent experiences as domestic violence, not even when the violence was physical and had left marks on their bodies, let alone when the violence was “only” patrimonial; many women did not fully understand their property

¹³ This topic has been explored elsewhere like in Mexico (Chant, 1984, Varley, 1987) and Ecuador (Moser, 2009), as well as in rural contexts in Brazil (Deere, León, 2001).

rights and that patrimonial violence is a specific form of domestic violence that can be reported and prosecuted.

To address domestic violence as a central research topic, I decided to change settings and arrange interviews with women using the services of a domestic violence court. These interviews provided crucial insights to understand in depth how intimate partner violence affects the housing and property trajectories of survivors. Beyond that, however, I realized that most of the women using the services of domestic violence courts had had previous unreported experiences of domestic violence: some of them had experienced several years of violence before breaking the silence and managing to reach the court, and others had had abusive relationships with previous partners or family members that remained unreported.

In addition, I understood that cases consisting of patrimonial violence rarely reached the courts, firstly because of major underreporting in general, but also because survivors tend not to recognize this specific kind of domestic violence. The cases that eventually reached domestic violence courts and had an important patrimonial dimension were submitted to a specific assessment before being accepted by the judge. Through these assessments, two things usually happened. Cases of patrimonial violence involving couples were rejected because men are not criminally punishable for patrimonial crimes against their wives and partners (according to the 1940 criminal code, property is a family matter). Cases of patrimonial violence between women and other male relatives were also rejected when the survivor or court officers could not provide sufficient evidence that the dispute was based on gender (a requirement to qualify as domestic violence, according to the 2006 domestic violence law). Even when women had been evicted by former partners and relatives from their homes, which they owned partially or entirely, this was not considered patrimonial violence. What is dealt with in domestic violence courts is the punishment for physical or sexual abuse, the psychological or moral harm; property settlement is assigned to family or civil courts, where the attention to domestic violence fades away.

I decided to return to low-income settlements (selected purposely, as explained later) searching for survivors who had been silenced, both those who had experienced “only” patrimonial violence and those who had experienced other forms of domestic violence, and, for multiple reasons, were not able to report and prosecute the perpetrators. That was also an opportunity to interview women who had not experienced domestic violence, searching for similarities and differences between them and survivors. I returned to the low-income settlements in a different position. As a housing researcher who was not originally trained to inquire about domestic

violence, the experience of interviewing participants in a domestic violence court provided crucial insight into the topic and interview dynamics, especially regarding more sensitive topics and aspects of women's experiences. I was back in my "comfort zone" of interviewing low-income residents about their housing challenges, combined with the practical skills and learning acquired in the domestic violence courts, in a better position to explore the intersections of such complex phenomena.

Therefore, my sample is not homogeneous; participants were recruited in two different settings and interviewed in different ways. This diversity, not aiming at generalizations, provides a more comprehensive picture of how housing and property struggles may intersect with domestic violence and be officially reported and prosecuted, or silenced.

In parallel to the interviews mentioned above, I conducted interviews with subject-matter experts and a document review to follow some leads and deepen understandings on emerging issues. This allowed some level of triangulation, useful to better understand the processes under study and to explore whether observations were isolated cases or whether they might be linked to structural or contextual disadvantages, possibly influencing behaviours elsewhere.

Starting analyses together with data collection, polishing the research methodology along the way, being informed by fieldwork and flexible to changing settings in the search for relevant data to fill gaps identified through early analysis (theoretical sampling) are characteristics of grounded theory methods that were useful in my research.

Another important aspect that gave shape to this methodology was the sensitivity of the topics, and the characteristics of fieldwork sites, as will be detailed in Section 3.3. Both domestic violence and housing struggles are highly sensitive topics, and the settlements present a context of widespread violence. This brought important requirements for the design of the methodology, particularly in the approach to participants and to meet ethical standards. The research observed the protocol of the Ethics Committee of the Federal University of Pernambuco, and followed the recommendations of the World Health Organization for interviewing domestic violence survivors. All participants were previously informed of the purpose of the research, the risk and benefits associated with it, and agreed to participate voluntarily in the study. All events portrayed in this study were reported by the survivors themselves, and I assumed these accounts to be true. Further reflections on the influence of the sensitivity of the topic, the positionality of the researcher, and the limitations of the methodology on research outcomes are discussed at the end of this chapter.

3.1 Data collection

This study is empirically based on qualitative data collected through: (i) interviews with 12 low-income, self-reported domestic violence survivors recruited at domestic violence courts; (ii) interviews with 44 women residents of purposively selected urban, low-income settlements (including survivors and women who did not disclose domestic violence experiences); (iii) interviews with 28 key informants, experts on housing and domestic violence; and (iv) secondary data collected through a review of legal and public policy frameworks.

The interviews were conducted between 2018 - 2019. The basic selection criteria included being female, over 18 years old and resident of a low-income area. One important aspect to clarify is that most participants self-declared as brown (*pardas*) or black (*pretas* or *negras*). Although race was not a criterion to select participants, in the Brazilian context and especially in the Northeast region, income class, race and gender are closely interrelated¹⁴ and this predominance was expected.

No compensation was offered to participants: this is a standard procedure at the Federal University of Pernambuco, to prevent people from accepting to take the risks involved in the research in exchange for money. All names of participants have been made anonymous to protect the identities of participants. Interviews were conducted in Portuguese and translated by the author.

3.1.1 *Interviewing survivors at domestic violence courts*

In Recife, domestic violence survivors can reach specialized government services to report domestic violence through a number of channels, which are connected to different government sectors such as health (public clinics, hospitals), law-enforcement (standard and women's police stations), the judicial system (domestic violence courts) and intersectoral reference centres. Clinics and police stations were ruled out as potential field work sites as they are the places where women turn to for help right after the act of violence. This is one of the most sensitive moments of women's critical route out of violence so it would be preferable to interview participants at a moment when they were likely to be less vulnerable. Also, many

¹⁴ The black and brown population represent 72.7% of the country's poor population; black and brown women are at the bottom of the socio-economic pyramid; and the Northeast region contains almost half (47%) of the country's population below the poverty line (IBGE, 2018).

women received at public health facilities and police stations may not necessarily be domestic violence survivors, and therefore finding participants who meet the selection criteria in these spaces would probably take much longer than in specialized services focusing on domestic violence. The Reference Centres for Domestic Violence and associated shelters could have been an interesting site for interviewing survivors. However, for security and ethical concerns, the Centre's policy was not to allow contact between external researchers and survivors currently using or who had used their facilities / services.

The domestic violence courts seemed to be the most appropriate site for the interviews, where I expected to recruit survivors at a later stage of their critical routes, and the data collection was less likely to cause harm to participants. In Recife, there are three *Special Courts for Domestic and Family Violence Against Women*. Domestic violence cases reported at police stations throughout the city are distributed randomly to each of the three courts, ensuring similar numbers of cases for each. There are no territorial or thematic criteria for distributing the cases, therefore interviewing survivors at any of the courts could provide a representative picture of the different kinds of domestic violence cases in the city that have reached the judicial system. The *2nd Court* (Figure 17) has had an agreement with the Catholic University of Pernambuco for several years, generally welcoming researchers into their premises. One of the key informants interviewed for this study facilitated the contact with the court manager and judge in charge, who allowed the interviews after ethical clearance.

Figure 17 - Facilities of the 2nd Domestic Violence Court of Recife



Source: Google Maps.

All women using the services of the *2nd Court* have experienced domestic violence, so participants were randomly recruited in the waiting room while waiting to speak with social workers, appointed lawyers (public defenders) or waiting for hearings with the judge. The court's social workers, with whom participants had been previously in contact, introduced me to participants, contributing to a safer environment for the interviews. Selection criteria included being female¹⁵, over 18 years old and a resident of low-income settlements.

There is a class cleavage that facilitated finding low-income women in domestic violence courts. According to court officers, women of all socioeconomic levels go to the police to report the crime, but higher income-class women have greater access to legal advice compared to lower-income women, and many chose drop criminal complaints to avoid the stigmatization linked to criminal prosecution of domestic violence (both for victims and perpetrators) and solve their complaints in civil and family courts. The domestic violence court is therefore mainly used by lower-income survivors, which does not necessarily reflect the broader reality of women who experience domestic violence.

The interviews were conducted in the facilities of the 2nd Court, in a separate room to ensure maximum privacy. The room included amenities for young children accompanying their mothers. Prior to the interview, participants were informed about the research aims, the sensitive nature of the research topic and questions, and that the interview could be terminated at any time if they wished to do so. They were also assured that all information provided would be kept confidential and their identity would not be disclosed. Participants agreed to be part of the research and signed an informed consent form. Interviews lasted on average from 45 minutes to one hour. Interviews were not recorded to avoid unnecessary anxiety for participants. I took notes and debriefed after each interview, checking written details with remembered data.

The reasons why the women were at the court on the specific day of the interview were taken into account at the time of the interview as this might have influenced their mood or narratives and how they described their experiences. For instance, some women, tempted to reconcile with perpetrators, were there to suspend protective measures; others were there to expand protective measures after being exposed to new violence or being pressured by the perpetrators or family members to drop the case. In general, participants were very open to talk and recount their experiences in detail.

¹⁵ In exceptional cases, the domestic violence law may be applied to same-sex relationships.

The interviews started with questions on participants' experiences related to the violence (since this was the main topic in their heads at the moment, the reason that brought them to the court on that day). Then the questions turned to the housing tenure scenarios where the violence took place, and to women's housing trajectories before the abusive relationship and after leaving, if applicable. Data were collected through closed and open-ended questions (semi-structured interviews), allowing survivors to provide a narrative of their housing and domestic violence experiences, trying to focus on housing and property issues as much as possible. The data collection tool can be seen in Annex 1.

Participants were interviewed during one single meeting; there were no follow-up or return interviews. A total of 12 survivors were interviewed at the courts. The number of interviews was decided when the saturation point was reached, when key aspects of the housing trajectories of new participants were similar to those of previous participants.

Participants lived in various low-income settlements across Recife, ranging from 22 to 53 years old, mainly with children, living in consensual union (not officially partnered or married), and many were economically dependent on perpetrators. Most participants reported intimate partner violence, many had been evicted from the marital home, but none recognized or reported patrimonial violence related to the loss of immovable property / tenure insecurity. In the few cases when patrimonial violence was explicitly acknowledged by survivors, it was related to objects such as clothes, cellphones and civil documents, often seen as contextual elements of physical and psychological violence.

3.1.2 Interviewing women in selected low-income settlements

As mentioned earlier, the purpose of interviewing women in low-income settlements was twofold. First, to reach silenced survivors, women who may have experienced domestic violence, especially patrimonial violence, and either did not recognize the violence or were not able to officially report it and take it to the courts. Second, to observe the housing trajectories of women who had not experienced domestic violence, to identify potential differences and similarities between them and domestic violence survivors.

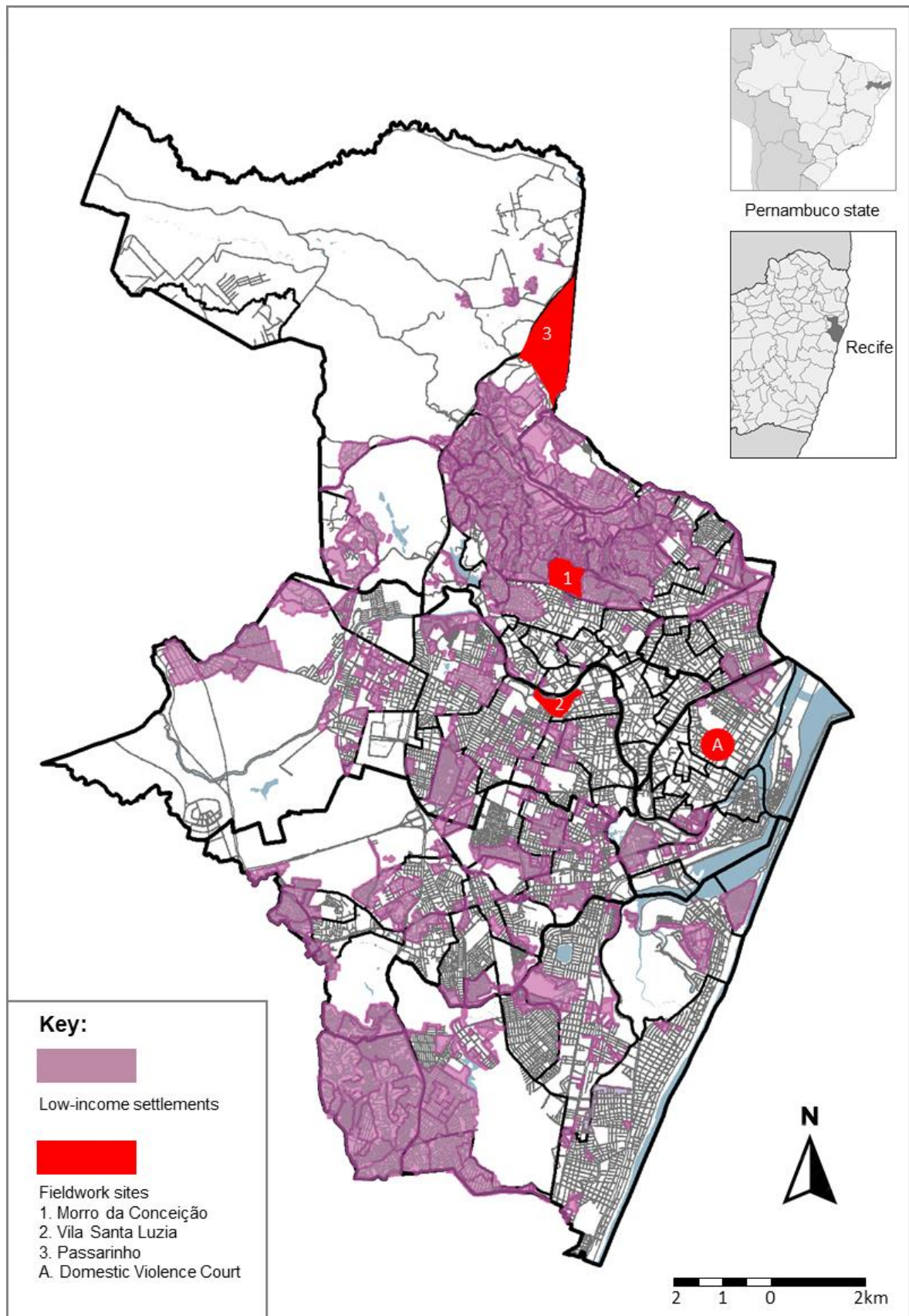
To reach these different profiles of participants, three urban, low-income settlements of Recife were purposely selected as field work sites. First of all, these settlements had to be consolidated, with no external threats of evictions such as those related to land conflicts with original

landowners, developers or local government. This would help to ensure the participants' focus on the threats of eviction and property disputes emerging from within their household or family dynamics. It was also important to select areas that were illustrative of the different ways in which low-income people have accessed housing in Recife, and the different levels of government intervention in household- and community-level tenure security, with more or less attention to gender issues and women's specific needs.

- Morro da Conceição (Figure 19) was selected as it was an illustrative case of the gender-neutral tenure regularization and settlement upgrades.
- Passarinho (Figure 20) is an illustrative case of land allocation targeting women.
- Vila Santa Luzia (Figure 21) is an illustrative case of housing allocation targeting women.

The selection of field work sites also considered my previous contact and access to grassroots organizations and community leaders in each area, to facilitate logistics and ensure safety in a context of widespread urban violence. The location of these areas is presented in Figure 18, and further details were presented in Section 2.4.

Figure 18 - Location of fieldwork sites in Recife



Source: adapted from E-SIG by the author.

Figure 19 - Aerial view of fieldwork site - Morro da Conceição



Source: adapted from Google Earth and Google Maps.

Figure 20 - Aerial view of fieldwork site - Passarinho



Source: adapted from Google Earth and Google Maps.

Figure 21 - Aerial view of fieldwork site - Vila Santa Luzia



Source: adapted from Google Earth and Google Maps.

Participants were recruited mainly through snowballing due to the sensitivity of the research topic as well as safety concerns for the researcher in contexts with high levels of violence. First, I contacted local leaders in each area to better understand specific places to be avoided and reference points and contacts in case of a threatening situation. I also asked local leaders to suggest a few women living in the area who would be willing to participate in the research. At the end of each interview, participants were asked to suggest other neighbours who might have interesting stories related to the research topic to share.

To make sure that participants' responses were less likely to be influenced by those who had suggested their names to participate in the research – what Zetter and De Souza (2000) called “gatekeeper effect” – I recruited some participants at random, in households located along the main roads of each settlement, where there were signs of openness (open door or windows, women talking outside the house, etc.). The responses were fairly similar to those collected through snowballing, and the gatekeeper effect was dismissed.

In addition, most interviews were conducted at participants' homes, during weekdays and business hours, to avoid encounters with potentially abusive partners. These participants were likely stay-home moms, with no or very limited income, economically dependent on their partners. Therefore, to reach women with a greater degree of economic independence from their partners, possibly breadwinners, some participants were recruited at their workplace, in quiet local shops, when customers were not around.

Selection criteria included being female, over 18 years old, resident of the selected areas. Preferred participants were women who had been partnered (consensual union) or married; but interesting insights came from a few interviews with young single mothers, still living at their parents' homes, highlighting the specific challenges of this group to secure inheritance and/or access other housing arrangements, and whose only housing options available may be inheritance or government programmes, if they do not move to their partners or in-laws when forming a partnership or getting married.

Given the sensitivity of the topic, the interviews were organized into two parts. The first part was conducted with all 44 participants interviewed in the settlements, focusing more generally on housing and property trajectories (each residential move), that indirectly revealed whether at any point participants had been evicted by an abusive partner, or whether they had been denied inheritance rights, for example. The second part of the interview was conducted with 21

participants who disclosed domestic violence or property disputes that sounded abusive and who agreed to continue the interview to discuss these issues.

On the first contact with participants, they were informed that the research was about women's housing trajectories; domestic violence was not explicitly acknowledged since this subject is still a taboo that could discourage many women from accepting to be interviewed. In addition, given some concerns about snowballing recruitment, I presented myself to participants as being an independent researcher, not associated with community leaders or other community members, and I avoided approaching participants by telling them who had suggested their names to participate in the research. This was intended to contribute to a safer environment for the interview (to improve disclosure), by avoiding the suspicion that previous participants or community leaders may have disclosed intimate details of the nominated participants' personal lives, or that I would give community leaders or neighbours information disclosed during the interview.

Before starting the interview, it was also important to check that participants' partners or relatives were not around and to inform participants about the sensitive nature of the questions, that there were no right or wrong answers, that the interview could be terminated at any time if they wished to do so, that all information provided would be kept confidential and their identity would not be disclosed. Participants were also asked whether this was a good time and place to talk, to ensure maximum possible privacy.

The interview started with some icebreaker questions to build rapport, from the least complex to the more elaborate questions; closed-ended questions on socio-economic status or the participant and household members were intentionally placed at the beginning of the interview¹⁶, followed by open-ended questions about participants' housing trajectories. Questions covered the reasons and circumstances for every residential move since they had left the property where they had grown up, or since their partners had moved in with them. Some themes were induced, such as land ownership, dwelling construction, documentation and perceptions of property rights in each housing step of the women's housing trajectories, and

¹⁶ In other contexts, researchers have chosen to leave questions on the socioeconomic profile of participants to the end of the interview. In Recife, these questions are what people are most familiar with and used to answering, and therefore having this kind of questions at the beginning of the interviews served as icebreaker before diving into more complex and open-ended questions. This decision was informed by a pilot in one of the areas, Passarinho, that influenced the order of questions.

there were broad questions encouraging participants to disclose other important elements of their housing and property experiences.

These questions were enough to provide interesting insights on gender-differentiated housing experiences and actual disadvantages faced by women in accessing and accumulating property, even when no domestic violence was reported. For instance, they highlighted patrilocal or virilocal (women moving into their partners' family property) as an important residential pattern among young, income-poor couples; or how intrahousehold income inequalities undermine women's ability to buy property or invest in home improvements, weakening their relationship to property regardless of partial community property marital regimes. For participants who did not disclose domestic violence experiences, the interviews ended there.

For 21 participants, questions on their housing trajectories revealed a series of housing and property events and concerns potentially related to domestic violence, or gendered interactions that sounded abusive. For instance, several women reported having been evicted by abusive partners, or having to cope with violence so as not to lose property or in exchange for a place to live. Other participants reported having lost their rightful share of property upon separation or inheritance agreements, widows had been dispossessed of their homes by children or by brothers-in-law; sisters had been deprived of inheritance rights by brothers who exercised greater control over family property. These participants who disclosed family tensions related to housing and property and potentially abusive relationships were invited to respond to the additional questions in the second part of the interview.

To continue the interview with this smaller group (n=21), participants were informed that the next set of questions would be even more sensitive, possibly touching on intimate details of their lives, and they were asked whether they were still willing to continue. Again, domestic violence was not explicitly mentioned as some participants described abusive experiences (through behaviourally specific questions¹⁷) without referring to it as domestic violence. Instead, I echoed how participants themselves worded their experiences, using participants' own words when referring to the potentially abusive experiences. My main interest during data

¹⁷ Behaviourally specific questions are suggested by international protocols for research on domestic violence since many women may not understand their daily experiences as violence, others may still be on a denial phase, and others simply won't disclose such sensitive experiences through very direct questions. For instance, instead of asking whether participants had ever experienced domestic violence, I asked whether they ever had been forced to leave their homes due to tension or conflict with a family member. These questions were particularly important to identify cases where physical violence had not taken place, such as a respondent who was constantly left out of the house depending on her partner's and mother-in-law's mood and did not see this as patrimonial violence.

collection was not to label participants as survivors or otherwise but rather to understand their narratives. This approach reflects the principle that research should not interfere with women's own pace and critical route to understand and act upon abusive experiences. It also considers that domestic violence may be understood and interpreted along a continuum from socially accepted or normalized gendered interactions that sound abusive to explicit, unambiguous violence and deviant behaviour (Chancer, 2004 – see Section 2.3), so my focus at this point was not to ascertain where along that continuum participants were placed but rather to focus on the property and housing aspects of those gendered interactions and processes that may have influenced the behaviour and actions of those involved.

The second part of the interview tried to further understand the tenure scenarios where the violence took place (not necessarily the current household as in some cases participants were referring to previous relationships), as well as the housing- and property-related considerations that influenced women's decisions to stay or to leave abusive relationships; when and to where they turned for help; what the barriers and challenges they faced along this critical route were; and what the housing and property consequences of the abuse were.

The data collection tool used for the interviews in selected settlements can be found in Annex 2. The questions were somewhat similar to those used for the interviews at the domestic violence courts, but here they were organized in reverse order, starting with the housing trajectories to then move into the domestic violence narratives with participants who disclosed such experiences.

Interviews lasted for one hour on average, sometimes reaching two hours, and were not recorded to avoid unnecessary anxiety. I took notes and debriefed after each interview, checking written details with remembered data. Participants were interviewed during one single meeting, and there were no return interviews. The number of interviews was decided when saturation point was reached: when key aspects of the housing trajectories of new participants were similar to those of previous participants.

21 out of 44 participants reported some level of domestic violence in current or previous relationships, mainly physical, but also psychological and patrimonial violence. Some participants reported concerns related to inheritance or marital property that were not considered patrimonial violence *per se* (or not yet), but provided important insights into the circumstances under which women are likely to be deprived of their property rights by their own family or household members.

Interesting insights came from third-person narratives, such as those of participants who had witnessed their mothers and sisters coping with or escaping violence: some of them had fled their homes in their childhood with their mothers, others had provided shelter or tried to help their sisters. Other participants mentioned stories of their friends or neighbours. Considering the sensitivity of the topic, and local culture, some of them may have been referring to their own stories through third-person narratives. These stories, though not treated as specific case studies, also provided interesting insights into the matter.

It is worth noting that some participants may have experienced domestic violence but chose not to disclose it to an external and unknown researcher, who had spent only approximately one hour hearing their stories. Finally, a noteworthy reminder is that any woman who has not yet experienced domestic violence may do so at any time in their lives. This is why quantitative measurements within this sample have been avoided.

Although interview data were the main source of information for this study, some observations and fieldnotes also provided insights to discuss findings.

3.1.3 Interviewing subject-matter experts / key informants

Key informants were purposely selected as representatives of different sectors of government, institutions and organizations, and with different backgrounds and areas of expertise and engagement in policies, practice and research on housing and domestic violence. A total of 28 subject-matter experts were interviewed, including front-line officials and managers of municipal and state government service providers, members of the judicial system, civil society organizations, social movements, grassroots and community-based organizations, as well as university professors and researchers. A complete list of interviewees is found in Annex 5.

Interviewees were approached through formal requests for interviews, unscheduled visits to government agencies, and through previous interviewees who suggested other names and organizations worth interviewing and who facilitated the contact. Interviews with researchers from the Catholic University of Pernambuco were key to accessing the manager and judge of the *2nd Special Court of Domestic and Family Violence*, which became one of the field-work sites. Interviews with local leaders in the selected areas were an important step to enter the fieldwork sites with maximum security, as already mentioned.

In terms of data collection tools, two basic interview guides were prepared, one focusing on housing and the other on domestic violence, both culminating with some questions about the intersections of both topics. This tool was adapted according to the informant's profile, in terms of language, order of questions and inclusion/exclusion of specific questions seeking to get the most out of each interview, based on informants' knowledge and experience. The main focus of these interviews was to identify and better understand potential gaps between laws and policies and their implementation in practice. The interview guides are available in Annex 3 and Annex 4.

3.1.4 Secondary data collection

A document review was conducted to follow the leads and better understand specific elements of the interviews and fill gaps in information. The focus was on laws and policies and accounts of their implementation, mainly in the legal, economic, planning and domestic violence literature. For instance, since I did not interview survivors at the police stations or emergency shelters, the existing literature provided insights into their experiences, complementing what participants had mentioned.

I also conducted a review of what and how the legal and policy frameworks for government housing provision and tenure regularization specify in terms of women's needs, priorities or preferences, or when the law is gender neutral (presented in Chapter 6, Table 6). This assessment was very useful to supplement interviews with officials from housing agencies. A similar review of legal and policy frameworks was conducted, focusing on how housing and women's rights evolved, as presented earlier in Section 2.4. Contrasting this with interview data revealed several elements of previous frameworks lingering in people's current constructions of rights, which were useful to explore how property disputes happens and their outcomes.

Socioeconomic data was mainly sought to characterize the empirical context and explore whether some of the findings seemed like isolated cases or could have a wider relevance.

3.2 Analysis and writing

Data analysis was initiated in parallel with data collection, in an attempt to identify and fill any gaps in data and follow relevant leads provided by interviewees. The interviews were not audio recorded as this might inhibit participants' disclosure. Instead, I took notes during interviews,

focusing on what participants reported in terms of housing and property trajectories and domestic violence experiences, and debriefed after each interview, complementing notes with remembered data and my impressions and emerging questions. This tactic was a first filter for relevant information: since I could not write down everything I heard, I intuitively prioritized what seemed more relevant at the time, and it is possible that some important data may have been lost. Debriefing after each interview also inspired initial memos on case or themes.

Data were coded as transcribed, using Microsoft Word at first, and later using NVIVO-12. Interview data and field notes/observations were processed and compiled to form the *corpus* of the research. Qualitative analysis was conducted through exhaustive reading of the research *corpus*, looking in-depth at each case (narratives) and open coding line-by-line for emerging themes and events. Codes were clustered into concepts and categories, and organized through the phases of women's housing trajectories – before, during and after abuse – trying to uncover the chain of events – the preconditions, processes, and outcomes of domestic violence in terms of housing/property (thus addressing the specific objectives of this research presented in Chapter 1). This process revealed the typical or most common housing trajectories, and critical routes into and out of violence, as well as counterexamples worth discussing, revealing important relationships between themes, events, as well as actors, perceptions and behaviours. Emerging themes were also organized into practical, contextual and structural factors that may influence women's housing and domestic violence experiences.

A second level of analysis focused on similarities and differences within and across different subgroups in the sample. By comparing and contrasting survivors interviewed at the domestic violence court (survivors with active judicial cases against perpetrators) with those interviewed at the settlements (who hadn't officially reported the violence, or who had done so but gave up before reaching the court), allowed discussions around the gaps between legal and policy frameworks and women's housing needs to end violence (Chapter 4 – which profile when and how survivors access specialized services, what support they receive and what barriers they face in relation to housing).

By contrasting survivors' tenure status (tenants, partial/joint homeowners, sole/individual homeowners, propertyless women living at in-law's or partners' property) and the housing and property outcomes of domestic violence and gendered property disputes (women who had left and lost the house or family property, those who had remained in the house living with the perpetrator, or those who kept the house and excluded the perpetrator), it was possible to shed

light on the extent to which family disputes over property constitute patrimonial violence against women, as well as how this topic is being understood, reported and addressed by current policies (Chapter 5).

By contrasting the housing trajectories of survivors and of women who did not report domestic violence, it was possible to cast light on some of the housing and property issues that are directly related to domestic violence and those that are connected to broader gender inequalities in housing and property markets, self-help practices and government housing policies and programmes, in addition to those possibly related to freedom from violence (Chapter 6).

Interview data provided by key informants/experts, as well as secondary data related to legal and policy framework, and socio-economic data were connected to the phases of housing trajectories and to the different groups and profiles of participants for the triangulation of data. Although the aim of this thesis was not to make major generalizations, this enabled some level of discussion in terms of whether the cases observed in the study were potentially related, for example, to systemic gaps between policies and their implementations, or to structural constraints and inequalities likely to influence other people's experiences elsewhere.

3.3 Sensitivity of the topic, reflexivity, and limitations of the methodology

As noted by Jones and Rodgers (2019, p.2, 11), different factors can influence how violence is “seen” and recorded by researchers, such as how researchers approach the field, how they decide to engage with violent actors or their victims, with certain acts and their consequences, the empathies that are engendered in the process of fieldwork, and so on. Complementing what has been mentioned in the introduction to this Chapter, this section presents additional notes about my engagement with field work and analysis, the rationale behind the decisions that were made, and potential implications to the research findings.

The sensitivity of the research topic may have exposed participants and myself to some level of risk and undesirable consequences. Participants were invited to reveal deeply personal experiences related to domestic violence, possibly traumatic and painful, and associated with physical and psychological harm, embarrassment, fear, lack of awareness about rights or lack of trust in institutions. I was also interested in how participants had gained access to housing resources in a context of widespread poverty, a process that may have included informal or illegal activities, economic deprivation, and tensions with relatives, neighbors, and external

agents, such as original land owners and governments. In addition, the fieldwork sites presented high levels of violence, which can pose safety issues to a female researcher conducting research alone. This required specific procedures in order to meet ethical standards, ensure participants' and my own safety, and overcome the challenges of data collection and analysis.

Following ethical clearance, a primary concern was to minimize the potential risks of the research, especially in the less controlled environment of the low-income settlements. For my own safety, I approached local leaders before starting the interviews to map avoidable spots in each area, plan day and time of fieldwork, take note of reference people and places to seek help in case of an emergency, and decided to recruit participants through snowballing in the settlements. Fortunately, there were no serious incidents during the course of the study.

Thinking of participants' safety, I had to ensure privacy and confidentiality, since leaving traces that women took part in the study, in some situations, could exacerbate intrahousehold tension and violence; some women are not allowed by their partners to speak with strangers, especially in the most acute violent settings, and I had no intention to contravene these barriers. Snowballing helped to avoid such extreme situations. The interviews were usually conducted at participants' homes, when their partners or family members were not around. Participants were informed that the interview could be terminated at any time, upon their request, and I was ready to start asking questions on a different topic, or explain in a neutral way what I was doing, in case someone else approached where the interview was being conducted. The title of the data collection tool was "women's housing trajectories", with no explicit mention to domestic violence, as explained earlier.

I was also prepared to provide basic information to participants on where to seek help, only upon their request and only verbally or in a very discreet manner, not to leave traces of my presence in participants' homes. I sought not to interfere in participants' views, processes and decisions. Each person responds to challenges and violence at their own pace; it is important to believe in each person's ability to understand and overcome challenges and move forward in the most appropriate way for their own reality. This is why I referred to participants' stories using their own words, trying to understand the events and experiences from their perspectives, and not trying to label their narratives according to official definitions of violence.

A second major concern was to improve disclosure, while respecting ethical standards and being reflexive of my position as a researcher. Studies on sensitive topics, such as domestic violence and housing struggles, may face challenges to achieve openness from participants

about intimate aspects of their lives. In low-income settlements, participants may be suspicious of researchers as a result of previous negative experiences, they may not understand why they are being asked about private aspects of their lives, and may also think the researcher might be associated with government agencies, private landowners, and even with local leaders; this can raise unrealistic expectations and lead to fabrication of a story for official/external consumption (Zetter, De Souza, 2000). In domestic violence settings, disclosure of relevant information depends on the way in which the questions are framed and delivered, on how comfortable the interviewees feel during the interview, which may depend on the sex and non-judgmental behaviour of the interviewer, the length of the interview and the place where the interview is being conducted, and whether others are present (Krug, 2002). Therefore, I planned the interviews in a way as to improve disclosure and avoid tailored responses from participants.

As a woman, gender-based violence is a concrete and ongoing threat in everyday life, since this is a social issue with no socio-economic boundaries. In this sense, I was much closer to survivors than to perpetrators of gender-based violence, and expected that this could help improve disclosure from participants. However, other socioeconomic factors distanced me from the women I was interviewing, such as being a “white” (according to local standards), middle-class, educated professional, member of an elite, privileged group.

To prevent or manage any tension that could emerge from these socioeconomic distances, I built on social skills and on the lessons learned from my professional experience working for over ten years in a housing non-governmental organization when preparing field work, approaching participants and conducting the interviews. I adapted the way I dressed and talked to participants to smooth the socioeconomic distances on the first impression. I looked for signs of openness, as explained earlier, and approached participants with a humble smile. When explaining what the research was about, I was attentive to participants facial expressions and head nodding to tailor how transparent should I be about the research in this first interaction, and to clarify unrealistic impressions or expectations they might have had about the research.

To build rapport and mutual confidence, I organized the questions from the least to the most complex and delicate ones, and included moments to clarify any questions the participant might have had for me. Socioeconomic questions were placed in the beginning of the interview, to start with questions people are usually more familiar with, intercalated with mild observations (important in the local context). I developed a special bond with participants who were not born in Recife, like myself; participants often asked where I came from and I believe that telling

them a bit about myself helped to improved the conversation flow. Being a stranger to these women and an outsider that didn't live in the settlements was something that I expected would discourage women talking about intimate details or their lives with me. This did not turn out to be entirely true; as said by one participant, "I would not talk about *these things* with a neighbour or anyone I knew I would meet here and there when doing my daily chores in the settlement".

When listening to participants' narratives, I sought the right balance between being empathetic and avoiding stereotypes, especially the notion of victimhood. I tried to isolate personal values, and avoided being judgmental of whether specific behaviours were right or wrong. For instance, one might ask why a domestic violence survivor does not leave the house, without being fully aware of the complex entangled aspects that might influence this decision, including unwillingness to leave someone they continue to love, or the fact that leaving can be more dangerous than living with an abuser. The aim of this study was not to judge behaviours or attitudes, but rather to genuinely try to understand the issue from the participants' perspective. This seemed to be the most appropriate way to rely on people's accounts and perceptions as a genuine source of information.

Participants were given several opportunities to disclose relevant information: more than one question touched on central issues, framed in a different way and using a different language. I used behaviourally specific questions, rather than subjective questions. For example, I asked participants whether they had been evicted from their homes by an intimate partner, rather than whether they had experienced patrimonial violence. As mentioned earlier, audio recordings and pictures were avoided, as this could disturb conversation flow, and cause unnecessary anxiety.

Nevertheless, underreporting is a common challenge of domestic violence studies. Survivors may take a long time to understand their lived experiences as domestic violence, and even longer to break the silence, especially to a stranger. I met with participants only once, to discuss very intimate moments and experiences, and events that might have happened years before the day of the interview. In addition, as much as I tried to adapt the way I dressed and spoke, my presence as a member of an elite, privileged group may have affected what I learned from participants. Therefore, when participants did not report domestic violence, this does not necessarily mean that they haven't experienced it; it might be that they chose not to disclose it, and even that they are still in the process of making sense of their own experiences. When participants disclosed domestic violence experiences, I took notes and, only later, during

analysis, decided how to cluster this information along a continuum from explicit domestic violence, to subtle forms of gendered interactions that sounded abusive, as explained earlier.

All the events of domestic violence examined in this study have been reported by survivors themselves and I assumed these accounts to be true. There was no attempt to verify whether the events happened precisely in the way that participants have reported it. In summary, when a personal story is being told to an outsider, in a short, single meeting interview that lasts a couple of hours, about events that may have happened weeks, months, sometimes years earlier, there is much that remains unsaid, either because of unwillingness to disclose, or because of psychological processes of denial, self-blame, and coping mechanisms characteristics of the domestic violence. I was also aware that, in these circumstances, the accounts may have included fantasy and even falsehood, as noted by Jones, Rodgers (2019).

To ensure validity and reliability of data, I approached participants in different settings and through different recruitment strategies, gave participants several opportunities to disclose relevant information at different points of the interview, as detailed in Section 3.1. In this sense, I included closed-ended questions (see Annex 1 and Annex 2) to cross-check some crucial information, and to improve comparability across the different cases, but the narratives were so complex that I preferred to stick to the overarching questions of the interview guide to avoid breaking the flow of the conversations. Triangulation of data from interviews conducted with low-income women and with subject matter experts was another attempt to ensure validity and reliability of data, although in several cases the focus of experts, especially government officials, was somewhat limited to the circumstances that reach government services, not necessarily the experiences of survivors who have not broken the silence or who have never accessed a government housing program.

During analysis, the decision to treat the narratives of each participant as domestic violence experiences or otherwise was based on a rather loose assessment, informed by a single interview and considering only the survivors' viewpoint. The possibility that domestic violence was underreported, the challenges to distinguish different levels and forms of violence, and the fact that domestic violence can always occur and reoccur to any women, strengthened the decision to avoid quantitative assessments (besides very basic frequency observations). The focus was on the chain of events and patterns of action, behaviours, events that could show a wide range of situations experienced by domestic violence survivors.

When writing the findings, there was an attempt to avoid stereotyping, notion of victimhood, and duality between the good and the evil (Krug, 2002). There was also an attempt to balance the accounts of violence between a spectacular event and a banal event, encroached on everyday practice (Jones, Rodgers, 2019). In any case, several narratives were not referring to banal episodes but to explicit deviant behavior and, therefore, an emphasis on violence was inevitable, especially when bringing direct quotations from participants.

Regarding the limitations of findings, I stress that full comprehension of such complex phenomena is not feasible in a single piece of research. What is presented here is a partial and situated understanding based on what has been said by participants, and noted by me. The findings are based on a relatively small and non-representative universe of cases. Even though the diversity of cases enables deep discussion and a number of comparisons (silenced vs. self-reported survivors, between residents of different areas that accessed housing through different means, supplemented with the perspectives of key informants from different sectors), the qualitative nature of the study challenges generalization. The aim was not that the experiences and narratives portrayed here represent what is happening in other socioeconomic contexts, cities, across the country and elsewhere, but to highlight and illustrate a diverse range of situations in which domestic violence may be challenging women's tenure security and asset accumulation. The observations and grounded theory presented in this thesis are applicable to urban, low-income settings of Recife and can be tested and found useful in other settings, since both issues under study may be similarly interrelated elsewhere.

For ethical and safety reasons, the study does not include men's perspectives on domestic violence and on housing trajectories. This leaves aside important pieces of information that should be considered in further research, not only from the perspective of men as perpetrators (who may be excluded from the marital home or family property through judicial protective measures, for example) but also the perspective of men who are subject to domestic violence. My study also did not include domestic violence in same-sex unions; or patrimonial violence based on other gender issues, such sexual orientation and gender identity, empirically present but outside the scope of this thesis. Women in higher income class were not the focus of this study, further research could explore whether in other socioeconomic settings women experience similar concerns observed in lower-income contexts. For safety and ethical reasons, I was not able to interview women who were living or had lived in domestic violence shelters, which is the main government response to survivors' emergency housing needs.

The diversity of the sample also challenged attempts to locate/position women's experiences in time and in broader social, political and economic landscapes. In some cases, it was difficult to identify whether participants had experienced domestic violence before and/or after the 2006 Domestic Violence Law given the increasing and continuous nature of violence that makes it difficult for survivors to understand and express when the violence started and possibly ended. I was not able to identify a clear pattern between women's response to violence and macro-economic scenarios, for instance, whether survivors were more likely to remain in abusive relationships in periods of more acute economic crisis that could challenge their attempt to relocate and provide for themselves and children. I was also not able to find a clear relationship between domestic violence and other forms of urban violence, and between domestic violence and other forms of evictions and relocation. Having a clearer, possibly narrower time and spatial boundary when recruiting participants might help such an analysis in future studies; and this would require a different strategy to approach participants and selection / exclusion criteria.

The effects of housing tenure on levels of violence and survivors' coping strategies were not as straightforward or evident as anticipated. Survivors reported having experienced domestic violence in various living arrangements; couples moved several times and domestic violence is a cyclic issue that can increase and decrease due to other factors seemingly unrelated to housing. The end of domestic violence is a rather blurred notion, since it can reoccur within the same relationship, and women who have left may end up returning to the same or a new abusive relationship for various reasons. Therefore, it was extremely difficult to identify when might be the "right moment" (a snapshot) to examine the relationships between housing tenure and levels of violence, to explore in which living arrangements the violence was more or less severe and women were more likely to leave or remain, and how housing tenure interplays with other objective and subjective factors. Further research that aims to do so should be prepared to measure types and levels of violence in a more systematic manner, and to relate this information with different forms of tenure.

Regarding measurements of violence, other studies may be very specific when adopting a time boundary (to distinguish prevalence from incidence of violence; or short- and long-term prevalence, therefore focusing on violence experienced in the last 12 months or 5 years, for example). Other studies also tend to examine in detail the violent acts being reported, for instance, whether a woman was slapped, kicked, or hit, at what parts of her body the violence was directed to, and emphasize the different effects of the different forms of violence. In my study, given the qualitative aims and the specificity of my universe of cases, such an approach

could fragment the analysis excessively and possibly compromise the findings. In addition, the usual typification of violence can be rather porous; different forms of violence may overlap and happen simultaneously, and it is highly complex to ascertain which is the most damaging. Therefore, I examined lifetime violence and did not try to measure or distinguish the various levels and forms of violence reported by participants, except for patrimonial violence. For ethical reasons, I avoided exploring in details of the violence *per se*, the feelings and pain it might have caused, to focus on the action or constraints related to housing and property. Therefore, it might be difficult to compare my findings with other studies and surveys on domestic violence.

Regarding assessments of different forms of housing tenure in relation to domestic violence, the main challenge has been to examine dynamic housing trajectories (instead of static housing outcomes) in which people live in various living arrangements over time. Even though I stress the need to go beyond an assessment of clear-cut property ownership to consider multiple forms of tenure and the nuanced and intangible aspects of housing process, such as location of the property, incremental home improvements and constructions of property rights (see Section 7.2 for an enhanced understanding of tenure security considering gender and intrahousehold conflicts), it seems that my own study emphasizes owner-occupation, even when precarious and clouded. Rental and use rights concessions were less prevalent empirically and still need further attention.

Examining territorial differences within the universe of cases was another challenge. Although the three settlements were selected in part due to their origin and how they evolved, which I expected would help to find participants with specific tenure status of housing background, participants interviewed were more diverse in terms of housing backgrounds and tenure status than anticipated. Many participants were not the descendants of the original settlers or beneficiaries of housing programmes, but rather tenants and newcomers, as a result of quite active informal markets. The territorial aspects that justified selecting the three settlements were not determinant factors to explain the experiences [at a micro level] of different profiles of participants. Moreover, participants interviewed at the courts were residents of several areas other than the three selected, which hindered attempts to explore the effects of territorial differences in the relationships between housing and domestic violence.

Another theme relevant for architecture and urban planning that was empirically present but beyond the scope of my study was the spatial and physical configuration of the settlements and

the housing units. Can the level of settlement servicing influence women's domestic violence experiences, for instance, when precarious infrastructure affects women's ability to conduct domestic work, which can be an important trigger of violence? Can the building materials of the houses and layout of the rooms (if existent) influence women's ability to hide from violence? Is domestic violence more likely to occur in poorer housing conditions? These questions remain unanswered.

One last point before presenting the findings is that, even though I avoided the notion of victimhood, this thesis may convey a very pessimistic message of hopelessness among women experiencing domestic violence. This pessimism stems from the empirical evidence that revealed more struggles, inequalities and injustice than achievements, and a deliberate intent not to minimize struggles and portray women as "heroines" (Varley, 1995), as "warriors". This thesis calls upon researchers and policy makers to better understand and address the interlinkages between two chronic problems – domestic violence against women and housing poverty – committed to women's empowerment and emancipation through the redistribution of resources.

4 INTIMATE PARTNER VIOLENCE AND TENURE INSECURITY: “TRADE-OFFS FOR SHELTER” AND “GENDER VIOLENCE EVICTIONS”

The relationship between housing and intimate partner violence has been explored in the literature mainly through a focus on property ownership as a potential factor to deter violence or through a focus on post-violence living arrangements after women have lost their homes. In this chapter, I examine women’s housing trajectories before, during, and after domestic violence, with a focus on housing tenure security (protection against eviction) to encompass various forms of tenure in which use, possession and *de facto* ownership of property is not necessarily concomitant with formal property ownership. The focus on tenure security is crucial to examine women’s housing status in the urban, low-income settings of Recife, where my research is empirically based, and where formal owner-occupation may be less common than clouded or *de facto* homeownership, informal possession, use rights, concession, and rental.

To explore the relationships between intimate partner violence and housing tenure insecurity before, during, and after domestic violence in Recife, I draw on the narratives of housing trajectories of 31 participants who reported intimate partner violence (within a broader sample of 56 participants), and interviews with 28 housing and domestic violence experts, in order to address the following questions:

- What were the housing backgrounds and scenarios where domestic violence happened?
- What were the housing-related concerns or considerations that influenced women’s decisions to leave or remain in abusive relationships?
- Who were better able to keep the marital home upon separation: survivors or perpetrators?
- When women left the marital home, in what kind of living arrangements did they find shelter?
- When and how did survivors access government services and policies related to domestic violence, and how did these services and policies address their housing needs?

The profile of participants considered in this chapter is represented in Table 4, below.

Table 4 - Profile of intimate partner violence survivors in the sample

Age	22-53 years old
Children	All participants but one had between 1 and 4 children
Marital status	Only one participant was officially married (religious ceremony); all others were informally partnered (<i>de facto</i> consensual union)
Marital property regime	All participants were subject to partial community property regime, entitled to half of the property acquired or built during the relationship
Income	Monthly household income per capita ranged from R\$42 – R\$990 (minimum wage at the time of interviews). 26 participants depended economically on abusive partners, only 5 had an equal or greater income compared to abusive partners.
Race	Most participants self-reported as black or brown; one self-identified as indigenous. <i>(As explained in Chapter 3, being non-white was not a criterion to select participants, but rather a reflection of intersectional disadvantages in the local context such as poverty, race and gender)</i>
Interview settings	<ul style="list-style-type: none"> • 10 participants were interviewed at a domestic violence court; all were self-reported survivors with active judicial cases against abusive partners; • 21 participants were interviewed in three selected low-income areas; most had never accessed specialized domestic violence services, 2 officially reported the abuse, and 2 participants narrated experiences that are legally recognized as domestic violence but did not refer to those experiences as such. <i>(During the interviews, I echoed how participants themselves worded their experiences, and it was only during analysis that I clustered their narratives with other intimate partner violence cases)</i>
Abuse histories	<p>All participants experienced intimate partner violence in its various forms: physical, sexual, moral, psychological and patrimonial.</p> <ul style="list-style-type: none"> • 4 participants had also been abused as children • 2 participants had also witnessed their mothers being abused • In most cases, children of participants had witnessed the violence. • 2 participants had experienced abuse by consecutive partners • 7 participants had also experienced abuse by people other than their partners

The names of participants were replaced with codes – three or four letters in parenthesis – to protect their identity.

The chapter was structured into the following sections. Section 4.1 focuses on the housing trajectories before domestic violence, underpinning the gender dimensions of housing and asset building processes that shaped the legal and perceived tenure scenarios where domestic violence took place. Section 4.2 focuses on the housing concerns and implications during

domestic violence that can influence survivors' decision to whether leave or stay in an abusive relationship. Section 4.3 discusses the housing constraints and consequences of leaving abusive relationships and seeking relocation, supplemented with an analysis of government support available to address the housing needs of survivors and children. Section 4.4 provides a summary of findings and discussions.

4.1 Before violence: the gender dimensions of the housing processes

This section shows how gender permeates housing processes in the urban, low-income settings observed in this study, posing specific disadvantages to survivors from very early in their housing trajectories, which increase throughout their marital relationships. The focus here is on each step of survivors' housing trajectories before intimate partner violence: (i) women's housing backgrounds before forming a partnership; (ii) how couples accessed their first marital home; (iii) couples' housing strategies throughout the relationship, including individual or joint investments in home improvements; (iv) the status of property documents; and (v) how women and their families construct their relationships to property, and their understanding of property rights. These elements serve to outline the legal, *de facto*, and perceived tenure scenarios where intimate partner violence took place.

4.1.1 Child abuse, family-led evictions, and migration

The first aspect of the housing trajectories of women in this subsample – 31 survivors of intimate partner violence – that attracts attention is what drove some of them out of the homes where they grew up before forming a partnership.

One third of the participants (10 out 31, or 32.3%) were migrants. Most of them came from small towns within the state of Pernambuco, one came from a different state, and two were born in Recife, left for a while and then returned. Migration dates varied from 1954 to 2013, and the age of women upon migration varied from 9 to 32 years, with the majority migrating near the lower end of the age range. The main driver for migration of these women was the search for an improved life and work opportunities in the state capital, associated with extreme poverty and socioeconomic vulnerability in their place of origin. Statements like “I was looking for an opportunity” and “There was no work for me in the countryside”, mentioned by several participants, illustrate this dynamic of work migration.

An important aspect among migrants is their previous experiences with domestic violence in their childhood. Of the ten migrants, four had to leave their childhood homes to escape domestic abuse against themselves or the excessive authority of their fathers or stepfathers, as illustrated in the following accounts:

I left [the house where I grew up] when I was 12 years old. I had just become a woman [got the first period], and my stepfather raped me. When I told my mother, he forced me to leave, and made my mother choose between leaving with me or staying there. I remember her saying, 'Go to your sister's house in Recife, she will take care of you. I will stay here, because at least he gives me a roof over my head'. I came here to live with my sister and brother in-law, and started to work as a maid". (SOL – migrant, child abuse survivor)

My father was too jealous, because I was his eldest daughter. He didn't allow me to go anywhere, I was supposed to stay at home, wear only the kind of clothes he would allow. One day, he saw me talking with some friends in front of the house and ran after me with a machete [facão] in his hands. I left only with what was on me, and since that day I've never been back. (MFAT - migrant)

Migrants in the sample left their childhood homes before forming a partnership to escape either poverty or domestic abuse when they were still very young, with no or few savings, lost access to family resources, and had no or little professional training. This determined their survival strategies from then on: most started working as domestic workers (maids) in middle- or high-income class family homes and to live at their workplace; they intentionally looked for working arrangements that included shelter and food. "When I arrived in Recife, my cousin helped me find a job to work as a maid where I could stay overnight." (VIL), shared one participant. The housing status of these participants only changed when they got pregnant and/or decided to form a household with a male partner, as discussed in the next section.

Another form of domestic violence influencing participants' living and/or working arrangements includes the case of a participant (MJS) who left her natal family home to escape abuse, experienced violence from her boss' son, who tried to rape her, which forced her to return to the countryside until another work opportunity came up, again as a maid. Violence against participants' mothers (UNE, ELI-P) also led to eviction and migration; in this situation, participants did not leave their childhood homes alone but with other family members, mother and siblings, and sought shelter in relatives' homes.

Pregnancy and partnership formation in contexts of extreme poverty and vulnerability were also mentioned as reasons for migration¹⁸. In one case, the participant's partner moved to Recife in search of work when she got pregnant, and she migrated after giving birth (SEV); in another case, the recently partnered couple moved to a different town to live closer to the husband's family, who would support the newlyweds (SOL). In yet another case, the participant was "trapped in prostitution" and recalled how her partner "saved" her from that life, and even since she became economically dependent on him in a different town, far from her social networks (LUC). Only one participant moved to Recife with her nuclear family (father, mother, and siblings) when her father got a job in the state capital.

Among participants born in Recife, being evicted from their childhood homes usually stemmed from tension or quarrels with parents, sometimes linked to an unplanned pregnancy out of wedlock and overcrowded houses. As mentioned by one participant: "When I got pregnant, my mother said that there was not enough room for another child in the house, and I had to move into my mother-in-law's house" (CLE). The following narratives reveal how family-led evictions were experienced by non-migrants:

I lived with my mother, but when I was around 13 years-old we were not getting along well, and she told me to leave the house. I lived with some friends for a while, and when I was 15, I got pregnant and moved into my partner's family home. (KEL)

I got into a fight with my mother and left the house. I even lived on the streets for some time because I had nowhere to go. So, I looked for a job as a maid, this way I could sleep in the workplace and, in the meantime, I paid a neighbour to take care of my children. (MRNLV)

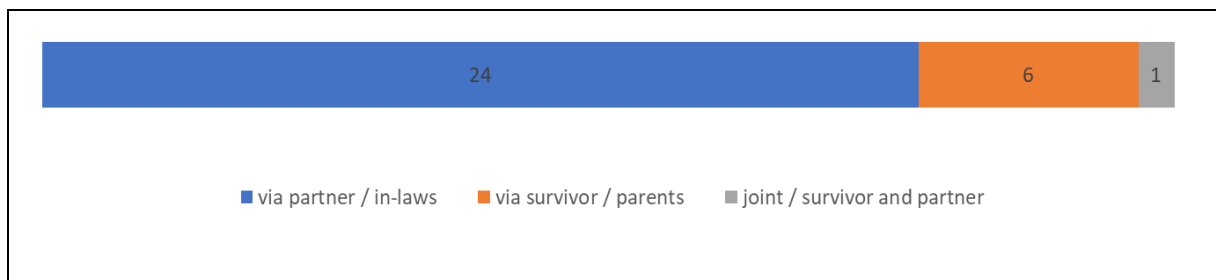
To summarize, migrants escaping poverty or abuse, and non-migrants escaping family conflict and overcrowded living arrangements, started their housing trajectories from scratch, with no access to inheritance or other family resources. These cases also shed light on survivors' previous experiences with domestic violence and family-led evictions, that can influence how they make sense of and react to similar events later in their lives, and they also demonstrate the likelihood of exercising or experiencing violence as adults (WHO, 2017). This raised questions on the intergenerational dimensions of violence and housing constraints, a topic to which I will return at the end of the chapter.

¹⁸ Another driver for migration was violence and its consequences, captured in phrases such as "my father was murdered, and I came here to work and support my family".

4.1.2 Patrilineal residence patterns

Turning to how couples accessed their first marital home or dwelling, a clear pattern among survivors in the sample was to move into their partners' or parents-in-law's homes when forming a partnership, a practice known as virilocality or patrivirilocality. This patrilineal residence choice was reported in 24 out of 31 cases (77.4%) in which couples relied on the man or the man's family to access the marital home, while only 6 couples (19.3%) relied on the woman or the woman's family to do so, and in only one case did both the man and woman rent a place together. Figure 22 represents this gendered difference in couples' first step in their joint housing trajectories, a defining stage from where they started to attempt to climb the property ladder.

Figure 22 - Couples' access to first marital home



Patrilinial residence pattern is not a unique feature of domestic violence survivors, or of the local context of Recife. Previous studies have shown similar dynamics, as in urban Mexico where property sharing through subdivision of land plots is common, and the daughters of household heads tend to leave their family property upon marriage to move into their parents-in-laws' family property, while sons are likely to bring their partners or wives to live in the family property (Grajeda & Ward, 2012; Ward, et al., 2011; Varley, 1993; Varley, 2000). This is also true for Ecuador, where still today women are expected to stay home until married and go from the control of a father to that of a husband (Moser, 2016, p.16). This pattern also resembles traditional rural dynamics in Brazil, where women leave their family property upon marriage (Carneiro, 2001). Unfortunately, there seems to be limited data on or attention to such a practice in contemporary urban settings for Brazil. There is one known study on the inheritance of use rights in informal settlements in Rio de Janeiro that briefly mentions that sons are likely to receive a piece of land in the family plot, whereas daughters receive a room in the main dwelling (Weber, 2000), although it is not clear whether this is the case for daughters and their partners, or daughters returning after separation.

Finding such a clear pattern in contemporary, urban, low-income settings in Brazil was in itself surprising since gender-neutral, household level housing analyses tend to overlook these gender and intrahousehold dimensions of housing processes.

Among the 24 couples who accessed the marital home via men, market transactions were not predominant: in only two cases did the couple move to a house bought by men, usually through informal processes, in eight cases to a house rented by men, and in only one case did the couple rent a room together in the man's grandfather's backyard. This was partly explained by the fact that young couples did not have enough savings to purchase property or sufficient and steady income to rent. More commonly, couples resorted to parents, usually the men's parents, to access housing, as illustrated in the 14 cases of women who moved into their parents-in-laws' property, either into a room in the original family home, or an extension (*puxadinho*, in Portuguese) built by the man's family to host the newlyweds. Sharing property with parents and in-laws through non-monetary transactions, such as the subdivision of plots and dwellings, is a common means of access to housing where resources are limited, and it can be beneficial both to young couples, who are better able to save to improve their living conditions, and to patriarchs/matriarchs, who maintain some level of authority over their children and secure care in old age as they may be better looked after in their old age by children who might have inheritance expectations (Varley, 2010; Ward, 2012).

Among the few couples who accessed housing through the woman or the woman's families (6 out of 31), non-monetary transactions also prevailed. This usually happened when participants were able to remain in their family property due to parents' anticipation of inheritance or concession (KAT, JOC, I-MIR). In addition, one woman inherited a house from a deceased husband and partnered again afterwards (UNE), another was able to acquire a house before consensual union through a government programme targeted at single mothers (M-AUG), and yet another brought her partner to live in her mother's rented house (VER).

Why did the men's families seem to provide greater support for young couples, assuming that women's families are no poorer than men's? When exploring what influenced patrilineal residence choice, it became clear that couples usually decided to form a partnership and start a family when women got pregnant, with few exceptions¹⁹. For participants who fled their

¹⁹ Three participants did not have children with abusive partners, and two formed partnerships before getting pregnant.

childhood homes running away from abuse, family tension or poverty before forming a partnership, a practical explanation for moving into their partners' homes when getting pregnant was the lack of access to inheritance or other means of access to housing.

I worked as a maid and lived at my boss' house for nine years until I met the father of my kids; he used to work nearby. When I got pregnant, I was dizzy, weak, I couldn't continue working at someone else's house like that. So, I quit my job, moved into my mother-in-law's house, and my partner started providing for the family while I took care of the kids and house work. (VIL - migrant)

For participants who went straight from their childhood homes into their partners' homes, patrilineal residence choice was influenced by a combination of gender norms and disadvantages faced by women to access housing through their own families, markets or self-help mechanisms.

Gender norms and differences were clear when participants explained couples' early survival and housing strategies. Gendered division of domestic labour and income generation (men as provider, women as caregivers) implied gendered responsibilities on partnership formation, placing the burden of providing for the family on men, which, in contexts of limited resources, primarily implicated men's families in providing shelter for the new couple (sometimes engaging other relatives like uncles, grandparents, or step-parents). Women moving into their partners' or parents-in-laws' homes seemed to be a somewhat natural decision made by examining the resources available and perceived responsibilities, linked to social relations and gender roles.

The disadvantages faced by women to access housing by means other than via their partners also stemmed from gender norms. When men's families were implicated in new couples' survival strategies, this influenced a gender bias in how parents allocated family resources such as property sharing and anticipation of inheritance, favouring sons – who must work their way up to become “the man of the house” (*pai de família*) – over daughters – on the road to becoming “housewives”. As put by participants: “when I got pregnant, the first thing my father told me was to go seek help from the child's father's family” (AMA).

In some cases, it was possible to notice a level of tension within the women's families, as in the account of a woman who was told to leave by her mother, mentioned in the previous section:

My family didn't like my boyfriend, they always told me he was worthless. When I got pregnant, my mother told me there was not enough space for another kid and another man in the house. The house was already too cramped, and my father could no longer put up with it. So, I had to move to my mother-

in-law's house. When I got pregnant again, my mother-in-law also told us to leave, but then she helped us to pay the rent until my partner found a better job and was able to afford it. (CLE)

This account brings a combination of practical housing constraints, such as overcrowding, with patriarchal traditions deeply ingrained in people's minds. Parents compelling a daughter to leave the family home in these circumstances resembles practices and legal frameworks from the colonial period in Brazil, when parents could exile and exclude a daughter from the line of succession based on their assessment of her behaviour, such as marrying without parents' approval, losing her virginity, and getting pregnant before marriage (Philippines' Ordinances apud Oliveira & Basto, 2017) – see Section 2.4. Unwanted cohabitation of fathers with grown men other than direct or chosen relatives/kin was also noticed in this and other cases. Daughters in these circumstances had no other choice but to leave their childhood homes and move into their partners' homes.

Another aspect of this account is that subsequent pregnancy either exacerbated hardship or was a turning point when a more stable housing arrangement should be sought, a moment likely to crystalize gender roles in the couples' early survival strategies. Here is another example:

We were renting [a room], but it was tough. My partner was doing odd jobs [fazendo uns bicos], and we hardly had enough to get by. Sometimes we tried to speak with the landlords, but it was useless. Month after month we had to leave and find another place. We were not even evicted, we simply left with our tails between our legs [rabo entre as pernas]. (...) When I got pregnant with twins, my father-in-law saw our situation and decided to help us. He built a wall and divided the living room to make a new room for us, since there was not enough space in the plot to expand the house. I stayed at home to take care of the babies while my partner was running after jobs. (RAF)

Couples did not necessarily move into the man's family's property. In some cases, the decision was to move close to his family, especially when his family provided support such as paying the rent (CLE, SOL).

The decision to form a partnership was not always smooth between the partners themselves. One participant reported that she was raped by the man with whom she partnered afterwards: "he got me pregnant, so he had to take me and provide (*me assumir e me sustentar*)" (VIL), she

said. This unsettling case resembles a 1940 Criminal Code provision (art.107, VII) that absolved rapist who married with the victims²⁰, which was only repealed in 2005 (Law 11.106/2005).

Besides the unlikelihood of women in this subsample accessing housing through their own families early in the couples' trajectories, economic disadvantages, stemming from gender divisions of labour and other forms of discrimination, did not allow other forms of access to housing besides via their partners and in-laws. As mentioned earlier, only one woman in the subsample helped to pay the rent of a room where the couple moved in together, in the backyard of her partner's grandfather. This picture changed slightly during many couples' relationships, as will be explained in the next section.

The implications of patrilineal residence patterns include, first and foremost, that the individual tenure security (one's protection against eviction, not at household level) of a woman who moves into her partner or parents-in-law's homes depends directly on her relationship with them. Disagreements, domestic violence, and changes in the relationship status are likely to jeopardize women's ability to continue living in the marital home or family property. In rental accommodation, women's tenure security depended not only on their relationship to her partner but also on her partner's income.

Patrilineal residence choice also defined that couples would start accumulating joint property on plots that belonged to men or their families. In Brazil, according to partial community property regimes, the default regime for consensual union and formal marriages, property acquired or built during a partnership constitutes joint property regardless of who contributed income, while inheritance, anticipation of inheritance, and gifts remain the individual property or each heir. In most cases discussed above, men and their families owned the plot, and any improvements made during the relationship would formally be jointly owned. Individual land ownership entangled with joint dwelling ownership sets the scene for the home improvements and popular understandings of property rights discussed in the following sections.

Gender bias in property sharing and anticipation of inheritance, favouring sons over daughters despite inheritance laws that establish formal gender equality, mandatory heirship for all children, and very limited testamentary freedom, distanced women from the natal family

²⁰ The notion of marriage as a means to exempt men from punishment for rape echoes beyond the law. During São João festivities, celebrated every June especially in the Northeast of Brazil, one important piece of the narrative revolves around a wedding where an angry father forces the young man who dishonoured his daughter to marry her and provide for the new family.

property, weakening their *de facto* inheritance rights, their fallback position should they need flee to escape violence, and their ties with kin and support networks, important elements of livelihood strategies. In addition, being closer to in-laws may pose a series of tensions and conflicts, especially between women and their mothers-in-law, who may seek to reproduce processes of domination and expose their daughters-in-law to a double whammy and traumatic experiences (Varley, 1993; 2000; Pauli, 2008).

Property transactions were usually not documented, especially within families. As in other Latin American contexts, patriarchs and matriarchs allocate property to children without formalizing transactions *intervivos*, partly for all the challenges and expenses to do so but also to sustain authority and ensure care in old age (Varley, 2010, Ward, 2012). Couples' partnerships were usually not documented either, resulting in an informal consensual union, with no or little proof of when the partnership started.

This context of widespread informality and gender bias in access to housing sets the scene for the couples' asset building processes discussed in the following section.

4.1.3 Income gaps and home improvements

The previous section looked at couples' early access to a marital home, mainly through men and their families. This section looks at couples' housing and asset building strategies during consensual union, focusing on women's ability to invest (directly and indirectly) in home improvements. The relevance of this theme is in the fact that the provisions on partial community property (default marital property regimes in Brazil) is based on who, how and when acquired property and invested in home improvements, in order to determine who owns which part of the marital property. Moreover, investments in home improvements are linked to increased perceptions of tenure security, at least at household level (De Souza, 1998). Therefore, this section explores whether and how gender influenced investments in home improvements and what this meant for couples' further housing trajectories.

Depending on the needs and resources available, participants in the subsample reported various housing and asset building strategies. Some couples did not invest in home improvements at all. This was the case of those living in family property (sharing with original owner or after inheriting it), where the dwelling was finished or "ready enough" to live in, and couples did not see the need to improve it. No investments were also observed when the couples' intention was

to save money to move out and buy or build a house in a different place, or simply when couples didn't have the resources to do so. In other cases, however, it was possible to perceive some tension that led partners to deliberately avoid investing in other people's property. As one participant put it: "We were living in my mother-in-law's house, and she didn't like me. I knew I would lose everything if I had to leave" (MFAT). But in most cases in the sample, couples invested income, time, and labour, and mobilized other resources to improve their housing conditions, setting aside the suspicion related to investing in someone else's property and what would happen in case of separation. On this point, couples seemed to have a fairly clear understanding that all the property built or acquired during consensual union is jointly owned by both spouses; some even stretched this understanding to "what is yours is mine" (before the violence took place).

Regarding income investments, most women in the sample (22 out of 31, or 70.9%) had no source of income or received a very small stipend through the *Bolsa Familia* government programme to help take care of the children (ranging from R\$130 for one child up to R\$295 for four children). These women depended economically on their partners²¹, including those who willingly quit their jobs to take care of the children and those whose partners did not allow them to work (male veto). Some women managed to keep their jobs or started a new job once children were a bit older, often in precarious, lowly paid positions, many times resourcing to informal female support networks to take care of the children. There were also cases when domestic violence was already present and spilled over into women's work life, such as a participant who was harassed in front of her workplace, and others who were unable to go to work due to physical injury, causing them to lose their jobs.

Women in the sample were disproportionately responsible for unpaid domestic labour, affecting their ability to engage in income generating activities. Therefore, participants were not only income but also time poorer than their partners. This resonates with secondary data on income and time gaps between women and men in Brazil, where almost half of working age women are outside the labour force, mainly because of asymmetric responsibilities for unpaid domestic work and discrimination in the labour market (Fontoura et. al., 2017; Pinheiro, et. al., 2016). As a result, most survivors made no direct contribution to housing improvements during the

²¹ It should be noted that the number of female-headed households is increasing across Brazil, reaching 43% in urban settings; in 34% of these, there is a presence of a spouse or partner (Fontoura, et al., 2017). This was not a common arrangement in the subsample, where women were mostly dependent on their partners, and only 5 out of 31 women had an income equal to or greater than their partners.

consensual union. Nevertheless, the partial community property regime recognizes women's indirect contribution to couples' survival strategy through unpaid domestic labour and gives them partial joint ownership to the property acquired or built during the relationship, as mentioned above.

Participants' partners sometimes invested alone in home improvements during consensual union, which made the participants formally entitled to half of the improvements. Men managed to buy a home or a plot to move out from their parents' home, to build or expand the marital home with their own income, and, from participants' narratives, it was possible to notice that men were the ones who decided when and how the next housing step would be taken and what form this step would take:

I quit my job when I got pregnant so I could take care of the baby. He was the one working, while I stayed home taking care of the house and the kids. We were living at my mother-in-law's house until I got pregnant again, and he decided it was time to buy this house. At first, it was a shack, and he improved it slowly as money allowed. (VIL)

One participant articulated how time and income poverty affected women's ability to invest directly in home improvements:

Buying a shack and fixing a house is not easy for anyone, but I think it may be easier for men because they get more jobs, can do some construction work here and there, it is easier to make some money. For women, everything is harder. Most women here did not study because they partnered early, had children early, then had to stay home taking care of the kids while there is no child care and no one to leave the children with. Many have no way to go outside [of the settlement] to look for something. When a woman gets a little something, she can barely make a living, let alone save and buy something (ELI-P)

Labour to build or expand a dwelling was another important resource in a couples' housing strategies. In a few cases, participants' partners or fathers-in-law were professional construction workers, while in other cases help came from neighbours or relatives through mutual help arrangements, making it unnecessary to spend money hiring professional builders. Women were at a disadvantage to contribute to the construction itself since (i) they had limited time or skills to engage in construction work, (ii) they often moved away from matrilineal family members and support networks who could provide some help, (iii) none of them had helped or planned to help a neighbour build their homes to ask for unpaid help in return, and (iv) they had limited income to hire professional builders.

Against the odds, some women managed to contribute directly to a couples' housing strategies at some point during consensual union. In addition to the six couples who moved to women's

families' homes (Section 4.1.2), another four women in the subsample accessed government housing programmes and were allocated land plots or "starter" houses in their names. In these cases, although the government programme afforded women individual property, it was common for women to have no or limited income to build or improve the dwelling. Therefore, when the participants resorted to their partners to build the dwelling, the improvement became joint property sitting on the women's individual property. It was noteworthy that in all the cases mentioned so far women's direct or indirect contribution to couple's housing strategies was unrelated to women's income and access to property markets but rather to their access to inheritance or government programmes – which, according to Deere and León (2001), are primordial means of access to property for women in Latin American contexts.

Only a few women in the subsample (6 out of 31 or 19.3%) earned enough money to invest in home improvements, usually when they were formally employed and able to use their paid vacations or annual bonus (13th wage) to purchase building material. It became clear, however, that there was often some tension around how women should spend their money. Participants reported being convinced by their partners to invest in dwelling improvements to plots owned by their partners or by parents-in-law, while others – as already mentioned – reported being pressured but did not agree to do so, understanding the risk of losing property in case of separation (MFAT). Men's persuasion efforts revolved around promises that nothing would go wrong in the relationships (ELI-2), which did not happen, and a tacit expectation that women should return a favour to their in-laws, who had allowed them – the stranger in the nest – to live in the family property (MJS).

The findings presented in this section support the international literature that showed that asset building is not a gender-neutral process (Chant, 1996; Moser, 2009; 2016; Varley, 1993, 2000; 2010). It shows that in addition to patrilineal residence patterns detailed in the previous section, women were disadvantaged to access or mobilize income, time, labour and support networks to contribute to a couples' home improvements. During consensual union, women were constrained to invest in home improvements, primarily as a result of their limited ability to earn income and generate savings, closely linked to the gendered division of labour and disproportionate responsibilities for unpaid domestic labour. Some men invested alone in purchasing or improving property, during consensual union, which affords joint property rights to women even if they did not contribute with income. When women managed to contribute directly to build or improve a dwelling, it was sitting on plots belonging to their partners or parents-in-law; while women who accessed property through government programmes often

resorted to their partners to build or improve dwellings. The housing improvements and asset building processes, detailed in this section, reveal how entangled land and dwelling ownership can be; the following section discusses the level of property documentation in these settings.

4.1.4 Gender bias in property documents and proves of residence

Housing or property titles were not commonly reported in the subsample, and when they were, they did not include women's names. For couples sharing property with parents or in-laws, or living in inherited property, it was common for the property documents to remain in the names of the original owners, and given the patrilineal residence pattern mentioned earlier, this usually meant a men's relatives. Men who bought property during consensual union and managed to do so with some level of formalization, had purchase-and-sale agreements in their own names since they were the ones who negotiated and paid for the asset and were not officially married (which could require double signature in formal transactions). Rent was often agreed only verbally, between landlords and men who were responsible for paying the rent, meaning that men were the main tenants.

The few participants who had property documents of some sort in their names were beneficiaries of government programmes (MAUG, JOS, VLUC, CLE, MIR), and sometimes these documents were not exactly a formal property title, as voiced by one participant: "What I have is the name badge from when the municipality gave me the house, they never gave us the actual paper" (MAUG). Others straightaway said that the document was not easy to get, signalling that although the document was in their names, they might not have been the ones who kept the actual paper, which can raise important issues in an emergency.

Two exceptions attracted attention: women who were not beneficiaries of government housing programmes and had property documents in their names. The first was the only participant officially married in the subsample, whose husband was formally employed and managed to access a loan to buy a house; this required him to do so in the formal market and register the transaction in a notary's office. The participant noted: "the only reason why my name appeared in the document is because we were "married on paper" (*casados no papel*), and the notary's office required my signature" (DID). This finding supports studies that showed that the property rights of married women may be stronger than those of informally partnered ones (Deere et al., 2014). The other exception consists of a couple who bought a house together (with income from

both) and decided that the purchase-and-sale agreement should be in the participant's name to avoid conflict with the man's previous wife, from whom he was not formally divorced (MKER).

A rather unexpected aspect involving property documents was the tension around proof of residence, usually utility bills, in the context of widespread title informality. One participant explained how her parents-in-law were not willing to hand her an electricity bill so she could open a bank account, even though she had paid for the construction of the dwelling where the new couple was living, above the home of her in-laws (REN). Another participant explained how all the bills came in her partner's name, and sometimes this was not accepted as proof of residence since she was not officially married to him (VIL). Several other participants reported challenges to obtain proof of residence when not paying utilities, and they had to resort to community associations or local shops to get some form of certification to show that they lived in the specific area. The importance of this topic will be further addressed in Chapter 6 since utility bills are one of the main forms of proving length of residence required in tenure regularization programmes, and other document-related issues will be explored in Chapter 5 with a focus on patrimonial violence against women, and inheritance issues.

What is crucial to underscore in this section is that, despite legal frameworks, in settings where land ownership or possession was mostly linked to men's families, direct investments in home improvements were mostly made by men, and women's *de facto* property rights were not documented. The following section discusses popular understandings of property rights in these scenarios.

4.1.5 Gendered perceptions of property rights

Under partial community property regime, women enjoy the same property rights as their partners, but, in practice, these rights can be clouded. The previous sections showed that women accessed their first marital homes mainly through their partners or parents-in-law, and, during consensual union, couples accumulated joint property mainly through men's direct investments, on plots owned by men or their families; when women accessed plots through government programmes, the houses were built or expanded with men's income and labour. Partnership formation was usually informal and undocumented, as were the property transactions related to the marital home, making it difficult to identify who had acquired which asset, and how and when it was acquired, whether before or during the partnership, and, therefore, who within households was entitled to claim ownership or possession of which part of the marital home.

This is why, in such contexts, popular understandings and perceptions of property rights are so important.

This section discusses how provisions on marital property regimes may contrast with people's understandings and awareness of property rights. How is the formal law, promulgated by the State, understood and practiced in the so-called informal settlements examined in this study? How do women and their families perceive their relationship to property and property rights? How does gender influence these popular understandings? The focus here is on the disjuncture between law and practice, and how that can undermine women's property rights.

As a reminder, the partial community property regime determines that all property acquired before consensual union or anytime through inheritance or gifts remains individual property, while assets acquired or built during consensual union constitute the community property, owned jointly by both partners/spouses regardless of who invested income. This regime recognizes unpaid domestic labour, performed primarily by women, as an important element of families' survival and asset building strategies, and keeps inheritance out of joint property. Therefore, the gender inequalities mentioned in the previous sections – related to couples' access to marital home and asset building processes mainly via men – should technically not affect women's property rights in consensual union.

When contrasting legal frameworks with popular understandings of property rights, data suggest a fairly high degree of confusion and malleability. The first and most widely heard misunderstanding of property rights in the sample is captured in the expression “the owner is the one who pays” (*dono é quem paga*), reflecting a belief that assets purchased during a consensual union belong to whoever paid for them, rather than being jointly owned by both partners/spouses, as per provisions. This disadvantaged women who were disproportionately challenged to earn income and invest in housing improvements, while their partners bought property, built or expanded dwellings during consensual union. In these circumstances, women were often unaware of their right to a share of the marital home or were misinformed by their partners or relatives. As put by one participant, who lived in a house bought by her partner during consensual union: “my partner kept telling me that that was his house, that I owned nothing there; it didn't even cross my mind that this wasn't true” (VIL).

This misunderstanding also disadvantaged women who individually owned plots and relied on their partners to build or expand a dwelling. In these circumstances, men were legally entitled

to half of the improvements but acted or were perceived by participants themselves as the main owners of the entire property, as illustrated in the following accounts:

I got this plot through the government, but he built the house because at that time I was not working so I could take care of the children. So even though the plot was mine, he thought of himself as the owner of the house and wanted me to lower my head (CLE)

I got the plot for R\$200, and he built the house... I don't know for how much, he probably spent R\$2.000 on the construction. So, I think the house belongs "more" to him, right? (acho que a casa é mais dele, né?) (SOL)

In these circumstances, main ownership was linked to individual investments in home improvements. This adds to previous studies (like De Souza, 1998) by showing that investments in home improvements influence people's perceptions of property rights, not only at household level but also within households, where gender – especially the gender division of domestic labour and income generation – plays an important role in determining women's ability to earn income and generate savings. Findings also reveal how women's indirect contribution to families' livelihood and asset building strategies are undermined in practice. Other expressions like participants saying that they "only helped in the construction of dwelling occasionally" and that their partners were "the ones who worked" also show how unpaid reproductive work was socially undervalued, including by women themselves.

The second misunderstanding of property rights observed in the sample can be captured in the expression "my land, my house" (*do dono do terreno é o dono da casa*), raising concern with women who invested income to build or improve houses located on plots owned by their partners or parents-in-law. In these cases, two distinct moments were clear. In the first moment, as already mentioned, participants reported some level of pressure from their partners on how they should spend their money, either by convincing them that nothing would go wrong in their relationship, or to return a favour to their in-laws, who allowed the couple to live in the family property. After the investment, however, and signalling some tension in the marital relationship, or men trying to increase authority over women, participants were often reminded by their partners that they did not own the land where the couple was living, especially when couples were sharing property with a participants' in-laws. One participant, who was convinced by her partner to pay for a bathroom in her father-in-law's house, said that, in any disagreement, her partner would remind her that she did not own the plot where they were living and undervalued her contribution: "this is my father's plot, and we didn't need your money to build the bathroom", she recalled him saying. There was also the case mentioned above of the woman who paid for most of the marital home built over her parents-in-law's and was denied even a

proof of residence to open a bank account (REN), showing how in some cases land ownership surpassed investments in home improvements in determining main ownership.

A third misunderstanding was “if it’s not mine, the house belongs to my children” (*se não for minha, a casa é dos meus filhos*), often heard in circumstances where women resorted to their children’s inheritance rights to strengthen their own claims. This misunderstanding revealed tension across generations, such as between women and their mothers-in-law, as reported by one participant, who was sure that part of her conflicts with her mother-in-law were related to what would happen to the family property after her daughter was born: “Her fear was what that I tried to keep her house for my daughter if anything happened to me and her son” (KEL-1). Another participant, who invested jointly with her partner in building a home in her in-laws’ backyard, said: “I can’t say that this house is mine because I only helped to build it on a plot that is not mine, but it surely belongs to my children” (NEI). This finding suggests that women’s rights over a share of the marital home may be perceived as weaker than children’s inheritance rights, by women themselves and by other family members.

Yet another misunderstanding about marital property rights was “what is yours is mine” (*o que é seu é meu*) or “those who marry share everything” (*quem casa divide tudo*). This resembles provisions from the colonial period, when universal community property was the default marital regime, an arrangement that is only valid nowadays for couples who opt for it when formalizing their union, which was not the case among the participants. It can disadvantage women who inherited property, which can be wrongly understood as marital property. Entitlement to property accessed individually via government housing programmes during consensual union is subject to debate that will be detailed in Chapter 6, but in short it might be treated as gifts and therefore individual property, or as market acquisition, and therefore joint property.

With couples renting accommodation, the one who paid the rent was perceived as the main tenant, but gender disparities in this respect did not seem to be simply a matter of income. “Rent is a man’s thing”, stated one participant who explained how her partner was the one who earned the income to pay the rent, and therefore she didn’t even try to interact with the landlord, who preferred not to discuss business with her (DOR). But there were also women who had an important role in negotiating with landlords, especially when the rent was overdue or when the couple was renting a room from friends or relatives (family backyard rental). Empirical observations from tenants suggest that women could overcome (or try to overcome) external

threats of eviction by a landlord, for example, while their individual tenure security depended on their relationship to their partners, the providers.

This section showed that legal equality in marital property regimes may contrast with social and economic inequalities between men and women that shape gendered understandings of property rights. In the sample these understandings were constructed around essentially gendered aspects of couples' housing strategies that disadvantaged women in particular, such as land ownership – determined early in the relationships by gender norms and biases in inheritance, property sharing and markets – and investments in home improvements – determined by gendered division of labour and unfolding income gaps. When the plot belonged to a man or his family, *land ownership* was what determined perceptions of ownership, regardless of whether a woman had invested in housing improvements in the property. However, when a plot belonged to a woman or her family, and her partner invested in housing improvements, *housing investments* became the determinant element in popular understandings of property ownership.

The gender dimensions of couples' housing trajectories, explained in the previous sections, gave men a greater sense of entitlement over property. Moreover, understandings of property rights were malleable and to some extent negotiable, shaped and nurtured case-by-case (usually by men and their families) to overestimate men's and underestimate women's contribution to the couples' housing strategies, strengthening men's and weakening women's perceived relationship to the marital home, despite legal frameworks. Women's formal property rights over a share of marital property acquired or built during consensual union were often not recognized (by women and by others) when they did not contribute in a tangible way to its achievements. These distortions were not simply a matter of women's limited legal literacy, observable in many cases, but a matter of men imposing on their partners their own views of property rights, deceiving and misinforming them, and dominating narratives of how couples overcome their housing struggles.

The gendered understanding of property rights found in Recife resemble what has been observed in other studies, such as Varley (2000; 2010) for Mexico, and Deere et al. (2014) for Ecuador, that highlighted women's secondary relationship to property and limited knowledge of property rights, especially when they did not contribute income to housing improvements. It also resonates with De Souza's (1998) suggested relationship between housing investments and household perceived tenure security, that I argue can be expanded to individual investments

and perceptions of tenure security. In Recife, despite provisions ensuring formal equality between women and men, the essentially gendered and informal nature of partnership formation, access to housing and incremental home improvement entangled land and dwelling ownership in a way that created what Varley (2000) called the “gray space disrupting the application of family law”, in which “women were less likely than their partners to be recognized by themselves, or others, as fully-acting subjects in relation to property”.

The gendered and *ad hoc* understandings of property rights, born of gender norms and inequalities in housing processes, as discussed in this section, become more problematic once domestic violence takes place, as will be detailed in the next section.

4.2 Coping with violence: the housing dimensions of partner violence

The housing scenarios where domestic violence took place were detailed in Section 4.1, by uncovering how gender permeates couples’ housing strategies and understandings of ownership and possession of property, disadvantaging women in several practical and perceived ways, despite legal equality. Even before bringing domestic violence into the discussion, it was clear that women were more vulnerable than their partners to losing the marital home. The current section explores how domestic violence overlaps with these gendered housing tenure scenarios, focusing on the housing dimensions of abusive relationships, in particular how intimate partner violence affects women’s tenure security during abuse.

Before examining the coping strategies of survivors, it is worth clarifying that the cases of intimate partner violence discussed in this chapter were not necessarily related to, or triggered by, housing or property issues, although they had important housing and property implications and consequences. As summarized in Table 5, the episodes of violence reported by participants considered in this chapter were triggered and linked to factors like poverty, unemployment, unmet gender roles, infidelity, jealousy, alcohol and substance use, conflicts with in-laws, distance from natal family and kin networks, pregnancy, and children’s behaviour. The risk factors and triggers of violence identified in the subsample resonate widely with domestic violence literature, such as Sagot (2000), Watts, Zimmerman, (2002); Rutherford et al. (2007); Meneghel et al., (2011), reinforcing the nature of domestic violence based on gender.

Table 5 - Risk factors and triggers of intimate partner violence in the sample

Poverty, unemployment of the perpetrator, survivors' dependence on the perpetrators, unmet gender roles expectations	<p>"He was unemployed, very stressed, and I depended on him"</p> <p>"He used to spend all our money on booze, and when I asked for some to buy our groceries and things for the house, he would become very aggressive"</p> <p>"If he came home at night, and his meal was not ready on the table..."</p> <p>"He wouldn't let me work, I was supposed to stay home taking care of the house, and keep depending on him..."</p> <p>"He told me that he felt humiliated because I was working and he was unemployed, because I was making more money than him, so he didn't want to let me work anymore..."</p>
Infidelity, jealousy	<p>"He cheated on me, he used to spend most of his free time out of the house. When I found out and tried to ask what was happening..."</p> <p>"He is very jealous, insecure. He keeps making things up, inventing that I am cheating on him"</p>
Excessive use of alcohol, substance use	<p>"When he was drunk, he would get too aggressive..."</p> <p>"He had a real problem with drugs..."</p>
Conflicts with in-laws, distance from family and kin networks	<p>"I had no one to defend me, I didn't know anyone, only his family..."</p> <p>"We lived with his family, and his aunt and cousins would make things up..."</p>
Pregnancy, behaviour or children, presence of children of previous relationship	<p>"He hit me even when I was pregnant..."</p> <p>"He knew I had nowhere to go with my kids..."</p> <p>"He didn't like the fact that my son from my first marriage lived with us..."</p>

The following section discusses how these dynamics interfered in women's tenure security during abusive relationships.

4.2.1 Understanding the violence and fearing eviction

An early and important step in coping with domestic violence is understanding lived experiences as violence. Domestic violence is perceived along a continuum from normalized gendered interactions that sound abusive to deviant behavior or evident violence (Chancer, 2004). A few survivors in the sample perceived themselves (or reported being) closer to the first end of the spectrum, at least for some time. This can be associated with how these women had had contact with violence since their childhoods (Section 4.1.1), or with a process through which survivors deny or diminish their struggles, especially when the violence didn't leave visible marks on their bodies. A common expression among participants was "he only...", followed by different abusive behaviours like "...humiliated me" (UNE), "...kicked me out of the house every time we had a disagreement" (MIR); "...held me by the neck, but after a few hours the marks were gone" (VIL), "...destroyed my things, but never put a finger on me" (MFAT). How survivors understand their lived experiences can have an effect on how they behave and react to it.

Once survivors understood they were experiencing domestic violence, there was an important cognitive process of reflection and analysis (non-observable action) during which survivors were not necessarily willing to leave the relationship but were simply seeking a way to make the violence stop. At this stage, survivors looked for explanations for the violence and expressed hopes that it would not reoccur: "he was unemployed and stressed" (LUCI), "he was just jealous and insecure because we just got married... he promised it would never happen again" (KAT). However, as shown by the domestic violence literature (Sagot, 2000; Katerndahl et al., 2010), domestic violence is likely to occur in escalating cycles that intercalates more severe and evident forms of violence, such as physical violence, with patterns of controlling behaviour such as economic control (where property can take on an important role). Once domestic violence happens for the first time, even though survivors want to believe otherwise, the odds are that it will happen again, and it will be more violent.

As domestic violence increased, survivors reported a recurrent fear of being evicted by their abusive partners or having to leave their homes if the violence escalated. Threats of eviction and other threats related to housing were often reported as part of psychological violence and controlling behaviour of perpetrators against participants. The following quotes illustrate how survivors referred to the perceived insecurity of tenure as a direct result of domestic violence:

He would hit me and threaten to throw me out into the street... Every time he was aggressive, he would tell me to get out, because this was his house and his father's backyard, and he was not leaving it for anything in the world. (MJS)

He used to tell me to leave, but he knew I had nowhere to go. I remember him yelling: 'Go ahead, leave! It's your choice. But if you stay, you have to do what I say, without complaining'. (ELI-2)

As the violence continued to increase, survivors started to map the exit options (mainly housing and subsistence), should they have to flee, while still living with perpetrators, partly due to a lack of concrete alternatives available to them and their children.

I knew that if I didn't leave, he would end up killing me. I kept asking myself where I would go, with no family nearby, no one to turn to. (M-FAT)

He would come home and hit me, humiliate me, threaten to kick me out and leave me in the street... Some people think it's easy to get out of a situation like that. But how would I leave since I had nowhere to go? Where would I go, taking three small children, without a house, without a job? Life was bad with him, but worse without him, because at least there I had a roof over my head. (ELI)

I would only leave if I had a safe place to stay, I would never leave to be on the street (KEL)

Given the gendered housing scenarios described in Section 4.1, it was very unlikely that women would be able to exclude an abusive partner from the marital home. When survivors were misinformed by their partners, or not fully aware of their property rights over a share of the marital home acquired or built during consensual union, trying to keep the marital home and make an abusive partner leave was simply inconceivable, as shared by one participant:

The whole time I spent with him, I thought that it was *his* house. He kept saying that he was the one who had bought the shack, and tidied it up, he was the one paying all the bills, that I had no rights over anything that was in there. If I wanted to leave, I would lose it all, I would have to leave with nothing in my hands. He would remind me of that every day, especially when he was aggressive. How could I even think otherwise? (VIL)

The above is a clear example of the misunderstanding of property rights forged by men to undermine women's and overestimate their own relationship with property based on income investments in home improvements, as detailed in Section 4.1.5. When perpetrators imposed their own views of property rights upon survivors, the survivors fell under the impression that their fallback position – how well off one would be upon dissolution of the partnership (Agarwal, 1994) – was weaker than it actually was. Nevertheless, even when survivors had and were aware of formal property rights, empirical data suggest that making an abuser leave the marital home is a concrete challenge. As voiced by a survivor who individually owned the

marital home: “I tried to make him leave so many times, in all ways possible, but it was useless” (I-MIR).

On the one hand, perpetrators are highly unlikely to be those willing to end relationships in which they exercise such power and control (Chancer, 2004). And given the housing trajectories detailed in Section 4.1, many of the housing resources such as plots and investments in home improvements were mobilized via men or their families, resulting in their greater sense of entitlement over joint property. In addition, a series of material and socially constructed disparities between women and men throughout couples’ housing trajectories leave women in a weaker relationship to property, more likely to lose their rightful share of property even before domestic violence takes place. Women’s entitlement to claim ownership or rightful possession of a part or the whole of the marital home is not necessarily a possibility to end an abusive relationship; women are faced with the burden, or dilemma, of leaving or staying.

At this stage, acute levels of violence were noteworthy. Unsettling accounts include: “He made me dig my own grave” (PAT); “I used to think that he would bury me or vice-versa” (MFAT); “The doctor told me that with another kick I would have died” (I-MIR). Survivors also engaged in self-defence, as shared by a participant: “I knocked him out with a cooking pot and left him there lying on the kitchen floor. I taught him a lesson...” (MAUG). A turning point that made survivors leave the marital home for the first time was when episodes of violence were so severe that they feared losing their lives, or when the aggression was harming the children physically or otherwise.

4.2.2 Cyclic evictions and reconciliations

Sooner or later, the fear and threats of eviction became actual evictions, usually temporary at first, characterizing a phase of “cyclic evictions”. Survivors repeatedly left the marital home when violence became too severe for themselves and the children and returned when things calmed down and they could no longer stay where they found had shelter, revealing a parallel with the cycle of domestic violence “tension building, explosion, honeymoon” (Katerndahl et al., 2010). Whether and how housing concerns (to find alternative housing, or reluctance to leave and lose property) influence in these cyclic evictions?

Before examining my interview data, secondary data from a health survey, representative of Recife (Silva et al., 2012), allowed triangulation and showed that this dynamic that I here call

cyclic evictions is a common phenomenon. At least 32.1% of women subject to domestic violence in Recife reported having fled the marital home at least once during the relationship, and the vast majority of those who left (94.1%) ended up going back to live with the perpetrator. The survey also showed that only 7.1% of survivors who left were expressly told to leave by their partners; the majority of them “chose to leave” to escape severe violence. This finding reinforces the idea that decisions to leave are a burden on women, rather than men actually forcing them out, and suggest that the threats of eviction mentioned by several participants in my study (Section 4.2.1) were indeed part of controlling mechanisms exercised by perpetrators, closer to intimidation, coercion and threats, rather than an actual intention to end the relationship, especially given the dynamics of interdependence between survivors and perpetrators (Chancer, 2004).

Regarding the reasons for returning to the marital home, 17.7% of survivors heard in the health survey explicitly reported economic or housing concerns (struggle to provide for the children and afford housing costs as single mothers), while the majority expressed emotional reasons for returning, such as still loving the partner, the hope that he would change, and the desire to preserve the family (Silva et al., 2012). This means that housing may not be the main element pushing women back into abusive relationships at this stage of the relationship (while women still hope for a change in their partners’ behaviour). Nevertheless, the narratives of participants of my study suggest that lack of housing alternatives and means of survival were an important element of their decision to return to an abusive relationship.

Back to my empirical data, seeking housing alternatives was a concrete challenge among survivors, who resorted mainly to friends and relatives at this stage (renting and seeking institutional support appeared later, when women were determined to leave for good). Co-residence with friends and relatives was marked by overcrowded and precarious arrangements, and a sense of not feeling welcome in someone else’s home, as expressed in the following narratives:

My only option was to stay at a friend’s house, but I ended up going back as soon as things calmed down. I had nowhere else to stay, and there is a limit of how long one can stay at other people’s homes as a favour. It’s too embarrassing to ask people to stay longer... (ELI-P)

I always escaped to my mother’s house. But I could no longer stand staying with relatives for long periods... You’re not treated well when living too long in someone else’s home as a favour. My stepfather got fed up, tired of the kids running around, and found a room for me to rent nearby, but I couldn’t afford

it and then I knew we were no longer welcome. So, I ended up going back home [to live with abusive partner]. (MFAT)

Despite the culturally accepted norm that domestic violence is a private matter, and “no one else’s business but that of the couples” (*“em briga de marido e mulher, ninguém mete a colher”*), friends and relatives sometimes became involved in the marital conflict: “...when I have a problem, I rush out on to the street because I know my cousins are usually there to scare him off and make him run off” (SEV). An important support from friends and family was to encourage and inform survivors, or even “brainstorming” alternative exit options: “My friend kept telling me to report the violence to the police and go after my child support from my ex-husband, that was the only option I got to be able to leave” (KEL).

However, when survivors went back and forth to abusive relationships multiple times, the friends and relatives who once provided shelter and support were likely to give up helping, partly as they failed to understand the complex and cyclic dynamics of intimate partner violence (tension building, explosion, honeymoon). This limited survivors’ housing alternatives when escaping and increased the isolation of survivors.

Considering that the vast majority (79.2%) of survivors in Recife do not officially report the violence or reach out for government or institutional support (Silva, et al., 2012), it is worth exploring other mechanisms to seek help besides friends and relatives.

In my universe of cases, no participants reported turning to community leaders for help. This resonates with the health survey data showing that only 1.7% of survivors in Recife seek help related to domestic violence through local leaders (Silva et al., 2012). Two participants mentioned their participation in local women’s groups as an important step to overcome violence, by providing a space to share experiences with women in similar situations and learn about their rights through different workshops provided by larger NGOs. However, in both cases, these women also took part in housing movements and were allocated a house in one case, and a plot in the other, during the period when they said that the violence had stopped. Thus, it was not clear whether accessing a property through government and housing movement, or joining a women’s movement, or both, influenced their critical path, or whether this reflects a broader change in their legal and political empowerment. Survey data indicated that only 6.8% of survivors in Recife looked for help through women’s organizations (Silva et al., 2012).

The role of religious institutions and norms was mentioned by a few participants, more often related to why women didn't break the silence and continued living with abusive partners:

"I got married in a white dress in a church, to my charming prince. I could not believe that was happening to me. I didn't want to get a divorce, I wanted him to get better" (DID)

"I am a protestant, I believe in the name of God that this will stop, he won't do this to me again. God will provide!" (SOL)

"My sister is now going to a church that tells her to accept it all [the violence]. I don't know what else to say to make her leave" (I-EDN)

In one case, a church congregation helped a participant to buy a shack, and this was a life changing step that prevented her from going back to live with an abusive partner as she had no place to stay. In most cases, however, there were no signs of the church interfering in marital disputes or property settlements. This is in line with available health data on this topic which shows that of the relatively few survivors in Recife who break the silence, 25.4% reach out to services provided by religious institutions, while only 0.5% try to speak with religious leaders (Silva et al., 2012). Although this topic was not further explored in the health study, this finding may reveal that when services and help are provided by religious institutions, this may be an option for survivors to cope with or escape violence; meanwhile, verbal or moral support from religious leaders was not as attractive as material support.

Questions for further research that seeks to explore this matter includes whether religious norms have an influence on survivors' decisions to continue living with abusive partners, without breaking the silence or the cycle of violence. Is there a difference of influence when it comes to formally married and informally partnered couples? What is the role of the growing evangelical churches and African-based religions in comparison to Catholic approaches to family life and dispute resolution? This topic, beyond the scope of this thesis, deserves further attention.

4.2.3 Trade-offs for shelter: holding on to home and property

Over one third (11 out of 31 or 35%) of survivors in the subsample continued living with abusive partners at the time of the interviews, trapped in the phase of fear of having to flee, and cyclic evictions. As already mentioned, housing may not have been the determinant element in women's decision to stay or return to abusive relationships. Many participants mentioned emotional and moral reasons, like the desire to keep the family together, unwillingness to

become a single mother or to give up on a relationship with someone they continued to love even after everything. All these topics have been widely explored in the domestic violence literature. The purpose of this section is to highlight the housing-related implications or concerns that may have influenced women's decisions to stay in abusive relationships.

As mentioned earlier (Section 4.2.1), survivors carefully assessed the concrete exit options available to them, what would be the losses and gains in leaving or staying. The most common explanation for staying was a combination of having nowhere else to go and no means of survival as a single mother. As put by participants: "I only had the *Bolsa Família* [cash transfer programme], less than R\$200 a month. How would I provide for two kids and find a place to stay with that money?" (KEL-1). Another participant summarized: "I would have to choose between feeding my family or paying rent" (MCAR). At this stage, it was evident how overall economic dependence of survivors on their partners (Section 4.1.3) affected women's housing options to escape: "He didn't allow me to work. I would sneak out sometimes to get a cleaning job nearby, but I didn't have enough to leave" (SOL). In brief, survivors in the subsample stayed in abusive relationships in exchange for a place to live and means to survive.

Survivors were also reluctant to leave the marital home and lose all the material and non-material assets they were able to access and accumulate during the relationship. Especially among those who were aware of their property rights over a share of the marital home, a sense of injustice dominated the narratives: "the house is also mine; it is not fair that I am the one to have to leave" (AVA). This was evident among beneficiaries of government housing programmes, especially those who received a plot and resorted to abusive partners' income and labour to build the dwelling, a process that entangled land and dwelling ownership.

This finding deserves a deeper discussion, since it challenges political rhetoric that government housing programmes are empowering women and helping to reduce violence, and feminist economics' bargaining theories that hypothesize that women's property ownership can reduce violence and provide exit options for survivors. This theme will receive more attention in Section 6.2, focused on the contradictory effects of government housing programmes and deeper case studies exploring signs of change in women's housing trajectories. For this section, it is sufficient to note that homeownership did not seem to prevent violence from taking place, and was not a concrete exit option since survivors were not able to exclude abusive partners from the marital home. Instead, survivors traded-off their personal safety to secure their homes

and property, including beneficiaries of housing programmes, suggesting that homeownership (partial or full) may trap survivors in abusive relationships rather than empower them to leave.

In the few cases in which survivors individually owned the marital home, it was evident that women who decided to remain in abusive relationships did not fear losing their homes; instead, survivors gave abusive partners an ultimatum and threatened to evict them should the violence reoccur. The survivors also adopted a self-defence mechanism, sometimes using violence, such as the woman who knocked the abuser out with a cooking pot to “teach him a lesson” (MAUG). Another participant locked the house with chains and padlocks, to delay the entrance of her abusive partner into the house (ILK). These participants were probably in the honeymoon or tension building phase of the cycle of domestic violence, moving towards new episodes of violence.

Survivors also refused to leave abusive relationships to protect their children’s inheritance rights, especially in cases of women’s partial and clouded homeownership, such as expressed by a participant: “They [the in-laws] are saying that this house is not mine, but it certainly belongs to my kids, I am not leaving until they get what is theirs. (...) When I am about to give up, I think of my kids and stay. (NEI). As mentioned in Section 4.1.5, dedicated to people’s perceptions of property rights, children’s inheritance rights may be popularly understood as stronger than women’s property rights over marital property. Another participant reported a slightly different situation, in which she did not own a part of the marital home, and the abusive partner convinced her to stay by promising that he would leave the house to her children from a previous relationship (LUCI). In both circumstances, it seemed that survivors decided to cope with domestic violence to ensure an “inheritance for the children” (patrimônio para os filhos).

Participants also referred to the fear of losing support from informal networks (neighbours, friends and relatives) essential for them to juggle between reproductive and productive work: “Who would I leave my kids with to go to work” (RAF), one said. Others referred to the hardship it would be to be away from the friends they made since they arrived in the area and the symbolic meaning of leaving the home: “I don’t want to leave my friends, my family, this is where I feel home, where I planted my dreams” (DID).

There is a fine line between cyclic and permanent evictions and separation. As put by one participant who managed to permanently end an abusive relationship and not return: “I am thankful that I found this place that I could afford, otherwise I would have had to return (...) I

would be back with him by now” (SOL). The following section explores the cases that were reported by participants themselves as permanent separation.

4.3 Leaving violence: housing outcomes of partner violence

This section discusses what happens when survivors decide to permanently end abusive relationships by addressing a simple question: who is better able to keep the marital home in case of separation of couples living intimate partner violence, survivors or perpetrators? Under what circumstances are women more likely to leave their homes to escape abuse? This section expands on the notion of “gender violence evictions”, that starts with “cyclic evictions” (Subsection 4.2.2), and causes permanent loss of home and property as a direct result of gender-based domestic violence.

Important reminders before examining the interview data include the fact that a definite end to abusive relationships often require separation since domestic violence is a cyclic and escalating phenomenon (Sagot, 2000; Kartendhal et al., 2010), and as long as couples remain together there is a likelihood that the violence will happen again. In addition, it is often women who must take this crucial step towards separation since, due to the sadistic nature of domestic violence (Chancer, 2004), perpetrators are less likely than survivors to want to end relationships where they exercise such power and control.

Property settlement – like other aspects of separation – is a key step to determine how each individual will move on with their lives. Therefore, another important reminder is that the household and housing strategies observed in this subsample (Section 4.1) were essentially informal, and property rights were often clouded. Couples in the subsample usually formed a partnership, accessed, held, and improved their homes informally; separation and property settlement through formal processes were rather rare; most often couples negotiated and shared marital property informally within households, leaving much room for gendered practices and understandings of property rights and even for more domestic violence directly related to property settlement. If separation and property settlement are complex and difficult processes in general, informality and domestic violence added extra layers of complexities and asymmetries to the cases in this subsample. The following subsections discuss the housing outcomes experienced by 18 women who decided to separate from their partners to end abuse.

One methodological reminder is noteworthy before moving on. This chapter combined the narratives of participants interviewed in two different settings, in a domestic violence court and in low-income settlements, and, so far, this chapter has focused on the similarities between them. This section is where the differences between them were most evident and culminates with a discussion on government response received by those who were able to officially report the violence (Subsection 4.3.3).

4.3.1 Separation and property settlement: gender violence evictions

An overview of the data suggests three different scenarios of property settlement upon separation. The first includes the only two participants who managed to keep the marital home and evict the perpetrator. Both women were sole homeowners and pressed charges against perpetrators to get a judicial protective measure to exclude the abusive perpetrator from the marital home. Up to the date of the interviews, the abusive partners seemed to be respecting the judicial measures, by not approaching or contacting participants. Nevertheless, the literature and other cases suggest that as long as perpetrators know exactly where survivors live, there is always a chance that the violence may happen again, for instance, when women start new relationships and move on with their lives.

The second scenario comprises women who tried to keep the marital home but ended up having to flee after severe episodes of violence, losing their homes and rightful share of property. Participants in this second scenario reported the most severe episodes of violence, including risk of death, death threats and attempted murder, precisely when they were more assertive in trying to exercise their property rights. The following accounts illustrate these situations and bring together some of the excerpts mentioned earlier, providing a better sense of how they interconnect in shaping women's struggle:

My ex-partner and father-in-law have tried everything to make me leave this house. They cut off my electricity, flooded the house with water, I lost all the furniture and appliances... They constantly harass me in the streets when I come home at the end of the day. But I wouldn't leave, I was protecting my kids' inheritance rights. In addition, I had nowhere else to go, my whole family lives in the countryside. Until a friend of mine overheard that they were hiring some 'cop' to kill me, then I knew they were serious. So, I decided to leave and report it all to the police. (NEI – partial homeowner)

He was loud and clear that if I tried to keep the house [on his plot], that would cost me my life. I ask myself why he made me invest my money in this house if he would not let me keep it? He even made a fake document passing the house to his brother's name, to make sure that I would not try to claim it. But

I decided to stay; whenever I wanted to leave, I thought of my kids. If I left, I would have nothing to leave them. (...) This time he threatened to blow up the house with me inside it with a gas cylinder. That is when I left, straight to the police. I left everything, except my kids, behind... (ELI-2 – partial homeowner)

In the two cases, women invested in home improvements in plots that belonged to their partner and parents-in-law, meaning that they did not own the plot and partially owned the dwelling through direct investments during consensual union. They experienced severe violence precisely when trying to exercise their property rights over the jointly owned marital home, despite linking their rights with their children's inheritance rights. These cases underpin the challenges faced by women to exclude a violent partner from home even when they are entitled to claim ownership and are aware of their rights. They also show how other family members of the perpetrators (father and brother) work together to ensure perpetrators' control over property. The two participants were able to reach the domestic violence court and claim their rights or compensation. Up until the day of the interview, however, they were still waiting for a decision from the domestic violence court judge.

A similar and even more extreme case was reported by a survivor who was not able to officially report the violence. She was the sole owner of the marital home, built before consensual union in her mother's backyard (the perpetrator had no property rights over the marital home), but she could not make the perpetrator leave her property, not even when her uncles and cousins tried to help her:

I tried to make him [abusive partner] leave several times, but he wouldn't leave. Even my uncle and cousins came to help me, and threatened him man to man. After the quarrel with my relatives, he became even more aggressive. The last time he hurt me, I went to the hospital, and the doctor told me that another kick would have punctured my lungs and I would have died. I had to leave to prevent the worst. (I-MIR)

The cases in the second scenario of property settlement upon separation provided clear examples that even when women were fully aware of their formal property rights and tried to exercise them, domestic violence can be used as a tool to ensure men's control over property. In other words, domestic violence determined the property settlement. Women challenging men's control over property can cause a violent backlash, threatening women's wellbeing and ability to hold on to property. This finding resonates with most recent studies on women's property ownership and attempt to exercise property rights not as a deterrent but as a trigger for domestic violence in contexts where property is a male domain (Peterman et al., 2017), and suggests an important topic for further analysis.

The third and most common scenario of property settlement, however, is that of the survivors in the subsample (18 out of 31 or 58%) who had to leave the marital home to escape violence, often losing their rightful share of marital property or their security of tenure. Their narratives revealed underlying reasons for leaving, closely related to the gender disparities in housing processes detailed in Section 4.1, particularly the gendered understandings of property rights (Subsection 4.1.5) revolving around land ownership and investments in home improvements, made *ad hoc* to strengthen men's relationship to property. For survivors who were not fully aware of their property rights over a share of the marital home, or did not have proof of property ownership or possession, separation from an abusive partner usually meant leaving the marital home.

In addition, other factors determined by couples' housing trajectories encouraged women to leave the marital home. Location of the marital home (determined early in the relationship by patrilineal residence choice patterns and bias in inheritance – Subsection 4.1.1) was one of these factors, encouraging women to leave the property despite property ownership and awareness thereof. As reported by a survivor: "I knew I had the right to stay there, but how could I continue living near his family, in his father's backyard. Although I helped to build that house, I knew that if I stayed there, I would never sleep peacefully again, so I decided to leave" (MJS). This account suggests that it was not simply land ownership that determined the housing outcome of separation, but also proximity to in-laws, especially given the examples mentioned above of how perpetrators' relatives engaged in violent acts to ensure men's control over property.

In other cases, survivors left arrangements in which they had no formal property rights, such as their in-laws' homes (when no improvements were made by the couple during their consensual relationship), and rental accommodations in which their partners or even their in-laws were the main tenants. Even though these cases do not represent a violation of women's ownership rights, they do represent a violation of women's rights to tenure security, a fundamental aspect of their human right to adequate housing (UN-CESCR, 1991; UN-CESCR, 1997). These cases should not be dismissed, given that these forms of tenure (rental and property sharing in parents' or in-laws' houses) are such an important form of access to housing in the urban low-income settings such as those explored in this study. Eviction, regardless of the form of tenure, is a violation of everyone's right to tenure security and adequate housing (*ibid*).

In summary, for survivors, ending abuse often meant leaving the marital home and losing property ownership, possession, or use rights, a process here termed as "gender violence

evictions”, affecting survivors’ property and/or housing rights. The term “eviction” is preferred here to include the violations of women’s housing rights that are not necessarily related to property ownership but still have devastating effects. Chapter 5 will return to some of these cases through a focus on patrimonial violence, stressing the property loss and the economic dimensions of these evictions. The next subsection discusses these effects by exploring where women who faced gender violence eviction turned to for shelter, and their housing tenure security when seeking relocation.

4.3.2 Relocation: new cycles of tenure insecurity and gender-based violence

This section looks at the aftermath of gender violence evictions: what happened to survivors who were forced to leave the marital home and seek relocation? In answering this question, this subsection discusses: (i) the effects of gender violence evictions pushing women into housing deficit and inadequacy; and (ii) how new living arrangements may contribute to persistent or new cycles of abuse against survivors and their children.

Important reminders include the fact that most women in this subsample had no or very limited income and became single mothers when leaving the marital home, responsible for productive and reproductive work, often further burdened with no child support – since escaping may require hiding and stopping contact with the perpetrator, at least for a while. This adds to the impact on social capital, such as losing access to support networks from neighbours and friends who could look after children while women tried to earn income, in addition to the psychological and mental health processes to recover. It was in these circumstances that survivors searched for new housing arrangements, in contexts like Recife’s low-income settlements, marked by long-standing challenges for socioeconomically disadvantaged people to find affordable and adequate places to live.

4.3.2.1 Housing deficit and inadequacy

When survivors experienced gender violence evictions – had to leave their homes to escape abuse – there were two main scenarios for relocation. Most frequently survivors moved into friends’ or relatives’ homes (11 out of 18, or 61.2%). Similar to what has been reported to survivors who were trapped in the stage of cyclic eviction (Subsection 4.2.2), participants described the hardship of “living in someone else’s home”, in overcrowded, uncomfortable, precarious arrangements. In terms of tenure security, these arrangements were often seen as

temporary and insecure, with extreme hardships, and any tension with the hosts could lead to a new eviction, as illustrated in the following accounts:

We were three families in a place that didn't even have a bathroom in it. It was a mess... Sooner or later I knew they would send us away. I was just expecting that, and staying as long as I could. (PRI)

I moved into my sister and brother in law's house, in the countryside. We didn't have many problems at first, he liked me and my kids. But after some time, he got tired of us living there, and I had to find another place. I moved back to the city to stay at a friends' house. (RAF)

Survivors sometimes managed to move to other housing alternatives, often with help from their hosts and sometimes other community actors, such as the case mentioned earlier in which the church congregation helped a survivor to buy a plot where her new partner built the dwelling:

I thank God that I found this little place I could afford. I could no longer stay at my sister's house; her husband was tired of me and my kids living there with them. I thought I would have to go back to live with him [abusive partner] again. But I worked hard to save R\$100 and the church people helped me with the other R\$100, so I bought this piece of land. Since I had no money to build the house, my sister talked to my boyfriend [now partner] and put him against the wall to convince to build the house and provide for my children (SOL)

Remarriage, as described above, was a common practice in the sample, especially as a means for economic and social security. The circumstances in which it took place and the limited housing options available for women suggest gendered housing strategies similar to those detailed in Section 4.1.

Fewer survivors had a sufficient and stable source of income to try to live in rental accommodations (7 out of 18 or 38.8%). However, as already mentioned in the introduction to this section, constraints to earn income were exacerbated when the women became single mothers and moved away from support networks that could help with reproductive work. Economic sustainability was thus jeopardized, as was their tenure security as tenants:

I worked day and night, and left my elder daughter taking care of the younger ones. But every month I had to choose between paying rent and feeding my children. Until one day I had to go back to my mother's house in the countryside. (MCRM)

In summary, gender violence evictions pushed women down the "property ladder" and into housing deficit and inadequacy, which in Brazil includes overcrowded housing units, involuntary cohabitation, an excessive rent burden, and tenure insecurity (Fundação João Pinheiro, 2018). Unfortunately, official housing data in Brazil is not disaggregated by gender to show whether women are disproportionately challenged to access adequate housing.

Moreover, data are collected and analyzed at household level disregarding intrahousehold dynamics related to housing; so, even if gender was incorporated into analyses, it would at most reveal the status of women heading households and not necessarily the status of those women “asking for favours” to live at other peoples’ homes. There are also no questions related to domestic violence in the housing module of data collection of the census and household sample surveys, meaning that it is currently not possible to identify or assess the role of domestic violence in people’s and families’ housing arrangements.

Gender violence evictions also forced some survivors to go back to the countryside, from where some of them had come years before, constituting a specific form of gendered migration after escaping abuse, a process that previous studies termed as the geographies of escaping abuse (Warrington, 2001; Bowstead, 2017). Here another reminder seems useful: considering that inheritance is a major form of access to property among women also in rural contexts (Deere & León, 2001), and that one’s length of residence may influence *de facto* inheritance rights, the fact that women had left the family property for several years while their brothers or other relatives kept and pragmatically invested in the property, weakened women’s relationship to their natal family property and subsequent tenure security. At least one survivor (ELI-2) tried to return to her natal family property and was not allowed to stay by her brother, who claimed paramount property rights over her for having stayed and taken care of the property while she had been away.

4.3.2.2 New and persistent cycles of domestic violence

These new housing arrangements, especially when survivors and their children were living at friends’ or relatives’ homes, exposed women to persistent violence from former partners and fear of retaliation:

He kept harassing me at my mom’s place... (VER)

I am afraid that he will find out where we live. This is why I never tell anyone where I am staying, and I also told my kids not to tell anyone where we are. We always keep the windows closed, and I hang the cooking pots behind the front door so there is some noise if he ever tries to break into the house in the middle of the night. (DID)

Estimates of abuse from former partners are alarming, especially when women manage to loosen dependency upon perpetrators, such as economic dependence (Cerqueira et al., 2019). In fact, femicide in Brazil is rampant: four women are killed every day, 88.8% of which are murdered by a partner or former partner (Fórum Brasileiro de Segurança Pública, 2019).

Precarious and overcrowded living arrangements, with more than one family sharing sleeping space and facilities, are likely not only to affect a child's social development, including access to and consistency regarding school, nutrition and overall wellbeing, but also to increase risks child neglect and abuse against survivors' children (Bartlett, 2018; Cant, et al., 2019). Although none of the participants explicitly mentioned that their children have been exposed to abuse when they sought relocation, at least four of them had experienced violence in their childhoods (Subsection 4.1.1).

Moreover, field observation of one case in particular raised an insight that deserves attention. One participant (SOL) who was raped by her stepfather when transitioning from childhood to adolescence, and later fled home to escape incest; as an adult, she was subject to intimate partner violence and fled again to escape abuse. She could not take all her children with her, so she left her eldest daughter living with relatives while she found a place to stay with all her kids. By then, her daughter was around eight years old, slightly younger than she was when she had been raped by her stepfather. At the time of the interview, the participant was so relieved that she had finally managed to bring her daughter to live with her again. In this case, the safe place to stay was a land plot bought by the participant and a shack built by her new partner, who agreed to become a provider while the participant stayed at home taking care of her four children. During the interview with the survivor, with her daughter nearby, I realized that when she was little more than eight, the daughter of the participant had experienced her mother being subject to domestic violence and fleeing to survive, and she had already lived with unknown male adults twice, first with an uncle and now with a stepfather. This case illustrates the exposure of children to domestic violence across their lifecycle and also the potential intergenerational effects of domestic violence.

In Brazil, three children or teenagers are sexually abused every hour, and in 73% of the cases, the abuse happens at home, while government programs to prevent and address the issue are discontinued (Ministério da Mulher, da Família e dos Direitos Humanos, 2020; Herdy, 2020). Higher levels of household overcrowding are associated with an increase in allegations of child sexual abuse (Cant et al., 2019). According to Bartlett (2008), overcrowded arrangements, confined space, poor housing conditions, high noise levels, among other elements, contribute to "environmental chaos" (Wachs, 2010 quoted in Bartlett, 2018) and are associated with increased stress levels and child abuse and neglect. In addition, Bartlett continues, people coming and going and a lack of structure and control in daily life is linked to less predictable, less well-regulated interactions between children and adults. There is also a relationship

between poor material housing conditions and the sexual abuse of children, such as shared sleeping space in overcrowded homes, and privacy issues exposing children to unwanted attention, and even the reluctance of parents to report the situation when a family member or a friend is the abuser, especially when there is some dependence involved, such as when families depend on the goodwill of abusers to keep a roof over their heads (Marcus, 2013 quoted in Bartlett, 2018).

We can only speculate whether any of these dynamics were experienced by participants in this subsample and their children, when they lived at friends' or relatives' houses, in overcrowded and precarious structures, sharing sleeping space with strangers, with bathrooms without doors or outside the dwelling, among other characteristics of the poor housing conditions reported in their narratives.

Another aspect is the cyclic and intergenerational effects of domestic violence. Experiences of domestic violence during childhood may influence people's behaviour in adulthood, both with men becoming more aggressive and women having a higher acceptance of violence (WHO, 2017). As mentioned in Subsection 4.1.1, four participants disclosed having experienced domestic violence, and two had witnessed their mothers being subject to violence, in addition to others who explained how their own children had been around and witnessed the violence they experienced in houses with no separation between rooms, and no secluded place to protect the children from witnessing the abuse. The intergenerational effects of violence deserve attention in housing studies since they may be linked to poor housing conditions (see Section 6.3).

In summary, the new housing arrangements of survivors escaping domestic violence led to new cycles of tenure insecurity (subsequent evictions) and housing inadequacy, as well as new or persistent/continued cycles of domestic violence against survivors and their children, suggesting an important relationship between housing struggles and abuse.

4.3.3 Accessing government support

In Recife it is estimated that only 20.8% of domestic violence survivors seek institutional support to address and cope with the violence, through various sectors, such as the health system, the police, courts, non-governmental organizations, community-based organizations, and religious institutions (Silva et al., 2012). This subsection explores the government response

related to the housing problems of this minority of survivors when they reach the police and domestic violence courts. The discussion is based on the experiences reported by the ten survivors interviewed at the domestic violence court and another four survivors interviewed in the low-income settlements, who tried to officially report the violence. These accounts were supplemented by the perspectives of the domestic violence experts interviewed for this study and the literature review which includes legal and policy frameworks.

Once women overcome a wide range of barriers to officially report domestic violence – such as intimidation by abusive partners, fear of retaliation, economic dependence – the main gateway for survivors to report and access specialized services to address domestic violence in Recife is the police, either regular police stations, in greater number and better distributed geographically, or the single special women's police located in the city centre. The first problem reported by survivors in the subsample was to get to the police stations when they lacked money for the bus fare, could not find or hire someone to leave their children with and take over their domestic duties (to prevent controlling partners from discovering they had left during the day), and ultimately the lack of freedom to come and go since their partners kept asking where they had been, and what they had been doing when they left the house.

When arriving at the police station, a second barrier was the service provided by police officers, who neglected and ridiculed their complaints, as illustrated below:

“I gathered all the change [money] and strength I could to go to the police station. When I got there, the police officer asked me if I had not put too much salt on his [partner's] food, or if hadn't washed his underwear properly. He laughed at me and sent me back home.” (DID)

Other participants described how they abandoned their cases as a result of a number of factors, such as pressure from in-laws: “His mother begged me to drop the case, and as I was living at her house, I couldn't refuse” (CLE). Even though domestic violence survivors are no longer allowed to withdraw charges against perpetrators, precisely to avoid external pressure, survivors who wish to do so simply stop attending the hearings and taking evidence, which brings to a halt the cases that depend on their input.

Communication problems also resulted in cases coming to a halt. One example was provided by a participant (VRL) who thought that pressing charges was all she had to do, and the police would take care of the rest of the case. She did not understand that she had to bring in witnesses, provide evidence, follow up the case, and so on. Experts complemented by noting that all the attention of the communications campaign around the current domestic violence law revolves

around encouraging women to break the silence and officially report the violence; therefore, survivors may think that reporting the violence is the end of their role, when it is actually the beginning.

Once survivors manage to get to the police, are taken seriously and heard by police officers, and understand the options available, they can request (a) support to leave the marital home and relocate, or (b) support to stay in the marital home and exclude the abusive partner from the property. The following combines interview data with insights from document review on policy implementation.

4.3.3.1 Support for leaving the marital home and relocating

The main support available for survivors who wish to leave the marital home is the emergency shelter system, that can be accessed by a request through the police. In the state of Pernambuco, there are only four domestic violence shelters²², with a total of 120 shelter spaces (Pernambuco, 2011 apud Amorim, 2015; Correia, 2019). If we were to consider European Union recommendations for governments to provide one shelter space per 10,000 inhabitants (Council of Europe, 1997), in a state the size of Pernambuco, with 9.5 million inhabitants (IBGE, 2020), the optimum number of shelter spaces would be 950, nearly eight times more than the current 120. Moreover, the current number of shelters is decreasing as a result of austerity measures and political turbulence (Human Rights Watch, 2019).

In addition to the limited number of shelter spaces, the criteria and protocols for a survivor to access emergency shelters are very strict: only survivors under an imminent risk of death with active charges against the perpetrator can access a shelter space, according to national and state level guidelines (Brasil, 2011). Until survivors face a death threat or attempted murder, they are not eligible to obtain a shelter space, meaning that housing provision is not seen as an element of preventing and avoiding extreme cases of violence. Alternatively, domestic violence agencies can direct survivors to shelters for the homeless, that serve a very different profile of users compared to domestic violence survivors.

²² One of the key characteristics of emergency shelters is that their location must remain unknown, so there were limited and even contradictory records regarding the number of shelters in the state, and there was literally some hesitation from government officials interviewed for this study in confirming which were currently working or closed, which were managed by each level of government, and whether there are any other facilities managed by non-government organizations and supported by government.

Once survivors enter a shelter, there are a number of issues such as isolation from friends and family, loss of job and income (if any), loss of privacy and autonomy, and even loss of child custody since some shelters do not allow children. Their stay is temporary: as short as possible to free up the space for other survivors, and no longer than six months. “Survivors will do anything not to end up in a shelter, and those who have no other choice will do anything to leave”, said one court official. “I had my own house, my place, I don’t want to hide and live with the homeless, this is not fair”, complemented one participant.

There is no housing programme to re-house domestic violence survivors trying to leave the marital home or family property in Recife or Pernambuco. For example, there is no council housing programme that could prioritize women in urgent need. Alternatively, government agencies look for family members in other cities, especially in the countryside and in other states, to host survivors and their children, and offer a small stipend to help with expenses, a one-time payment of R\$250 for women to move to a different city (Pernambuco, 2009).

Rent subsidy is not available. One court officer heard from a survivor that she received R\$200 rent support for a few months from the agency that deals with environmental risk and disasters (Defesa Civil) to make her leave the emergency shelter. This was not a systematic response, but rather an *ad-hoc* solution, probably an attempt to free space in the emergency shelter for a new survivor at a more severe stage of violence.

In terms of conventional housing programmes, from the 1,7% survivors who reach domestic violence shelters, only 1% manage to apply for the programmes like the My House, My Life (Cordeiro, 2007; Silva et al., 2012). Nevertheless, the priority given to female headed households can be packaged in government discourses and referred to in superficial debates as a response to women’s housing needs to escape abuse. I argue that this may be the case for survivors in a later phase of their critical route out of violence, who have already left the marital home, and are rent burdened or doubling-up with friends or relatives. For survivors trying to leave abusive relationships, conventional housing programmes should not be understood as a concrete exit option for a number of reasons.

First and foremost, allocation of housing or plots through government programmes can take years from when the beneficiaries are selected until they receive the property, which is incompatible with the urgency of survivors trying to leave abuse. If what is being allocated is a plot (not a finished house), extra time is needed to build the dwelling, not to mention the money, skills and labour to buy construction material, hire construction workers, or mobilize labour

through informal networks, resources that may be unavailable to survivors. If a survivor tries to get ahead by applying for a government housing programme while she is still in a consensual union, her abusive partner may be entitled to a share of the property she obtains, meaning that she would face the struggles of making the abusive partner leave the marital home he partially owned, detailed earlier (Section 4.2). There is also a judicial debate challenging women's priority in government housing programmes altogether as it disregards civil law provisions that establish couple's joint entitlement to all property acquired during consensual union. A public defender illustrated this judicial debate with a number of cases of female beneficiaries of housing programmes being mandated by judges to sell the property to share the proceedings with former partners, despite the 2012 law that established that women should keep the property acquired through government programs in case of separation (Brasil, 2012).

Another debate needed is whether homeownership or owner-occupation is the most appropriate form of tenure for survivors wishing to escape abuse as they may be exposed to harassment from former partners who know or find out where they are, or forced to leave their homes to escape again. In this sense, it was noteworthy that no beneficiaries of government housing programmes who experienced partner violence officially reported the violence; they continued living with abusive partners, among other reasons, not to lose property (Subsection 4.2.3). A lingering question is whether homeownership may be actually trapping women in abuse rather than enabling them to leave. Therefore, other housing alternatives must be explored to encompass the complex dynamics of domestic violence without exposing women to violence or housing deficit and insecurity.

4.3.3.2 Support to stay in the marital home / Excluding a violence partner

For survivors willing to end an abusive relationship and continue living in the marital home, the 2006 Domestic Violence Law (Art. 18-24) established a series of judicial protective measures, including one to exclude abusive partners from the marital home and prohibit them from coming near or contacting survivors. Even women who have fled home to escape violence have the right to return and be protected, regardless of who owns the property. This is a temporary measure that often lasts for three months and may be extended for as long as the judicial process continues. Protective measures can be requested through the initial police report or afterwards, when survivors reach the domestic violence court.

Survivors living in rental accommodations can request protective measures to exclude abusive partners from the marital home; they can also add the request that the abusive partner continues

to pay the rent to the protective measure, as explained by a public defender. There were no such cases in my subsample, but the observations that emerged from the survivors who sought relocation through rental markets (Subsection 4.3.2) may apply. Given women's constraints to earn income, especially after becoming single mothers, survivors living in rental accommodation are likely to be rent burdened and vulnerable to eviction by landlords.

When couples live in men's family property – as in several cases in my subsample – women trying to keep the marital home through protective measures, even if temporarily, posed tensions and conflicts with men's relatives. Survivors in these circumstances faced harassment and threats by parents-, brothers- or sisters-in-law, who refused to accept that an outsider was keeping family property, often confusing temporary protective measures with definitive property settlement. The perpetrators also had limited housing options, and, depending on the kind of protective measure, were forbidden to come anywhere near the family property to visit their parents and relatives, deeply affecting family dynamics. Men's struggles were often used as an argument by their relatives who tried to pressure survivors to withdraw charges. These tensions were also echoed in the recommendations of frontline court officials, suggesting that “when the in-laws get involved, it is time for women to find another place to live; rings may be gone, but not the fingers (*vão-se os anéis e ficam os dedos*)”.

When survivors owned the marital home, partially or entirely, the protective measures excluding abusive partners seem even more reasonable than in other tenure arrangements. However, as long as survivors live in a place known by abusive former partners, such as the marital home, there is a risk of continued violence. Court officials highlighted that although protective measures are an important element to encourage women to break the silence, this is also when a violent backlash is likely to take place. Indeed, two cases of death threats and attempted murder mentioned earlier (ELI-2 and NEI) happened precisely when women challenged men's control over jointly owned marital property. Another survivor shared her experience with the protective measure:

“I managed to get him [partner] arrested once, but a couple of hours later, there he was, knocking on my door again. He came home saying that he became friends with the police officers and made a deal to get released. It went from bad to worse, I'd never seen him so angry” (SOL)

To overcome the risk of escalating violence, experts also mentioned other security measures available such as a panic button to activate the nearest police patrol, and a hotline. But a commonly heard expression in the subsample among women who tried to remain in the marital

home was that they “never slept peacefully again in the house”, fearing their former partners or in-laws would break in during the night to harm them.

Another element that further challenges survivors trying to end the cycle of violence is the fragmentation of family (civil) and domestic violence (criminal) courts. Domestic violence judges have a hybrid competence: their main concern is with the criminal punishment of the perpetrator, but they also have some authority in specific civil and family matters, such as provisional child custody and property settlement to suspend interaction between the survivor and perpetrator during the criminal process. This responds partially and temporarily to primary concerns and expectations of survivors such as the decision as to who keeps the marital home, child custody, alimony, to allow a somewhat regulated interaction between former partners in such a sensitive environment. “I don’t want him to go to jail, I just want him to leave me alone so I can live my life”, said one participant, complemented by the other more explicit “All I want to know is who will keep my shack (“Eu só quero saber quem vai ficar com meu barraco”).

However, all decisions on civil matters issued by judges in domestic violence courts are only temporary, and survivors who want a conclusive dissolution of the partnership and property settlement must access family courts. Part of the explanation for this limited competence in civil matters lies in a provision of the 1940 Criminal Code (Art. 181) that exempts from criminal charges patrimonial disputes and crimes between partners, ancestors and descendants. Therefore, all the property issues related to domestic violence cases must be addressed in family or civil courts, detached from the backdrop of gendered family dynamics and power relations in which the property dispute is rooted. This topic will be discussed in depth in Chapter 5 through a focus on patrimonial violence against women.

Here, what is important to highlight is that it is common for survivors to not even start the divorce or dissolution of partnerships in family courts, under the impression that the temporary protective measures from domestic violence judges are the final decision and that they could keep the marital home. Others simply fail to understand the difference between family and domestic violence courts, or don’t have the resources (time, income, legal empowerment, trust/hope) to follow up two judicial cases in two different courts. As mentioned earlier, survivors often lack the resources to travel to the city centre to follow up their cases in the courts and get professional advice. They don’t have time off work (reproductive and/or productive), can’t leave children unattended, and don’t have the resources to hire someone to look after them. Moreover, their partners or former partners control where and when they come and go

and who they call and interact with. These are some of the challenges that hinder their access to justice, which would be doubled if they had cases running in two different courts. As a result, a specific kind of housing informality was noticed in the case of women who keep jointly owned property under the impression that the decisions from domestic violence court judges establish the permanent property settlement.

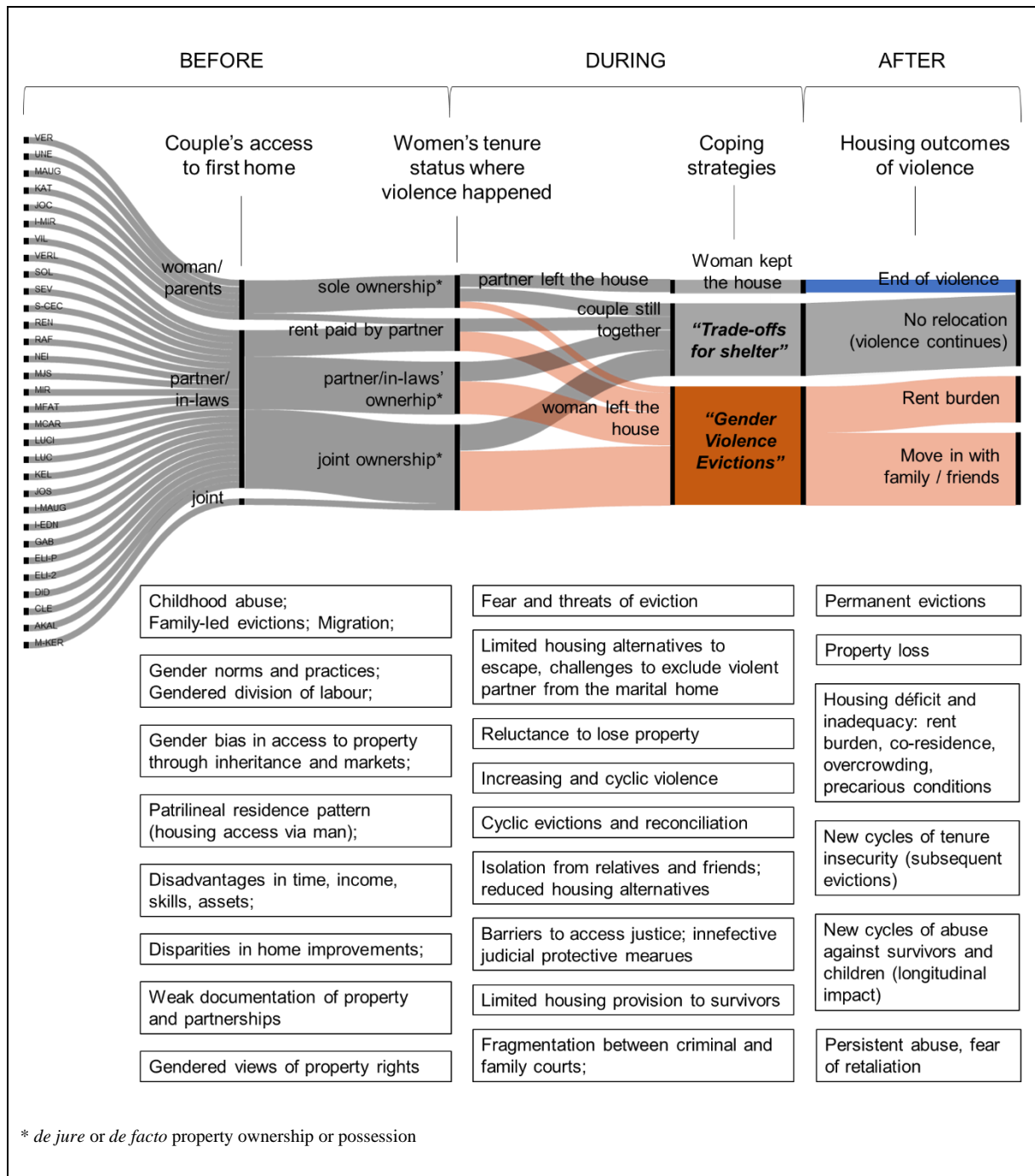
The fragmentation between the family and domestic violence courts is such that the legal team of the domestic violence reference centres – that provide important legal support for survivors – can only act in criminal court matters (at domestic violence courts); in family and civil court matters they can only provide guidance. To enter family or civil courts, survivors would have to privately hire professional solicitors (often unaffordable for them) or get help from public defenders' office (usually understaffed, delaying the cases). In addition, family processes tend to be slower than domestic violence ones, and family court officials tend to be less aware or sensitive to the gender or domestic violence dimensions of property disputes. Experts reported the persistence of gender stereotypes in family court cases, such as women being treated as greedy, vindictive, selfish when fighting for their property rights in the settlement. Family court cases have no or limited connection with the domestic violence cases, and survivors have no priority or fast track to solve crucial aspects of their interaction with former partners. Delay in judicial processes, lack of understanding of the entire processes and trust in the outcomes, women's limited resources, economic and emotional dependence on perpetrators, and the cyclic nature of violence are among the factors that make judicial processes end up by losing meaning and practical importance for survivors.

For these and other reasons, survivor's desistance and sometimes reconciliation were mentioned in the interviews, both from survivors' and service providers' perspectives. While other disciplines approach survivors' desistance from different perspectives, my findings stress the importance of housing alternatives for women to leave abusive partners and effective measures for them to keep the marital home and remain safe as crucial elements to end domestic violence. Women need housing for survival, otherwise, they may be compelled to exchange one thing for another, as suggested in the title of this thesis.

4.4 Summary and discussion

This chapter has shown a series of disadvantages faced by women to access housing and keep their homes in case of intimate partner violence. First, it showed the gender dimensions of the housing scenarios where intimate partner violence took place to then shed light on how intimate partner violence affected women's housing tenure security during an abusive relationship, at separation and after escaping and seeking relocation, especially given the shortcoming of government policies to address survivors' housing needs. Figure 23 represents the housing trajectories of the 31 survivors who I encountered (or engaged with) for this research, considered in this chapter, featuring the two main coping strategies observed in the sample, "trade-offs for shelter" and "gender-violence evictions".

Figure 23 - Housing trajectories of women who experienced intimate partner violence



As depicted in Figure 23, **women's housing trajectories before intimate partner violence** revealed that:

- Women's previous experiences with abuse in their childhood, against themselves and their mothers, and tensions within families exposed women to migration and family-led evictions, distancing them from their natal family property and support networks;

- When forming a consensual union, survivors faced disproportionate challenges to access housing on their own (via property markets) and through their families (via inheritance or informal subdivision of property), and usually moved to their partners' or in-laws' property. This patrilineal residential pattern, rooted in gender norms and gendered divisions of labor, made women's tenure security depend on their relationship with their partners or in-laws from very early in the relationship and determined that couples who could accumulate wealth did so on plots of land that did not belong to the women;
- Economic disadvantages, such as disproportionate challenges to earn income, also linked to gendered division of labour and the time poverty it provokes, hindered women's ability to invest directly in home improvements, weakening their *de facto* and perceived relationship to marital property;
- Property titles were often in men's names or non-existent, and women often lacked access to any proof of residence such as utility bills, crucial to claiming *de facto* property rights in the local context. Informality was also noted in partnership formation, making it difficult to identify whether marital property was acquired before or during a partnership and therefore who was rightfully entitled to claim property rights;
- Despite formal equality under partial community property regime, gendered perceptions of property rights were shaped case-by-case to highlight men's and undermine women's contribution to couples' housing strategies and property claims. Some women were often not fully aware of their formal property rights over a share of the marital home acquired or built during consensual union, and sometimes were deceived or misinformed by their partners, who wished to discourage women's claims;
- To sum up, women in the sample frequently did not own land, could not invest directly in housing construction or improvements, or invested in someone else's property, and were not fully aware of or able to claim and prove their property rights over jointly owned property. In practice, these participants had a weaker relationship to the marital home compared to their partners, and, therefore, were more likely to lose their rightful share of property in case of separation even before violence took place.

The housing trajectories before violence narrated by women in Recife are very similar to what has been observed in other Latin American contexts, such as Mexico and Ecuador, where gender bias and disparities have also been observed in terms of access to property, home improvements, tenure documentation and perceptions of property rights (Chant, 1984; Varley,

1993; Deere & León, 2001; Moser, 1989; 2009; 2016). I add to this literature by providing empirical evidence from Brazil, and by emphasizing that these gendered housing and asset building processes shape the housing scenarios where domestic violence takes place, which may influence women's coping strategies and the housing and property outcomes of violence.

Women's housing trajectories during domestic violence revealed that:

- Survivors reported constant fear of eviction due to domestic violence (perceived insecurity of tenure) and were forced to leave the marital home several times, returning when lacking a sustainable housing alternative or when things calmed down between them and the perpetrators. This phase was termed as "*cyclic evictions*", often aligned with the cycle of domestic violence (tension building, explosion, honeymoon).
- Nearly a third of participants were lingering in this phase of cyclic eviction at the time of the interview. They continued to live with abusive partners, among other reasons, due to the lack of housing alternatives and when refusing to lose their rightful share or property; this group included women who were beneficiaries of housing programmes, and those trying to protect their children's inheritance rights. These cases provide clear examples of women who had to tolerate abuse in exchange for a place to live and to hold on to their property, a circumstance that was termed as "*trade-offs for shelter*".
- Most participants (nearly 2/3), however, faced what was termed as "*gender violence evictions*", meaning that they were forced to leave the marital home permanently to escape abuse. Many women were not aware of their property rights under partial community property; others were aware of their property rights but decided to leave to avoid further conflict or left when lacking the means and resources to claim and prove these rights. On the other hand, when women were fully aware of and tried to exercise their property rights over a jointly owned marital home, that was when the violence became more severe, with even death threats and attempted murders. These cases illustrated how domestic violence can be used as a tool to dispossess women and ensure men's control over property.
- With few exceptions (2 participants, who individually owned the marital home), ending abuse meant leaving and losing the marital home.

These findings resemble what the domestic violence literature has explored in terms of economic constraints to leave abuse and housing instability around leaving (Sagot, 2000; Warrington, 2001; Velzeboer, 2003; Pavao et al., 2007; Ponc et al., 2011, Bowstead, 2017). I

add to this literature by expanding the usual focus on the violent event and its consequences, to provide insights from the preconditions or residential scenarios where the violence takes place. I argue that the disadvantages to secure housing and exercise property rights stem from the gendered housing processes before violence. The fear of evictions and the phase of cyclic evictions reported by survivors still living with perpetrators show that tenure insecurity starts being perceived and experienced still during the abusive relationships, which represents a much longer period of housing instability than what the studies focused on the aftermath of violence are capturing.

In addition, my findings stress the need to distinguish women's *formal* and *effective* property rights (Agarwal, 1994; Deere & León, 2001), especially in domestic violence settings. Despite legal equality before the law and formal ownership of property, women may be unable to exercise their rights as a result of limited legal awareness and gendered constructions of property rights, widespread informality and constraints to claim and prove these rights, in addition to concrete risks due to increasing levels of violence. Therefore, in addition to formal property ownership, further efforts that seek to expand on the relationships between property ownerships and reduction of violence should consider these "soft" dimensions of how property rights are perceived and exercised in practice.

Regarding the **housing outcomes of domestic violence**:

- Following gender violence evictions, survivors usually found shelter in precarious, overcrowded, shared housing arrangements, or in rental accommodations facing a rent burden. These are the most significant forms of housing deficit and inadequacy in Brazil. Gender violence evictions are driving women and their children into housing deficit and inadequacy, which stresses the need for gender-disaggregated and individual level data to reveal these dynamics in further housing studies and analysis;
- The housing arrangements where survivors were able to relocate to also exposed women and their children to a risk of new or persistent cycles of domestic violence, such as women being harassed by former partners when living in "obvious" places like their family homes, as well as children being exposed to risks of child abuse in overcrowded and precarious dwellings. The fact that some survivors in this subsample had experienced abuse in their childhood raised insights into the intergenerational effects of domestic violence, that will be addressed in Chapter 6.

When examining the public policy responses to the housing needs of survivors in Recife, data from survivors, experts and official documents revealed and reinforced that:

- Access to emergency shelter is very limited, available only to women in advanced stages of the violence that reached risk of death;
- There are no housing programmes to address the urgent and medium-term housing needs of survivors;
- Judicial protective measures to exclude the abusive partner from the marital home are only temporary and may expose women to continued and more severe violence from partners and in-laws with whom women are likely to share the plot;
- Property issues associated with intimate partner violence are not treated as patrimonial violence but designated to family courts and treated as mere property disputes since men are not punishable for patrimonial crimes against their partners according to the provisions of the 1940 Criminal Code. This topic is further explored in Chapter 5, with a particular focus on patrimonial violence.

This chapter showed that despite legal and policy provisions, domestic violence persistently affects the tenure security of women during and after abuse and drives women into housing deficit and inadequacy when seeking relocation in Recife. Alternatively, women may be forced to make trade-offs to keep a roof over their heads or to secure patrimony, constituting a specific form of currently “*hidden housing deficit*” that deserves further attention in housing studies.

These findings challenge gender-blind and household level understandings of tenure security and housing constraints by showing that individuals living in the same household may have different inputs into families’ housing strategies and therefore different legal, *de facto* and perceived tenure status, entitlements and claims to property. Women who face disproportionate challenges to access housing on their own and through their families, to invest in home improvements and to understand, prove and claim their property rights are more vulnerable to dispossession upon separation than their partners, even before domestic violence takes place. What domestic violence does in these cases is exacerbate the challenges for women to keep their homes in such gendered tenure scenarios and when their safety is at risk, or exacerbate the challenges to access new housing arrangements when escaping abuse, as single, impoverished and traumatized female heads of household, thus driven into a housing deficit status. “Gender violence eviction” and the housing constraints that precede it and unfold from it should be considered in housing studies and interventions. Housing tenure security and asset building

processes must be understood through a gender lens, considering intra-household dynamics and conflicts like domestic violence.

Findings do not fully support the idea that home ownership reduces the risk of violence and offer survivors concrete exit options to escape abuse (Panda & Agarwal, 2005, and others). Empirical data showed that women who owned the marital home individually or jointly may be trapped in violence, among other reasons, as a means to secure housing and property for themselves and next generations. In fact, severe cases of violence that developed into attempted murders were reported by homeowners who “pushed too hard” to keep their rightful share of property, challenging their partners’ control over property. The relationship between property ownership and reduction of domestic violence or women’s coping strategies still needs further examination. This also implies the need to examine negative outcomes of government efforts to promote homeownership for women, as will be pursued in Chapter 6, since interview data suggest that affirmative action may be triggering violent backlashes. In addition, conventional housing provision focused on homeownership may clash with women’s need for flexibility when escaping abuse, suggesting the need to explore other forms of tenure when designing government housing provision through the lens of gender and intrahousehold conflicts.

The following chapter focuses on the property disputes within explicitly abusive relationships, as well as those disputes that in itself constitute patrimonial violence against women.

5 PATRIMONIAL VIOLENCE AGAINST WOMEN: PROPERTY LOSS BASED ON GENDER

The 2006 Domestic Violence Law defined patrimonial violence against women as

[any act or omission based on gender] that provokes partial or total retention, subtraction or destruction of women's personal belongings, work instruments, personal documents, assets, valuables and rights or economic resources, including those that serve basic needs (BRASIL, 2006, Law 11.340/2006, Art. 5º, Art. 7º, IV).

By referring explicitly to “assets, valuables and rights or economic resources”, this definition acknowledges the interplay between domestic violence and property issues that may occur in domestic, family and intimate relationships. Patrimonial violence is not only a consequence of other forms of domestic violence; the violation of women's property rights by a family member when based on gender is, in itself, a specific form of domestic violence that can be prosecuted and should be eliminated. In other words, when a man dispossesses/deprives his wife, partner, sister, mother, daughter, or other female relative of her property rights, based on gender, this constitutes domestic violence against women according to Brazilian law, even if no other form of violence was exercised. Although different types of domestic violence often happen concomitantly, this typification helps to unveil the complex mechanisms through which it may be exercised and to ensure that, when patrimonial violence happens alone, it should not be disregarded as violence.

The purpose of this chapter is to contrast the legal and policy frameworks established since the recognition of patrimonial violence against women in 2006 and women's lived experiences related to property rights. This chapter reviews 18 cases of gender violence evictions discussed earlier in Chapter 4, together with narratives from another 13 participants who reported property issues related to inheritance or separation, exploring to what extent these property disputes and outcomes constitute patrimonial violence against women. These narratives were supplemented with data from interviews conducted with experts, and a review of laws and literature for triangulation and further insights.

Section 5.1 discusses property issues between women and their partners or former partners around the marital home and other forms of patrimonial violence related to objects, documents and income. Section 5.2 focuses on inheritance issues between women and their parents or children (ancestors and descendants), brothers (collaterals), and non-blood relatives like parents-, brothers- and children-in-law. Section 5.3 discusses legal and policy implementation

and challenges in addressing patrimonial violence against women, at the police station, domestic violence courts and, family/civil courts. The chapter uncovers how patrimonial violence is taking place and being silenced in practice, despite legal recognition for over a decade.

Despite some repetition in relation to Chapter 4, having a specific chapter on patrimonial violence is intended to analytically distinguish the domestic violence that is directly related to housing and property from other forms of economic violence and other forms of domestic violence, that may or may not happen concomitantly. Patrimonial violence often fades in more general domestic violence studies, and even in economic approaches to violence, and is seldom given specific attention, as intended in the present chapter.

5.1 Separation: property issues between partners and former partners

This section considers the narratives of 18 participants already presented in Chapter 4 who experienced gender violence evictions (ended abusive relationships by leaving the marital home), and other cases in which women left the marital property upon dissolution of partnerships, with a particular focus on the property settlement. It explores in detail how the distribution of marital property was negotiated and whether the process constitutes patrimonial violence – whether women were deprived of their property rights and whether the dispute and outcome were based on gender. Although different outcomes of property settlements upon separation may occur, the cases examined here encompass only the processes through which women lost their homes and property when ending conjugal partnerships, seeking to uncover how patrimonial violence occurs.

Important reminders before examining the cases include the fact that the default marital regime in Brazil is partial community property that determines that women are entitled to half of the property acquired or built during the relationship even if they did not contribute with income to their acquisition; while property acquired before the relationship or through inheritance and gifts remain the individual property of each partner. In practice, however, as discussed in Chapter 4, it is difficult to identify whether the marital home was acquired before or during a relationship when couples are not formally partnered and do not have a specific date when the partnership started, and property is built or improved incrementally and remains undocumented, also with no clear date of acquisition. The rightful share of property of each partner can be clouded and subject to contestation upon separation, especially in informal negotiations within

families, dominated by gendered practices and understandings of property rights, not necessarily reflecting civil law provisions.

The key question addressed in each case below is what housing and property rights did women have, how did they engage in property disputes, what were the gender dimensions of the disputes, and what did women lose? Distinguishing women who were individual/sole homeowners (5.1.1), partial homeowners (5.1.2), and tenants and rent-free tenants (concession) (5.1.3) helps to identify the level of property and/or housing rights violations that may result from separation and property settlement. In addition, this section discusses other forms of economic violence, related *inter alia* to income, documents, and objects, exercised as controlling mechanisms to reinforce the dependence of women upon their partners (5.1.4).

5.1.1 Losing individual property

Women who individually own the marital home may be unable to keep their property upon separation. The clearest example of patrimonial violence in this circumstance was reported by a woman who lived with her partner in her mother's backyard, in a dwelling built by her own family (I-MIR). After being subject to various forms of domestic violence perpetrated by her partner, she had to leave the marital home in order to survive. The abuser had no rightful share over the marital home but simply refused to leave and became more violent at every attempt of the participant to end the relationship and make him leave, up to when she ended up in hospital, and the doctor told her that "with another kick" (*só mais um chutezinho*) she would have been killed.

The most explicit gender dimension of this separation and property settlement is the man increasing levels of violence to keep a property that was not rightfully his, using violence as a tool to gain control over property. Since the perpetrator was not interviewed for this study for ethical and security reasons, only the survivor's side of the story is available, and this allows the following interpretation. On the one hand, the perpetrator may have been under the impression that "upon marriage, everything becomes joint property" (Subsection 4.1.5); this misunderstanding of property rights has been repeated several times throughout the sample, as mentioned earlier, and may have influenced his behaviour. Alternatively, it could be that he was well aware of his limited entitlements to property and was acting unscrupulously to subtract property from his partner upon separation. Regardless of the reasons, the perpetrator exercised patrimonial violence through physical violence.

Another piece of evidence of how gender was entrenched in this property dispute was the role of the survivor's male relatives. In her narrative, the participant expressed a belief that she had only experienced violence and lost control over property because her brother was not around to maintain order (he had been arrested and spent time in prison for being involved in illegal drug-related activities). An uncle and a male cousin tried to intervene and threaten the abuser "from men to men" (*de homem pra homem*) as she recalled during the interview: "My relatives tried to help. I remember them yelling at my partner 'did you think that there were no men in this family? Here we are, watching you!' But it didn't work and only made things worse". The woman ended up leaving the property to hide at a relative's house, and it was only when her brother left prison and returned home that the abuser left the property. This outcome confirmed the survivor's suspicion that her brother would restore order in the family plot and signals potential tension between siblings over inheritance, discussed later in Section 5.2.

This case of separation and property settlement was not only an example of gender violence eviction, as presented in Chapter 4; it also constitutes patrimonial violence against women given that it violates the property rights of a woman and the dispute and outcomes were based on gender. It highlights that even when a woman individually owns the marital home and is fully aware of her property rights, she may be unable to exclude an abusive partner from the marital home to end an abusive relationship. This suggests that patrimonial violence is not simply a matter of women's property ownership or awareness of property rights but rather a matter of effectiveness of property rights (Agarwal, 1994; Deere & León, 2001), and power and agency, or women's ability to exercise choice (Kabeer, 2005), in which other forms of violence can play an important role in bringing about desistance and resignation.

It is worth noting, however, that this was an atypical case among survivors in the sample who were individual homeowners, who usually did not lose property either by continuing to live with abuser and hoping the violence would not reoccur (MAUG, KAT) or by excluding the abuser through judicial measures (UNE, JOC). It was also less common in the sense that a man moved into a woman's family property, and not the contrary; and the challenges faced by the woman to exclude her partner upon separation may influence this bias in property sharing, as discussed in Subsection 4.1.2. and Subsection 5.2.1.

5.1.2 Losing joint property

For women in the subsample who partially owned the marital home, ending a relationship generally meant losing property, either through a combination of patrimonial violence and other forms of violence, or only through patrimonial violence (seemingly non-violent, but unfair property settlement). Women's partial homeownership in these cases was achieved by direct investments in purchasing or building part of the marital home, by providing the plot where the partner built the dwelling, and by reproductive work and indirect contribution to the couple's housing and survival strategies. This suggests different forms and levels of investments and ownership of different parts of the marital home, such as owning the plot individually and only part of the dwelling, jointly.

The property disputes also had different levels of violence, tension and deceit. Starting from the most violent cases, at least two participants reported experiencing death threats and attempted murders by their partners when trying to keep the marital home that they had helped to build. In one case, on a plot that belonged to participant's partner (ELI-2), and, in the other, on a plot that belonged to participant's in-laws (NEI). In both cases, the women were fully aware of their rights after their direct investments in home improvements made during the relationship, refused to leave without compensation, and had no other suitable housing options. On the other hand, their partners didn't have the money or interest to buy them off, or the possibility or interest to sell the property to share the proceedings, especially when the marital home was located in a family plot where the man's relatives had inheritance rights.

The gender dimensions of this kind of property dispute permeate all the couples' housing strategies, leaving women more vulnerable to property loss, starting from a patrilineal residence pattern (woman moving into partners' or in-law's property when forming a partnership) and expanding during the relationship when couples accumulate joint property in the man's plot. As detailed earlier in Chapter 4, women often do not own the plot, are disadvantaged in terms of income, time and skills to invest in home improvements as men do, lack proof of when the partnership started or when the property was acquired, and are subject to gendered views of property rights conflicting with civil law provisions, undermining their rights under partial community property regimes. It was not surprising that women in these circumstances were at a disadvantage to claim their property rights in case of separation and property settlement. In fact, women challenging men's control over property seemed to be precisely what triggered a violent backlash in the two cases above. Men's land ownership, combined with material and

socially constructed disparities between women and men, and other forms of violence, determined the outcomes of the property disputes, weakening women's ability to exercise their property rights.

The period of time during which the two participants kept the marital home through judicial protective measures (granted by domestic violence judges, which excluded abusive partners from the property and allowed the women to temporarily keep the property regardless of proof of ownership), revealed other gendered interactions, engaging the men's relatives in the dispute. In the first case, when the marital home was sitting on the man's land plot, he prepared a fake document, transferring the house to his brother's name, trying to weaken the participant's possibilities of claiming property ownership, while subjecting her to multiple threats and aggressions and breaking the protective measure. In the other case, where the plot belonged to the man's family, his father took part directly in the threats and attempted murder. These cases provide clear examples of men working together to maintain control over property.

In both cases, participants mentioned that their attempt to keep the marital home was based on their desire to safeguard their children's inheritance rights, suggesting an intergenerational dimension of property loss by women, discussed further in Chapter 6. Fear of dying, on the other hand, made them change their minds and eventually give in, losing their homes and rightful share of property.

A useful device to illuminate the gender dimensions of this kind of property dispute is to explore what would have happened if men and women changed places. This reflection is possible by taking into consideration a case where joint property was located in a plot owned by a woman (VRL), acquired through a government programme, where her partner built the marital home. Therefore, she owned the plot individually (gifts are individual property) and half of the dwelling built during consensual union. In this case, instead of land ownership being the key factor to determine perceptions of "main ownership" – as in the previous two cases – the man relied on the misunderstanding that the "owner is the one who pays" for the dwelling to argue paramount claims over his partner since he had invested directly in the property and she had not. He refused to leave and convinced the participant to leave by promising to pay her rent elsewhere; she left to avoid further conflict, losing her rightful share of property.

This case attracted attention because the participant was the only beneficiary of a government housing programme who "agreed" to leave a property she partially owned, contrasting with all others who tolerated abuse in exchange for a place to live and to keep property. Her decision to

leave contained a contradiction in practice: on the one hand she wanted to end the relationship and saw the possibility of living elsewhere as an answer to a practical housing need; on the other hand, the fact that her former partner would be the one paying her rent left her vulnerable to intrusion for some time. It didn't take long after she permanently ended the relationship for him to stop paying her rent, leaving her and the children rent burdened. At the time of the interview, she had not been able to reclaim the property. She pressed charges against the perpetrator with the police, but her case expired primarily because she did not understand her role in the process, as she put: "I thought that I would press charges, and the police would take care of it". When she understood that she had to provide evidence of the violence, bring in witnesses and prove her ownership of the plot, it was too late. This is an example of patrimonial violence, combining physical violence and a certain level of deceit by the perpetrator, worsened by revictimization of a survivor who managed to break the silence, reached the police but was not able to move her case forward. It also illustrates how a property allocated through a government housing programme targeted at women may end up under control of men, justified by investments in home improvements.

Among women who left a marital home they partially owned, two of them had property documents in their names. In one case, the participant (DID) seemed to have lived a slightly better off life than her current status: she was officially married (the only official partnership in the sample) to a formally employed bank employee. His position and contacts at the bank allowed him to apply for a loan, which implied purchasing the marital home in the formal market; his marital status and formal market procedures required her signature and recognized joint property rights. In the other case, the participant (M-KER) and her partner bought a house together (with income from both) and decided to draw up the purchase-sale agreement in the woman's name since his former wife (from whom he was not formally divorced) could show up and try to take away the property in his name. In both cases, after years of violence, and without reporting the violence, participants left the marital property they partially owned, regardless of the fact that the property document was in their names.

These cases show that patrimonial violence can be exercised regardless of women's property ownership, legal awareness or documentation. Men can keep property even when women have formal property rights and their names appear in property documents. On the other hand, intriguing questions for further research include whether having a property document in their names influenced women's decisions to leave, knowing that it would be possible to reclaim the

property at another moment; how likely women are to get the property documents when escaping; and what happens if the property documents are left behind.

Women who kept the marital home for a while, either after being abandoned (GAB) or when the partner agreed to leave joint property to the children (F-MRLND) revealed that female control over property can be subject to the judgement of their behaviour. When participants moved on with their lives and started new relationships, their former partners came to take the marital home away from them through home invasion and violence. In a similar case, a former partner sold the house, kept the money for himself and left the participant and children homeless (ELI-P). Even after leaving the marital home, men can continue to exercise control over property and women. The idea of men leaving the house to the children and not to the women was repeated in other interviews, suggesting that the recognition of children's inheritance rights can surpass that of women's right to joint property. And again, the perceived property rights of those who paid for the asset surpass those afforded under partial community property regimes, benefiting men, who are often better able to earn income and generate savings to purchase property and invest in home improvements than women.

An atypical outcome of property settlement was reported by a survivor who left the marital home and received compensation for what she invested in her father-in-law's backyard (MJS). The father-in-law provided a piece of land and labour (he was a professional construction worker); her partner paid for most of the construction and helped the father to build the house; the participant was formally employed and used her wage and bonuses (paid vacation and 13th wage) to contribute to specific things like building the bathroom and the roof. It was not quite clear from the interview how she managed to get reimbursed, and what factors may have influenced the negotiation. Nevertheless, there was some level of property loss, since she was only reimbursed for what she had directly bought, and not for the overall improvements built during the consensual union, that constitute joint property. Her decision to leave was directly related to her not owning the land plot and the location of the home, in particular, the proximity to her in-laws, who were hostile towards her: "I knew that house was also mine, even if the plot was not, but I would never sleep peacefully again near his family; I would rather leave".

The interplay between psychological and patrimonial violence was an important aspect of the disputes over marital property. The death threats, mentioned earlier in this section, directed at women trying to exercise their property rights, were the most explicit expression of this interplay. There were also more sophisticated mechanisms, such as men deceiving their partners

by denying their property rights and undermining their confidence in institutions and government policies, as expressed below:

He kept telling me over and over that he owned and had paid for everything, that I should leave and not even try to seek help because I would end up with nothing. If I stayed, I would have to do what he said and bow down to him. But I knew what that meant, so I wanted to leave as soon as possible. (VIL)

It is also worth mentioning the use of gender stereotypes to undermine women's willingness to claim property rights, such as abusive partners and their families suggesting that women were greedy or vindictive, that they had not married or partnered for love but for economic benefits. Survivors' accounts revealed that these stereotypes influenced their own entitlements: "I didn't want anything that belonged to him" (M-ILK), said a survivor referring to a house jointly owned by the couple, cancelling her own property rights. Another said that property settlement should be a secondary concern compared to the emotional pain of ending a partnership. Patrimonial violence in these cases revolved around social constructions of who morally deserves to keep property, usually not a woman who failed self and social expectations of raising and caring for a family. Assessments of individual (not household) perceptions of tenure security can be useful to reveal these dynamics and possibly preview outcomes of property settlement in gendered housing scenarios before actual property loss.

5.1.3 Losing a home, not home ownership

Women fleeing from rental accommodations or from property that belonged to their partners or in-laws allow for a discussion in terms of housing rights that may not necessarily be linked to women's property ownership.

Women living in their parents-in-law's property were reasonably aware of their limited entitlements over property and usually left the marital home in case of separation. Only one participant (RAF) in such a housing arrangement reached domestic violence courts and requested a judicial protective measure to continue living in her in-law's property. On the one hand, she asked to remain in the house because she had four children with the perpetrator, was fully responsible for reproductive work, received R\$297 through the *Bolsa Família* cash transfer programme, and, not surprisingly, had no other housing option. On other hand, she was concerned about where her former partner would live and referred to that arrangement as something that "didn't feel right" (*não está certo*), especially when her in-laws started harassing

and blaming her for the hardship that her former partner was going through. She ended up leaving and moving into a neighbour's house. This constituted a housing deficit, as mentioned earlier in Section 4.3, and possibly initiates a process in which her children will be deprived of inheritance, as discussed later in Sections 5.2. Being evicted, even when it does not constitute property loss *per se*, affects women's immediate housing needs and can have a long-term impact on the next generation's access to inheritance, an important means of access to housing and wealth.

Among tenants in the sample who experienced partner violence, rent was generally paid by men; agreements were verbal between men and landlords, thus separation implied that women had to leave the marital home. Public defenders interviewed for this study explained that, technically, a survivor can request a judicial order mandating the perpetrator to leave the home and continue paying the rent for the woman and children. There were no such cases in the sample; in fact, this seems like a very unstable arrangement, leaving women vulnerable to continued harassment from former partners, and strengthening rather than reducing dependency ties. This adds to shortcomings of housing policies to address the immediate housing needs of survivors, such as limited and discretionary rent support, discussed earlier in Section 4.3.

In the present section, what is crucial to highlight from these situations is that even when women do not own the marital home where they live (such as when they are secondary tenants or live at their partners' or in-laws' property), being evicted from home by an abusive partner constitutes a violation of their social and human right to adequate housing, which includes security of tenure regardless of the type of tenure (UN-CESCR, 1991; 1997). Recalling that the definition of patrimonial violence against women in Brazilian law includes the violation of *women's rights, including those that serve basic needs* (Brasil, 2006, Art.7), I argue that when a woman is evicted from home by an abusive partner, regardless of the type of tenure, this constitutes a violation of their housing rights to tenure security, and, therefore, should be understood as patrimonial violence against women.

Moreover, a housing approach to patrimonial violence goes beyond the eviction *per se*, by considering housing rights violations after violence, such as resettlement alternatives that lack fundamental elements of adequate housing such as basic infrastructure, affordability and again tenure security, when women and their children are subject to subsequent evictions. The aftermath of eviction also provokes non-material loss that can have an impact on women's economic wellbeing and sustainability, especially among those who relied on neighbours to

juggle between productive and reproductive work. Yet another point is that even when eviction does not provoke property loss for survivors themselves, it weakens the inheritance claims of their children, transmitting economic disadvantages intergenerationally. In short, regardless of the form of tenure, eviction from home constitutes a violation of housing rights to tenure security, bringing about other housing rights violations and disadvantages in the medium- and long-term that should be understood as patrimonial violence.

This expanded understanding of patrimonial violence against women incorporating housing rights violations is particularly important given that in urban, low-income settings in Latin America and possibly elsewhere, rent and property sharing with parents or in-laws is such an important means by which people meet their basic housing needs (Gilbert, Varley, 1991; Gilbret, 2011; Ward, 2011). It calls upon feminist economics approaches to patrimonial violence to incorporate housing rights detached from property ownership in their analyses and the longitudinal economic loss caused by losing a home, even when not losing property ownership.

Before moving on to the next section, which deals with patrimonial violence that is not necessarily related to immovable property, it is worth noting that of all the cases mentioned since the beginning of this chapter – of women losing their rightful share of property through more or less violent property disputes – none were reported as patrimonial violence. Most cases were entirely underreported because women were not aware of their rights, unaware of patrimonial violence against women, or unable to press charges, while the few cases that reached the police and courts were overlooked by service providers or obfuscated by the other forms of violence, as will be discussed in Section 5.3.

5.1.4 Other forms of economic violence between partners

Even though this chapter focuses on property disputes between partners over immovable property, depriving women of their property rights, this is not the most widely considered form of patrimonial violence. In fact, patrimonial violence is generally associated with the retention, subtraction and destruction of personal objects, documents and economic resources, such as men breaking or keeping women's cellphones, tearing their clothes up, breaking objects, and keeping women's or children's documents.

This behaviour is not necessarily related to the economic value of the object but rather to the emotional, symbolic or practical value of the items being subtracted from women. In this sense, patrimonial violence operates as a controlling and monitoring mechanism to reinforce unbalanced power relations and women's dependency upon their partners. This was clear, for instance, in the cases of "phone blitzes", when abusive partners suddenly decided to take and spend days with women's phones to verify who would normally contact them during business hours (while men were usually away from their partners), to check whether women were disclosing details of their personal lives to relatives or friends, or seeking help to escape. In these cases, the idea that the "owner is the one who pays for the thing" echoes again: when women tried get their phones back, a common argument used by abusive partners was that they had paid for the phone and therefore had the right to take it back, keep it, or check it whenever they wished. Reflecting on these cases, a psychologist working with survivors at the reference centre for domestic violence complemented: "If women can't even keep their phones, it is not surprising when they come here and lack confidence that they can claim their houses upon separation".

One participant noted that her partner would not break the expensive things in the house but rather destroy her favourite things like pictures, decorations, and clothes. She complemented by underpinning how difficult it can be for some survivors to understand they are experiencing patrimonial violence: "I didn't realize that *that* was domestic violence; only now after the Maria da Penha Law and everyone talking about all the different kinds of abuse can I look back and understand what I went through" (M-FAT).

Patrimonial violence related to retention and destruction of documents was also reported by participants, both property and civil documents. This includes the case mentioned earlier of the perpetrator who faked a property document transferring the marital home to his brother, trying to deprive the survivor of her property rights to a jointly owned marital home (ELI-2). Another example was narrated by one of the few survivors in sample who was able to keep the marital home upon separation: she explained that her partner would destroy anything in front of him when he was angry, forcing her to hide the property document in her son's house. In this case, the fact that the survivor's son would be the one keeping her property documents did not bring about inheritance issues among siblings, since he was her only child, although it could raise *intervivos* inheritance expectations and some tension between mother and son.

In some cases, men and their relatives refused to give women a proof of residence (usually utility bills), as mentioned in Section 4.1. A possible explanation behind this was a level of distrust of men and their relatives of women, who could later use utility bills to prove length of residence to claim property rights in land regularization programmes. As put by one participant who invested directly in building the marital home over her in-laws' original home: "My in-laws made me explain a million times why I needed the proof of residence; I think they were concerned that I would do something else with it" (REN). Indeed, proof of residence was an issue which was more important empirically than expected *a priori*, especially considering that it can constrain other aspects of women's lives such as access to bank accounts and credit, and access to public services and government programmes, like land regularization, discussed later in Chapter 6.

Men sometimes kept their partners' and children's personal documents like IDs and birth certificates, in order to prevent women from pressing charges against them (ELI-P) or claiming child custody and child support (RAF). Without personal documents, women would also be unable to access or update their status in government programmes. A slightly different behaviour illustrates how documents can be used as a controlling mechanism, entangling paternity with property²³: In one case, an abusive partner promised to register the property in the names of survivor's children (LUCI), and the other promised to register the survivor's children as being his sons and daughters and provide for them (M-UNE), trapping survivors in abusive relationships. To some extent, the absence of fathers' names on children's birth certificates, a frequent situation in Brazil (Conselho Nacional de Justiça, 2015), constitutes a form of economic violence since women are unable or find it difficult to request child support, and are denied economic resources from estranged fathers (ECLAC, 2009; Deere, et al., 2014). There was an intriguing case in which a survivor was only able to escape an abusive relationship when she was able to start receiving child support from a previous partner (KEL-1).

Patrimonial violence can also be linked to income constraints, such as men who forbid their partners to work outside the home (SOL) or who harass women in their workplace and make them lose their jobs (VER). There was also a case in which a participant was pressurized by her partner to work outside the home to earn money so the couple would be able to purchase a

²³ Exploring men's views on property rights in Brazil is an important question for further research, beyond the scope of this thesis. On this topic, Varley (2010) provides an interesting empirically based reflection in Mexico that men construct their relationship to property as part of the burden and responsibilities of being a provider, the head of a household.

house, while offering no support or alternative in terms of redistributing reproductive labour (the participant took care of three children and her elderly mother). There were a few cases of men who controlled women's cards and password in the *Bolsa Família* cash transfer programme, especially where women were not very familiar with technology to withdraw money from ATMs (VIL), thus despite the benefit being targeted to women, men ended up controlling it.

There were several cases of patrimonial violence involving mismanagement of household resources in a context of economic constraints, such as the man spending money on alcohol or gambling (VER, DID, GAB, I-MIR), often concomitantly with other forms of violence. In one case, the survivor confronted her partner for spending household money on alcohol and parties, including money she received from a previous partner as child support. Another dimension of economic violence is when mismanagement of resources affects family's food security and housing conditions, making women's reproductive chores more difficult and time consuming but less effective, triggering other forms of violence (CLE).

Observation of household expenditure also revealed other forms of economic violence, such as women being coerced to invest against their will in their partner's plot, or prevented from purchasing appliances and equipment (like washing machines), that would make their reproductive chores less time consuming and more effective (ELI-2, MJS, MFAT). Women's investment behaviour in the sample seemed to be related to the fact that women were the ones who moved into their partners' family home and were more likely to leave if the relationship ended, influencing their investments in movable property that could be carried to another place with them. "I kept all the appliances. I arranged a removal truck to come at a time he would not be home, took all my things and left. He kept the house and the car that he used every day." (ROS), one participant said, raising some questions on the fair division of assets.

Masculinity crises were observed when men earned less than their partners, revealing frustration related to unfulfilled gender roles as providers (MIR, KAT, UNE). The case mentioned earlier of the participant who had to hide her property document in her son's house (UNE) made this masculinity crisis very clear: the abusive partner was targeting elements that afforded her some level of independence from him, such as document proving home ownership and her bank account card (she received a pension from a deceased husband). Another participant hinted at a similar issue: "every once in a while, he would throw it in my face that I had my own money, my own house, and he felt like a 'gigolo'" (MIR).

There was also one case of a man who took out a number of loans in a participant's name to open a bar; the business failed, and he never paid back the loans (DOR). The couple was no longer together at the time of the interview (later I heard that he had died), and for years the participant has been scared of the debt being collected. One detail about this case is that the loans were taken from the Caixa Federal Bank, the main bank that distributes government support to low-income families and operates housing programmes like the My House My Life (Minha Casa, Minha Vida), so this participant was explicit when explaining why she had never applied for a government housing programme as she was afraid that the bank would require her to repay the loans.

These are some of the mechanisms reported by participants used by abusive partners to restrict women's ability to generate or control their income, as well as their ability to access, manage and control economic resources. This behaviour reinforces dependency of women on their partners, maintaining persistent gender roles of men as "provider", constituting patrimonial violence against women according to the Brazilian domestic violence law, and resembling broader definitions of economic violence (ECLAC, 2009; Deere et al., 2014).

5.2 Inheritance: gender and property disputes within families

The previous section concentrated on disputes over property and economic resources between women and their former or current partners. This section explores property disputes between women and other family members, focusing on inheritance. It examines the extent to which disputes over inheritance violate women's property rights and are based on gender, and, therefore, constitute patrimonial violence against women.

Important reminders before examining the cases include the fact that inheritance laws in Brazil provide for equal division of inheritance between widows and all children, irrespective of sex, including children outside wedlock. Writing wills (Civil Code, art. 1.961-65) is an uncommon, complex and expensive process; testamentary freedom is limited (50% of the estate); and formally disinheriting a mandatory heir (herdeiro necessário) is highly complex, generally beyond the bounds of possibility for lower-income families. Property acquired through inheritance or family gifts remains the individual property of each heir, not forming the marital property regardless of whether it had been inherited before or during a conjugal partnership. Widows, in the first line of succession, are entitled to a share of inheritance equal to that of the children of the deceased, in addition to their half of the joint marital property, often confused

with inheritance. In addition, widows have the right to remain in the marital home regardless of property ownership or the marital property regime, if the marital home is the only asset to be shared between heirs (direito real de habitação – Civil Code, Art. 1.831).

These provisions afford women fairly strong inheritance rights as widows and daughters. In practice, however, the application of this legal framework may be limited in contexts where the family house is the main or only property to be shared among heirs and where property sharing, family gifting and *intervivos* inheritance practices are an important response to the housing needs and challenges of young families to access housing elsewhere, while these property transactions remain undocumented. These practices contribute to complex household and property sharing arrangements and create what Varley (2010, p.91) called a web of overlapping entitlements, that are to some extent negotiable. Property is distributed and allocated informally within families, through processes embedded in social relations and gendered norms and family dynamics that may disadvantage women in their ability to keep and accumulate property. Therefore, the key question in this section is whether women's inheritance rights are enforced, in practice, and if not, what are women likely to lose, how and why?

Given the complexity of the family composition and living and inheritance arrangements observed in the sample, it is useful to distinguish the disputes (1) between women and first-degree relatives (parents, siblings and children) and (2) between women, family-in-law and step-family, as follows.

Yet another reminder: all the observations featured in this section emerged from cases of participants who disclosed patrimonial violence; that is, women who experienced property loss based on gender. Other inheritance and living arrangements observed in seemingly non-violent settings, in which women were able to exercise their inheritance rights, are explored in Chapter 6.

At first sight, it may be difficult to capture the gender dimensions in the cases below, which may look like mere property disputes. In this sense, it is useful to keep a question in mind: what differences would there have been if men and women had exchanged places in the property disputes discussed below?

5.2.1 *Disputes between women and first-degree relatives*

This section discusses property disputes and allocation within first degree families: how women as daughters, sisters, mothers and widows may lose ownership of or control over property.

Male preference in anticipation of inheritance – parents’ sharing family property and transferring assets to children *intervivos* – was an important pattern in the sample, as mentioned earlier in Section 4.1. A rather common situation in the subsample consists of parents depriving daughters of an equal share of inheritance by favouring sons in the distribution of family property, especially upon their sons forming a partnership (marriage gifting or concessions to sons). Gender norms more broadly and cultural norms regarding property allocation within families compelled daughters to leave and sons to stay in the family property when forming a partnership (patrivirilocality), influencing this gender bias in the subdivision of family property. The clearest example of such a practice was provided by a participant who got pregnant and had to leave her family home to live in a rental accommodation with her new partner, at the same time her father was helping her brother to build a shack in the backyard of the family home to receive her sister-in-law, also pregnant (AMA). The participant explained how her father justified his efforts to make sure her brother would become a provider (“pai de família”) while refusing to welcome and share property with participant’s boyfriend – a grown man (“marmanjo”) other than his son – putting pressure on her to leave. While the participant left the family property, her brother strengthened his perceived and actual claims over the family property, considering length of residence, income and labour investment in home improvements, and parents’ desire and concrete efforts for him to stay in the property.

Such gender bias in practices disregards equality in inheritance rights and therefore constitutes patrimonial violence against women, in addition to being a “soft” and gendered kind of family-led eviction. It weakens daughters’ relationship to family property in comparison to that of their brothers, often preventing them from saving money to climb the property ladder while paying rent instead of sharing property with parents, or determining that these daughters will accumulate wealth in plots that belong to their partners or parents-in-law. It also makes daughters’ tenure security dependent on their partners or parents-in-law, and all the unfolding issues related to such unbalanced power relations, already discussed in Chapter 4.

Inheritance practices were gender biased not only in terms of who receives, but also who is entitled or has the power to distribute and allocate property to children - whether a patriarch or matriarch. Among the few participants who accessed property through their own families, none

did so via their fathers, only through their mothers or *postmortem*. Meanwhile, participants who moved to their partners' or in-laws' properties showed that both mothers and fathers are likely to anticipate inheritance to sons, to provide shelter for new couples. This observation suggests that patriarchs were primarily concerned with their sons and were not willing to provide shelter or share residence with sons-in-law; matriarchs were concerned with both sons and daughters and willing to share residence with sons- and daughters-in-law. It seems that a grown man starting a new family, when unable to stay in his own family property, can move to a mother-in-law's home but probably will not move to a father-in-law's home and submit to the authority of a man (other than his father or paternal figure). An earlier case, mentioned in Section 5.1.1, supports this understanding in the sense that the participant's partner moved to a house in her mother's backyard and only left when her older brother returned to the property (IMIR). This case also hints that women's families may be less likely than man's families to provide shelter for new couples given the potential challenges to evict a son-in-law reluctant to leave.

Daughter-father tensions were illustrated by one participant (PAM), who explained how she was compelled to leave her natal family home when got pregnant and moved into her in-laws since her father refused to accept her partner in the house. Afterwards, when she separated²⁴ and returned to live with her parents, her father was reluctant to provide shelter for someone else's children, telling her several times that she should leave and find another place to stay. On the other hand, the participant's mother was aware of this tension and tried to prepare the participant for a potential property dispute if she (the mother) passed on before her husband:

“My mother showed me where she keeps the property documents and explained what I will have to do if she passes away and my father tries to kick me out of here. Everything is in her name after the regularization [government-led land regularization programme], and I know all about my rights. But... you know how it is when someone dies... there is always a “smart one” who will try to take over everything. I think he would marry again the next day and kick me out of here as soon as possible” (PAM)

A closer look at this case reveals not only a father threatening to deprive his daughter of inheritance rights but also a man (as partner) trying to exercise greater control over a property that was documented in the woman's name (after the tenure regularization programme targeted at women).

²⁴ This case resembles previous legal frameworks and practices in Brazil when parents could and used to disinherit their daughters based on “bad behaviour” such as losing their virginity and getting pregnant before getting married, marrying without parental approval, and separating.

In some cases, it became clear that instead of distributing family property equally between all children, some mothers wanted to benefit specific sons or daughters²⁵, especially those who did not have other housing alternatives. This can benefit either sons or daughters who never left or returned to family property. Meanwhile, it can disadvantage daughters who left the family property to live with partners or in-laws when forming a partnership and whose housing needs may be underestimated by their own parents, even though their tenure security depends on their partners and in-laws. Migration, either when seeking better living opportunities or when escaping domestic violence and excessive parental authority, also distanced daughters from inheriting family property (MFAT, MJS, SOL).

Tensions between women and their brothers are exacerbated upon the death of original property owners, fuelled by the gender biases mentioned above. Participants' brothers tried to keep family property to themselves, disregarding participants' rightful share and offering no compensation (M-ILK, ROS). This especially happened in the cases when participants had been pushed away from the family property on forming a partnership, or left to escape patriarchs' excessive authority or domestic violence. Aspects that strengthened perceived and *de facto* claims of brothers who remained in family property include the length of residence (while participants lived away), investments in family property (considering that living with parents enables greater savings capacity), control over property documents (gained when the original property owners were getting older and died) and proof of residence (utility bills, that can be used as proof of length of residence required in tenure regularization programmes). One example of how brothers who stay in the family property strengthened their perceived and *de facto* inheritance rights was provided by one participant (ELI-2) who moved to her partner's home when she got pregnant, and after some years, when she separated, her brother did not allow her to return, claiming greater property rights based on his length of residence and investments in the property, in addition to their parents' desire that he kept the property.

Brothers who left the family property tried to take the lead in negotiations regarding how the property should be managed or divided among heirs. For example, in one case, the participant's brother convinced his siblings to sell the property to buy another more expensive one, and he

²⁵ Inheritance preferences revealed other gender concerns, such as when parents tried to deprive their children of inheritance rights based on their sexual orientation (for being gays or lesbians, for example). This resonates with the idea, no longer applicable in current law, that parents would be entitled to disinherit children who are thought to have "misbehaved" according to traditional standards. Although this was not the focus of the research, it was present empirically and noteworthy, and suggests an important topic for further research.

paid the difference, meaning that after spending several years away he became the main owner of the new family property (DOR). In another case, the brother wanted to build extra rooms to rent and make a profit out of family property, but he was the only one of the siblings who had the money to invest in the improvements, which would also make him the main owner of the family property (MJS). The participant not only did not want to share residential space with tenants but also had serious income constraints and other priorities for her limited resources. The other unfortunately all too frequent situation was that of brothers wanting to sell the property and evict their sisters (PAM, AND, CEC, F-MRLND). This situation was particularly harmful among single mothers, living in the family property as they lacked any other housing alternative and were unable to buy their brothers' share.

Upon the death of original property owners, brothers of participants acted unscrupulously, trying to take advantage of their sisters in inheritance settlements and the management of family property. Women, as sisters, lost and feared losing their rightful share of inheritance, contrasting with the agency assumed by their brothers in these contexts. These property disputes between women and their brothers²⁶ revealed women's perceived insecurity or tenure (fear of losing their rightful share of property) in the short- and long term, and their limited capacity to accumulate and expand asset portfolios.

Turning to the situations in which elder women may be disadvantaged in property disputes, a number of cases showed children (not only sons but also daughters) depriving or trying to deprive their mothers of full control over family property, especially in widowhood. This includes a participant who got upset when her mother sold the family property to live in a smaller place and did not give her any compensation (MRNLV), children who didn't allow their mother to sell part of the property or to marry again, convinced that the husband-to-be was interested only in the women's property/their inheritance (VIL). In a sense, this resembles the cases mentioned in Section 5.1 in which a woman's control over property was subject to an assessment of her behaviour, and forming a new relationship brought about tensions related to property.

One participant allowed her daughter to build a house in her backyard, and after a while and some quarrels, the participant noticed that the property document had disappeared and she

²⁶ It should be noted that similar disputes over inheritance between siblings also take place between sister-sister and brother-brother. However, this chapter and section focus on inheritance issues based on gender that constitute patrimonial violence against women, perpetrated by their male relatives.

suspected that her daughter might have taken it (MRLDND). In a quite serious case (DAN-2), a son tried to evict his mother in order to take full control over the family property, repeating expressions that his deceased father commonly used when being abusive to her. This case is a reminder of two things: first, of the intergenerational transmission of violence, such as sons learning from their fathers to undermine women's property rights; second, that disputes over inheritance can trigger other forms of violence.

On this topic, Deere et al. (2014) provided an interesting insight: considering life expectancy averages, women are more likely than men to become widows, and the practice of distributing family assets *intervivos* (often linked to male decision-making, provoking a hyper subdivision of property) has an effect on the economic sustainability of widows and their authority over children. On the one hand, anticipation of the inheritance responds to young families' needs and challenges to access housing elsewhere, and to patriarchs' attempts to sustain authority over children, ensure care at an older age, and avoid conflict between children after their death. On the other hand, this practice constitutes a subtle form of patrimonial violence, diminishing women's role in controlling and allocating property.

Would these children behave in the same way if their fathers were the widows managing the family property? Again, we can recall that women were considered legally incapable of managing property for centuries in Brazil, and it seems that vestige of these legal frameworks and cultural norms are still deeply ingrained in people's minds.

5.2.2 *Disputes between women, family-in-law and step-family*

This section focuses on property disputes and tensions between women and their family-in-law and stepfamily. As daughters-in-law, women were exposed to a double whammy when sharing property with parents-in-laws, especially mothers-in-law, and coping with partner violence. Mothers-in-law were complicit with violence by refusing to help survivors (VIL, CLE, SOL, KEL), and making up fake stories of infidelity and other kinds of emotional blackmail to make either their sons or their daughters-in-law give up on the relationship (MIR, MFAT), as in the account below:

We lived in a room in my mother-in-law's house. But she didn't like me and kept making up stories about what I did when my partner was not home. I remember one occasion, I had just given birth, and she came up with a story that I was cheating on him with other men. He believed her and threw me out with our newborn son. (MIR)

Such behaviour from mothers-in-law was partly related to gender norms and power relations across generations that exacerbate tension and conflict, rather than cooperation, among women in extended households, such as mothers-in-law compensating for their own suffering by repeating the same process of domination they experienced over their daughter-in-law, shaping traumatic residence experience for daughters-in-law (Varley, 1993; 2000; Pauli, 2008).

In other cases, however, the tension was clearly related to parents-in-laws' concerns around keeping family property, fearing that an "outsider" could try to keep the assets they worked so hard to build to leave to their children. Parents-in-law generally sided with their sons because helping a daughter-in-law implied a risk of losing part of the family property, especially if the daughter-in-law reported partner violence and managed to obtain a judicial order to exclude the perpetrator from the marital home situated on shared family property. This includes the cases when in-laws undermined women's entitlements and contribution to couples' survival and housing strategies (NEI, MJS), refused to give proof of residence even to women who directly invested in building the marital home in a shared plot (REN, NEI), and forced daughters-in-law to leave the family property (MIR, KEL-1, MJS).

On the other hand, although less common, it was possible to identify situations in which participants were acting to disadvantage their mothers-in-law. One example came from a participant who was very happy thinking that she managed to transfer to her name a house that originally belonged to her mother-in-law:

Someone from the government came here the other day, and I was glad they came when neither my partner or my mother-in-law were around, otherwise I would not be the one answering the survey. (...) I answered all the questions, and told them that the house was mine. They gave me this paper (...) I finally have some proof that I live here (I-EDN).

In this case, the formal property rights of the mother-in-law were not a risk, despite participant's intention to have some form of document of a property she did not own. By cross-checking this story with official documents and with the government officials interviewed for this study, it became clear that the survey the participant responded to was not part of a tenure regularization intervention, meaning that the "paper" she received was not related to applying for a property title, suggesting a level of misunderstanding regarding government action. Nevertheless, although not a formal document, the paper received by the participant improved her perceived security of tenure and bargaining power within the household. In addition, the case shows how the status of women living with their in-laws is often disregarded in household level surveys since daughters-in-law of household-heads are usually not allowed to speak with people making

surveys (given intrahousehold hierarchies) or targeted in surveys (given research methodologies). Chapter 6 will discuss situations in which women who were not allowed by their partners to respond to government officials when it comes to land regularization.

Another case was a highly complex inheritance dispute that spanned across four generations and involved blood and non-blood family ties (EDN). The participant, as a young woman, moved to her partner's grandmother's house to take care of the elderly lady. Before she passed away, she handed the property documents to the participant and expressed her desire to give the property to the participant as compensation for taking care of her until her death (a practice that is not formally recognized in Brazil). To bequeath property to someone who is not a mandatory heir (not a descendant or widow), the elderly lady should have written a will, in which she would have been able to give half of her estate to that person while the other half would belong to mandatory heirs. Even though the will had not been written, the participant, her partner (grandson of the original homeowner), and their children have been living in the house for several years; they have the original property documents (precarious purchase-and-sale agreements) and intend to transfer the property to the participant's name someday.

However, their possession was contested by other family members highest in the line of succession. An informally adopted daughter of the original homeowner lived in the same plot with the participant and claimed the property belonged to her and not to the participant, and there were constant conflicts between her and the participant referring to ownership of the house. In addition, the participant's mother-in-law (blood-related to the original property owner), who no longer lived in the property, argued that she was the rightful heir, refusing to accept either the claims of the participant or those of her adopted sister. Up to the day of the interview, the participant was confident that she would continue living in the property since she was the one who kept the original property document (even though not in her name), and her partner and children were blood-related to the original owner.

These two situations in which women acted in a way that could disadvantage their mothers-in-law were present empirically but were somewhat rare. More often, property and economic rights of elder women are violated by their own partners and children (Minayo, 2003; Pereira et al., 2013), not their daughters-in-law.

There was also the case, mentioned earlier, of the abusive partner living in his mother-in-law's backyard, who increased levels of violence to keep the property and ended up evicting the

survivor (I-MIR). This situation was not common in the sample perhaps due to the fact that men rarely moved to their in-law's homes.

Participants who mentioned conflicts with their sisters-in-law reported behaviour similar to what has been described about mothers-in-law: sisters-in-law often sided with their brothers and against participants, refused to support survivors in case of domestic violence, and seemed to fear losing their rightful share of inheritance to an outsider, as illustrated in the account below:

When I managed to press charges and got a protective measure [to continue in the house in the in-law's backyard], the first person to appear at my door was my sister-in-law, knocking like crazy and yelling 'You have to leave, not him! If you try to keep the house, we'll make your life a hell'. (SOL)

At least in one case, such behaviour from a sister-in-law was related to the gender bias in allocation of family property, mentioned above, favouring sons over daughters.

Conflicts between women and brothers-in-law in the sample were mainly observed in widowhood. For example, one participant (UNE) lived in a house that originally belonged to her parents-in-law, and when her partner passed away her brothers-in-law evicted her. This case illustrates overlapping claims over immovable property: on the one hand, widows have the right to remain in the marital home regardless of property ownership if the home was the only asset to be shared among heirs (Civil Code, Art. 1.831 - direito real de habitação); on the other hand, it was likely that the participant's partner was using family property (casa de herdeiro) without offering compensation to siblings, who were waiting for an opportunity to get back what was also rightfully theirs.

In a similar case, a widow (A-MRLND) was evicted from the marital home by her step-children, who had never lived in the house with her and did not approve of her partnership with the deceased. She explained how they had humiliated her by calling her greedy, and had left her homeless, again showing the connections between psychological, moral and patrimonial violence.

From the stepchildren's perspective, one participant (ILK) reported that her mother separated from her father and left the marital home to avoid further conflict; after some time, her father married again and his new wife moved in with him into a house that partially belonged to the participant's mother. Meanwhile, the participant and her mother were struggling to make ends meet while paying rent. "I already told my father that he'd better find another place for his wife, because as soon as he is gone, I'll kick her out and reclaim what is mine", she said. In this case,

it would not be surprising if neither the participant nor her stepmother were able to keep the property, since there were other male relatives (uncles and cousins) living in the family property and higher in the line of succession compared to these two.

Indeed, the behaviour of men when reclaiming family property can be quite different from that of women. One participant (MAR) was upset by the fact that she was likely to lose inheritance rights since her mother left the marital home when escaping partner violence and tension with in-laws. When the participant's father passed away, and his family was deciding what to do with the property, her brother decided to move in, and fight all those relatives who had denied his right to the property. "My brother went in there, against everyone's will, and started fixing the house. I didn't have the money or the guts to do the same and hear those people badmouth me", she said. The participant was neither able nor willing to be exposed to such tension with relatives.

These last two cases help to explain why some women mentioned in Chapter 4 put up with violence to protect their children's inheritance rights. Considering the large families, and that property sharing and the subdivision of family property is a major form of access to housing, when women leave the marital home, their children are likely to lose their place in the perceived and *de facto* line of succession that seems to be negotiable day-by-day between owners and sharers, considering resources available, personal needs and contribution to family dynamics.

These are some of the situations observed in the subsample, illustrating how women are likely to lose their rightful share of family property as daughters, sisters, mothers, daughters-in-law, mothers-in-law, sisters-in-law, stepmothers, and stepdaughters. The purpose of this section has been to show how complex disputes over family property can involve overlapping claims and entitlements, and how informal negotiations and agreements can violate women's property rights, based on gender. Patrimonial violence against women can range from parents favouring sons over daughters, brothers claiming paramount rights over sisters, children undermining matriarchs' control over property, and tensions between women and their in-laws and stepfamily reproducing gender norms and stereotypes, weakening women's relationship to the property. Many of the conflicts over property mentioned in this section constitute patrimonial violence against women and challenge women's ability to hold onto and accumulate property through their life-cycle and possibly across generations. The following section explores whether and how these cases reached domestic violence police, court and reference centres and how they are dealt with in each of these institutional spaces.

5.3 Policy implementation and challenges

Sections 5.1 (Separation) and 5.2 (Inheritance), above, explained what constitutes patrimonial violence against women (women losing property based on gender) and how this occurs in the low-income settings under study. In terms of policy implementation and challenges, the first observation is that patrimonial violence against women related to immovable property rarely reaches domestic violence police and courts, and when it does, it is often ignored. This section explores why, and what the implications of this neglect are.

The basic information from the legal frameworks relevant to this section includes the notion of crimes against property (crimes contra o patrimônio). According to the 1940 Criminal Code, these include theft, robbery, usurpation, damage, abandonment, misappropriation, fraud, and inducing speculation. According to the 2006 Domestic Violence Law (Art.7), if crimes against property are perpetrated against a woman, based on gender, in domestic, family or intimate relationship contexts, this is considered patrimonial violence against women.

However, the implementation of sanctions related to patrimonial violence against women, according to the Domestic Violence Law, clashes with Article 181 of the Criminal Code, which affords criminal impunity to patrimonial crimes exercised against spouses or partners, progenitors, and descendants. Thus, despite the legal progress of recognizing patrimonial violence against as a specific type of domestic violence that can be reported and prosecuted, patrimonial violence against women exercised by a partner, parent or child are not dealt with in domestic violence courts but in regular family courts, where the domestic violent dimension of the property dispute is not considered. In other words, patrimonial violence against women is seen as a mere property dispute.

There is one loophole in the Criminal Code regarding patrimonial violence, noted by Dias (2010): the Article 183-III of the Criminal Code establishes the inapplicability of criminal impunity to patrimonial crimes within conjugal partnerships and first-degree family when the crime was exercised with violence. She argues that the definition of patrimonial violence against women provided by the Domestic Violence Law should be enough to characterize property disputes between spouses, descendants and ascendants, when based on gender, as criminally punishable. In practice, however, the division persists, and patrimonial violence against women is usually understood and dealt with as a family matter, rather than as domestic violence.

The following observations came from the cases mentioned above, supplemented by data from interviews with experts working directly with survivors, especially frontline workers in domestic violence courts and reference centres.

5.3.1 Underreported by survivors, silenced in domestic violence police and courts

Underreporting is a common feature of domestic violence, in general, explained by many factors such as survivors' difficulties to understand their lived experiences as domestic violence in settings where the problem is normalized, fear of retaliation, and economic constraints (Sagot, 2000). In the case of patrimonial violence, empirical data suggest that women are often unaware or not fully aware of their property rights, or may not understand that the violation of these rights constitutes a specific form of domestic violence recognized by law, which can be reported and prosecuted. As one participant noted, "It is only now that people are talking more and more about this law [*Maria da Penha*], and I realized what he was doing to me was violence" (MFAT – patrimonial violence survivor).

Perpetrators discourage or prevent survivors from pressing charges against them through a number of mechanisms. Deceit, manipulation, misinformation, for instance, were observed when perpetrators made survivors believe that they had no or weak property rights over the marital home or family property (that their fallback position was worse than it actually was), when claiming that "the law is on his side" (VIL) and that survivors would be left with nothing, homeless if they tried to leave the relationship. Threats and increasing levels of violence, followed by the reconciliation and honeymoon, were also important mechanisms trapping women in abusive cycles. These interactions affected survivors' determination to end violent relationships and their trust in institutional responses to the problem. As a result, survivors tend to have been subject to violence for many years without reporting it and press charges only when other forms of violence take place or escalate, sometimes obfuscating patrimonial violence.

It is estimated that in Recife only 20.8% of domestic violence survivors break the silence and seek help; of these, 57.6% reach normal police stations, and 23.7% the sole dedicated women's police station in the city (Silva et al., 2012). When survivors manage to reach the police, a persistent barrier is the service provided by police officers, such as ignoring or ridiculing survivors who wish to press charges, and conciliatory approaches forcing women to return to the perpetrator (Santos, 2005; Meneghel et al., 2015; Montenegro et al., 2018). Communication

problems are also common: survivors don't fully understand their options and the related implications of each path, and police officers fail to understand or are not willing to hear survivors' expectations that may not necessarily be to punish the perpetrator, but simply to end the violence.

If the complaint is taken seriously, the police report is likely to be brief and focus on the most recent or most severe episode of violence and on what is criminally punishable; patrimonial violence related to objects is mentioned when useful to describe the crime scene or episode. When compared to death threats, attempted murder, severe beating, kicking, slapping, among others, patrimonial violence understandably tends to take on secondary importance. If patrimonial violence dominates survivors' testimonials, the case is not assigned to domestic violence courts but to family courts (that cannot issue urgent protective measures, for example). This is often the case of conflicts between siblings related to inheritance, for two reasons: the first is that property plays an important role in these conflicts; second, because the gender dimensions of the dispute (a requirement to characterize domestic violence) may be less clear than in the classic "husband/abuser vs. wife/victim" pairing. As noted by one official at the reference centre, "Police officers simply don't understand what gender is".

When patrimonial violence cases reach domestic violence courts and involve disputes over immovable property, the domestic violence judge only accepts the case after an assessment conducted by social workers to double-check whether the property dispute was based on gender. The social workers then interview survivors and perpetrators, and other relatives if needed, as explained below:

"Conflicts between siblings that reach the [domestic violence] court are usually related to inheritance issues, and it is very complex to identify the gender aspects of the dispute. We often need to invite the woman, the brother, sometimes we invite all the siblings and other relatives to hear everyone's perspectives. It is only in these hearings that we can grasp, here and there, in the way they talk, the evidence of gender relations, like he believes his rights are superior to that of his sister, that he deserves to keep the property more than she does, he argues that the parents wanted him to have the house and not her... We have to conduct those hearings because the police report is very simple, done on the spur of the moment; it only tells us that the brother hit the woman because of the house, that's it. Then we need to understand the case and convince the judge that it is not a mere property dispute, but something rooted in gender relations." (domestic violence court officer)

These assessments can delay the overall process, compared to regular circumstances, at a moment when the violence has already surpassed patrimonial issues (since survivors are likely to reach the courts only when more tangible forms of violence occur), when perpetrators were

invited to the court to attend the hearing for the assessment and thus are aware that the survivor has pressed charges against them (which may increase violence levels), and when survivors are not yet protected by judicial protective measures (since the domestic violence judges have not yet accepted the case).

Similar to what happens at the police station, cases of patrimonial violence are often rejected by domestic violence judges for two reasons: in conflicts between women and brothers or other relatives, the gender dimension is not as clear as in husband-and-wife cases, and the conflicts between conjugal partners are not criminally punishable, according to the Criminal Code provision mentioned earlier.

Here is one example of how a case of patrimonial violence involving a woman and her brother is rejected by domestic violence judges:

In a crime involving siblings, motivated by economic issues, the decision was made that it was not within the competence of the Domestic Violence Court, as there was no **co-residence** between siblings and the **aggressions suffered were not motivated with the intention of oppressing her**, which is the basis for applying the Maria da Penha Law, **but rather with the intention of economic control over inheritance** from the mother, without any gender motivation or situation of vulnerability that characterizes the hypothesis of incidence of the referred law” (Court of Justice of the Federal District, 2010, quoted in Fernandes, V. 2013, p.227 – emphasis added by me)

This rejection justification reveals an unsettling lack of awareness, within the judicial system, of gender and patrimonial violence, and the multiple forms in which it is manifested. First, the rejection refers to co-residence as a distinctive feature of domestic violence, when the Domestic Violence Law has made it clear that domestic violence can be characterized as such in three arenas: domestic, family and intimate relationships, not requiring co-residence between perpetrator and survivor. Second, the rejection suggests that “aggression” combined with the “intention of economic control over inheritance” (...) “were not motivated with the intention of oppressing her”. This reveals a lack of understanding that economic control, especially if exercised in combination with aggression, is in itself a mechanism through which men exercise power and ensure the subordination and oppression of women, as feminist economic theories have been showing for decades (Connell, 1987; Agarwal, 1994; Deere & León, 2001; Grabe, 2010).

The rejection seems to overlook that brothers perceive and claim greater entitlements and rights compared to their sisters based on gendered constructions, norms, and practices that weaken women’s relationship to property and economic resources, many of which were mentioned

earlier in this chapter, such as male preference in allocation of family resources, property sharing and anticipation of inheritance, gendered division of domestic labour and income generation that challenges women's ability to invest in family property, and gendered views of property rights. It also seems to overlook the lingering echoes of previous legislation, that for centuries established that women were legally incapable and allowed men to beat women (Section 2.4). It renders invisible a persistent practice of male relatives attempting to exercise greater control over families' resources, disadvantaging women.

Turning to an example of a rejection of patrimonial violence involving conjugal partners, one expert interviewed recalled one of the hearings at a domestic violence court she followed during a court ethnography study:

“During the hearing, the judge kept asking the survivor about the actual [physical] violence, ‘Did he hurt you? Did he hit you?’, and she shied away from all these questions. Everyone could see that she didn't want to talk about that. Up to a point she said to the judge, very assertive, ‘It's over, it's gone now; **all I want to know is where am I going to live, whether I am getting my house back?**’. It was clear that she didn't want to punish the perpetrator, and her main concern was the property settlement. But this is not a matter for a domestic violence judge, so she was sent to the public defender's office, to start the process all over again in a family court.” (Domestic violence researcher)

The case the interviewee was referring to was a clear example of patrimonial violence combined with gender violence eviction: the survivor left a marital home she partially owned to escape violence, lost property, became homeless, and wanted to reclaim her property rights. Since she could no longer prove the physical violence that had taken place months before, or was not willing to criminally punish the perpetrator – common among women who avoid the stigma of sending the father of their children to prison – her case was rejected in the domestic violence court for being understood as a mere property dispute, not based on gender. This rejection overlooks the complex housing and survival strategies of couples, and asset building and distribution within families, that disadvantage women tacitly for several years before the concrete episode of patrimonial violence is recognized and reported by survivors.

These rejections mean that, despite legal recognition, patrimonial violence against women related to immovable property is silenced in domestic violence courts, seen as “non-violence”. Even though the domestic violence courts have a hybrid competence that can have an effect on family and civil matters, such as temporary child custody and protective measures to exclude perpetrators from home, the primary concern is with the other forms of violence – physical, moral, psychological and sexual. Patrimonial violence related to objects, income, documents or

even home invasion and damage to physical structures may be examined in domestic violence courts but as part of the scene of other forms of violence, with secondary importance. In short, the domestic violence court case deals with the criminal punishment for these other forms of violence, patrimonial violence is not criminally punishable, and a permanent decision about dissolution of partnership and property settlement must be dealt with in family courts, where domestic violence is not considered. As put by a public defender: “If officers and judges in domestic violence courts, who are trained on the matter, do not recognize patrimonial violence as domestic violence, family court judges will not even consider that possibility. They will address the property settlement, and that’s it”.

The fragmentation between domestic violence court and family court matters is such that the lawyers of the Domestic Violence Reference Centre (support service run by municipalities) can only act on behalf of survivors in domestic violence courts and on criminal matters. To address patrimonial violence treated as a family matter the survivors must reach the public defender’s office (usually overcrowded) to access family or civil courts (usually slower than domestic violence courts), with public defenders, judges and court officers who are often not trained to recognize and act on gender issues. This fragmentation between domestic violence and family courts also has an important impact on official data available for research and policy analysis on patrimonial violence, probably unrelated to ownership or possession of immovable property in domestic violence court records, and lost in family court records.

It is worth noting that classifying domestic violence into types is a somewhat artificial device for analytical or judicial purposes since the forms of violence may be experienced concomitantly and the line between different types of violence may be blurred. Survivors do not arrive at the police station or domestic violence court claiming to have experienced one of the five types of violence recognized in the domestic violence law (physical, sexual, psychological, moral and patrimonial). Instead, survivors explain what happened, and based on their accounts, and later the accounts of the perpetrators, the episode is labeled by police and court officers according to the types of violence. Thus, there is a margin for interpretation that can render patrimonial violence invisible, especially when overshadowed by more tangible forms of violence. The understandings of key experts interviewed for this study revolved around the destruction and retention of objects such as cellphones, clothes, keys, or even a persistent expression that “men treat women as their property”, to be managed and controlled.

Another problematic approach that may challenge the recognition of patrimonial violence in practice came from one of the key experts interviewed, a professor of law with a rather strict understanding of land and property rights. In her perspective, patrimonial violence related to immovable property can only be claimed if survivors or at least one of the parts has formal and documented rights over the property being disputed: “You can’t argue that someone is taking what is yours if you can’t even prove that the thing is yours”, she said. In her interpretation, patrimonial violence would not apply to informal dwellers who live in undocumented property, held informally. This was an isolated interpretation, that came from only one participant. However, it should not be dismissed as less important since it may reveal how more conservative judges and legal practitioners may approach patrimonial violence and property matters, especially for low-income survivors, disregarding a number of provisions of Brazilian legislation that afford property rights to informal dwellers. It also raises questions around the extent to which similar interpretations have been applied to second and third generation descendants of original homeowners, who are not exactly squatters or informal dwellers, despite lacking property documents, quite common in the neighborhoods in which I conducted field research.

When the case is accepted in the domestic violence court (because it concomitantly involves patrimonial and other forms of violence), the competence of domestic violence judges to deal with patrimonial matters is limited, and the protective measures are temporary. A judicial measure to protect the survivor and exclude the violent partner or relative from the property is one of the first steps requested by survivors and must be granted or denied by judges in at least 48 hours after the case reaches the court. This measure usually lasts for three months and can be extended throughout the entire judicial process. A positive aspect of this provision is that survivors do not need to prove ownership of the marital home or family property; the protection of their life and wellbeing is, in principle, above ownership rights.

However, once the protective measure is granted, allowing survivors to keep the marital home or family property, confusion can emerge. For instance, both survivors and perpetrators tend to believe that the protective measure is a final sentence on how the assets will be distributed. This may exacerbate conflict and escalate violence, engaging other family members reluctant to lose family property, as mentioned in Sections 5.1 and 5.2 above. Survivors may think the case is solved since the perpetrator is gone, not understanding that the protective measure is only the beginning of the process, after which they still need to provide evidence, bring in witnesses, attend to hearings, and follow up the case up to the final sentence. This may be related to the

fact that the main expectation of survivors is not necessarily to punish the perpetrator, but rather to stop the violence and solve the patrimonial and civil aspects to end conflicts, such as property settlement and child custody for partners, and inheritance settlements for relatives. Protective measures issued by domestic violence judges have some effect, even if temporary, on these matters and can pause or reduce domestic violence, influencing survivors' desistance to pursue permanent property settlement in family courts.

While survivors may not be fully aware of their role to keep the processes moving, court officers may not fully understand all that is at stake for survivors and all the constraints they are exposed to. Survivors do not know when or how the process will end, and meanwhile they have nowhere to go or how to provide for themselves and their children. As mentioned in Section 4.3, the limited housing alternative for survivors is a major cause of desistance (Machado et al., 2017) and used as justification for reconciliatory approaches by judges who encourage survivors to return home to abusive partners because they have nowhere else to live (Meneghel et al., 2011). This situation makes survivors change their minds, give up on the process and return to or continue living with perpetrators, strengthening the stereotype of "women who like to be beaten", or "liars that can't prove what they claim happened".

A specific kind of protective measure established by the Domestic Violence Law to protect survivors' property rights (Art.24) prohibits purchase-and-sale and lease agreements, becomes effective when the judge notifies the real estate registries (*cartório de imóveis*) to prohibit formal property transactions. This is another conservative notion of property matters and transactions, focused on formal property markets, leaving aside a significant part of property transactions taking place informally in low-income contexts, far from real estate registries. In particular, such protective measures disregard situations when a perpetrator is prepared to act unscrupulously by selling, omitting, and exchanging property quickly and informally to take economic advantage of their partners or relatives. These measures are inefficient to address patrimonial violence related to immovable property taking place in low-income contexts such as the cases examined in this study. It also seems redundant since notaries already require double signatures in formal property transactions, at least for formally married couples (Civil Code, art. 1.647 – *outorga uxória*).

In summary, disputes over immovable property that constitute patrimonial violence are often underreported by survivors, poorly reported by police officers, and only accepted in domestic violence courts when associated with other forms of domestic violence. Patrimonial violence

related to the ownership or possession of the marital home or family property is overlooked in domestic violence courts, and survivors who desire a conclusive resolution to property disputes must reach out to family and civil courts.

5.3.2 Overlooked in family courts

There is an important fragmentation between the domestic violence and the family and civil courts, but a fine line between the cases assigned to each court. As put by one participant:

“Domestic violence cases usually have an important patrimonial and civil dimension, such as who will have the house, the kids, the inheritance. On the other hand, cases that reach family and civil courts often have some level of conflict and possibly violence; it is uncommon that a litigious divorce does not involve conflict and some level of violence, and the gender dimensions of these conflicts are clear. The difference is on the emphasis of each court, if the focus on the violence or on the property settlement” (Domestic violence researcher)

In other words, there are many similarities between cases running in both courts. It is unlikely that a consensual property settlement between partners or heirs will go beyond administrative or even mediation and conciliation instances. It is usually when the parties disagree with one another that the cases reach the courts, and this is precisely when abusive behaviour takes place or becomes more pressing. There is often a patrimonial dimension in domestic violence cases and a conflict, even a violent dimension, in non-consensual property settlement.

A class bias is one of the factors behind this fine line between domestic violence and family courts matters. One expert called attention to the fact that “Women of all socio-economic profiles, rich or poor, can be found at the ‘first door’ of this system, which is the police station. But afterwards, the poor end up in the criminal [domestic violence] court, and the rich end up in the family court”. Middle- and high-income class women have better access to information and legal advice that can throw light on alternative ways to solve the property cases without having to expose the family, their children, and the father of their children to the stigma of going through a criminal process.

On the other hand, when low-income survivors reach the police stations, their understanding of the possibilities available besides criminalizing the perpetrator are rather limited. The criminal/domestic violence path seems like the only alternative, even though it does not respond to the main concerns of many survivors, which is solving the property disputes to allow them to move on with their lives. Another participant reinforced this idea: “The police officers insist

on asking survivors ‘Did he hit you, hurt you?’. If the answer is yes, there is not even time to think, this is a domestic violence court matter. No one will explain to her what the implications of a criminal process are, and help her think through the gains or losses of each alternative”. As a result, cases in which survivors’ major concerns were not necessarily the punishment of perpetrators but rather the property settlement may end up in domestic violence courts, inflating the criminal systems (specifically with lower-income, often also black or brown citizens) and providing only limited and temporary resolutions related to property. Survivors are often unaware of this fragmentation between domestic violence and family courts and become objects, rather than subjects of the law.

Assuming that a low-income domestic violence survivor is able to access both domestic violence and family court, following up two judicial processes running in parallel in two different courts can be extremely complex to understand. It also drains even further survivors’ resources such as money and time off work (productive and reproductive) to travel to the court for each hearing, or to request specific information or advise if an unexpected event happens, or to notify whether the perpetrator is breaking judicial protective measures and harassing them. The two processes usually run at a different pace, likely to be slower in family courts than in domestic violence courts; while domestic violence survivors have no priority (fast track) in family courts. There is no or limited connection between the two cases. The protective measures to exclude the violent partner from the marital home or family property provided by the domestic violence court judge are only temporary and have no influence on the family court judge’s decision. Perpetrating or being subject to domestic violence does not change property rights: a perpetrator does not lose and a survivor does not acquire property ownership or possession because of the violence.

Regarding the property dispute itself, public defenders working on these cases on a daily basis reinforced the fact that in low-income settings, property is largely undocumented or poorly documented, usually excluding women’s names (except among beneficiaries of government housing programmes). Women are usually challenged to prove, among other things, ownership or possession of property, when the relationship started, and that the property was acquired during the relationship, which would afford them rights under partial community property regimes. Some judges might accept utility bills (usually in men’s names) as proof of length of residence, but more often the path is to order an assessment of the property (improvements only, not the plot that is not necessarily formally owned by either party) and what is shared between the parts is the right to use the property, not ownership *per se*. Ownership titles can only be

issued by civil court judges (or through executive branches of government, like municipality or state government), which would require a third judicial process in a different court.

5.4 Summary and discussion

In one of the few known studies centered on patrimonial violence against women, Deere et al. (2014, p.145) articulates that despite all the efforts of feminist activists in Latin America to denounce and push for the recognition of patrimonial violence in domestic violence laws, this topic has been underexplored in academic studies and this is partly because, where patrimonial violence against women has been recognized, data has only recently begun to be collected.

In Brazil, patrimonial violence is often mentioned in general approaches to domestic violence since its explicit recognition in the 2006 Domestic Violence Law but is rarely analyzed in depth. When patrimonial violence is explored (Oliveira, A. 2013; Pereira, et al. 2013; Alves, 2019), the focus is on retention and subtraction of money, objects, documents and economic resources other than the marital home or family property. Home invasion and damage by former partners and male relatives are described in some official reports (Moraes & Manso, 2018) overlooking evictions and dispossession as a form of patrimonial violence against women.

The current chapter has addressed the gaps in empirical data and analyses of patrimonial violence related to ownership, possession and use of marital home and family property. It has uncovered (i) the processes by which women have been deprived of their housing and property rights by their partners or male relatives upon separation and inheritance, and (ii) how these disputes and outcomes were influenced by gender norms and practices, combined with concrete and perceived inequalities between women and men that hinder women's access to and control over economic resources. It has explained how disputes over property, often seen as merely patrimonial, constitute a specific form of domestic violence against women.

The unfair property settlements upon separation examined in this chapter were characterized by men ignoring or actively denying women's claims to property, either by taking advantage of their limited legal knowledge and constraints to prove property rights, or by using violence to make them leave the marital home. Inheritance processes were marked by parents favouring sons over daughters when distributing family assets *intervivos*, and brothers and sons claiming paramount rights over their sisters and mothers in *postmortem* arrangements, despite formal equality, limited testamentary freedom, and the fact that sons, daughters and widows are

necessary heirs. Women are being dispossessed and losing their rightful share of property in gender biased disputes within families that constitute patrimonial violence against women. Other inheritance disputes between women and their family-in-law and stepfamily were extremely complex and although may not constitute patrimonial violence *per se*, reveal women's limited legal knowledge and agency to exercise their rights, affecting their ability to keep and accumulate assets over their life cycle and across generations.

The gender dimensions of these property disputes were observable throughout women's housing trajectories and, in a sense, echo and complement what was discussed in Chapter 4:

- Gender bias in inheritance practices, combined with patrilineal residence patterns (women moving to their partners or in-laws' homes when forming a partnership), tacitly pushed women away from their family property when forming a partnership, weakening their *de facto* inheritance rights as daughters and leaving them in secondary relationship to property in their partners' or parents-in-law's property. These practices define the land ownership and location of the marital home, which emerged as determinant aspects of gendered views of property rights and outcome of property disputes.
- Gender-based disadvantages to generate income, largely associated with gendered division of domestic labour and income generation, affected women's ability to invest money, time or labour in housing construction or improvements; thus, despite gender-neutral provisions, patterns of investments in home improvements weakened women's *de facto* and perceived relationship to property compared to their partners and male relatives, who were better able to invest in the marital home and family property.
- Gendered views of property rights were malleable and negotiable enough to strengthen men's and weaken women's relationship to the marital home or family property, generally resulting from an emphasis on land ownership or investments in home improvements, to shape perceptions of the main ownership. Men often had a greater knowledge of property rights compared to women, or a louder "voice" to influence popular perceptions of property rights, ignoring or denying women's claims to property;
- Ultimately, when all these gender disparities in terms of location, land ownership, investments in home improvements, and constructions of property rights were not sufficient to prevent women from claiming and trying to exercise their property rights upon inheritance and separation, more tangible forms of domestic violence were used

as tools by partners and relatives to ensure men's control over property, including severe physical and psychological violence, death threats, and attempted murder.

- Patrimonial violence against women affects not only women's and families living arrangements in the short term, but also women's ability to keep and accumulate property through their life cycle and across generations.

However, despite legal recognition for over a decade, in practice, patrimonial violence against women related to the use, possession and ownership of marital home and family property remains poorly understood and reported by the survivors themselves and by service providers such as police officers and court officials, while related sanctions are ineffective or irrelevant for the reality of lower income groups:

- Women were often unaware of their property rights or did not fully understand that the violation of these rights is a specific form of domestic violence. Patrimonial violence survivors usually broke the silence and sought institutional support only when other forms of violence took place or escalated, and sometimes dominate their narratives, shadowing the patrimonial dimensions of the violence;
- The cases of patrimonial violence involving women and their partners/husbands that eventually reached the domestic violence police or court were rejected and designated to family courts, unless involving other forms of violence, given that Criminal Code provisions established that men are not criminally punishable for patrimonial violence against their partners/wives;
- Patrimonial violence involving siblings and other male relatives, generally related to inheritance disputes, were also rejected at the domestic violence police and courts and assigned to family courts as mere property disputes when the gender dimensions of the patrimonial crimes were overlooked or poorly understood by service providers;
- Patrimonial violence against women is rendered invisible in specialized domestic violence services as a result of barriers faced by survivors to recognize and report the violence, combined with legal inconsistencies between the domestic violence law and the criminal code, and narrow or conservative interpretations of patrimonial violence as a specific form of domestic violence.
- At family courts, property settlement is addressed without any consideration of domestic violence.

- This fragmentation between domestic violence and family courts entails practical challenges for survivors who have to follow up two cases in parallel, and results in a blind spot in official data generated at domestic violence courts, that overlooks problems related to ownership and possession of the marital home and family property, elements that play a crucial role in women's coping strategies and path out of abuse.

Patrimonial violence against women remains underexplored in domestic violence policies, practices and research, a neglect that is probably contributing to the maintenance (if not expansion) of asset gaps between women and men.

The implications of these findings for public policy and practice include the need to:

- Raise awareness of property rights of both women and men at community and individual level; promote legal empowerment initiatives to ensure that women are able to identify patrimonial violence and claim and exercise their property rights (with special caution not to trigger a masculinity crisis and increase the risk of violence);
- Raise awareness of frontline officers at police stations, courts and reference centres to improve reporting of patrimonial violence especially related to ownership and possession of immovable property, and distinguish it from other forms of economic and patrimonial violence related to objects, documents and income;
- Promote a deeper understanding, especially among judges and court officials, of the gender dimensions of inheritance disputes, such as between siblings;
- Build on the legal definition of patrimonial violence against women provided by the Domestic Violence Law to put forth progressive interpretations of the Criminal Code, challenging the idea that men are not punishable for patrimonial crimes against their wives/partners, progenitors and descendants; abusers can be punished if patrimonial violence against women is properly understood as domestic violence;
- Review judicial measures to address patrimonial violence to include the reality of low-income informal settlements, where property is often held and exchanged informally, especially within families;
- Improve integration between domestic violence courts and family courts, to address the patrimonial dimensions of domestic violence more effectively; property matters that reach domestic violence courts should not be detached from the gender-based violence in which they are rooted; and domestic violence survivors that reach family courts could benefit from a fast-track / priority treatment, and from a less fragmented judicial system.

Research-wise, the findings presented in this chapter underpin that property settlement upon inheritance and separation are not gender-neutral processes, by showing how structural, persistent gender-based inequalities in access to resources can permeate families' asset building and distribution processes, especially but not only when other forms of violence occur. These observations support and align with a vast international literature that has shown the disadvantages faced by women to access, control and accumulate property, such as Moser (1989, 2016) Chant (1984, 2006), Agarwal (1994, 1997), Deere and León (2001), Varley (1987, 1993, 2000, 2010). For the Brazilian feminist housing literature, that tends to focus on the status of women without a male resident (female-headed households) or in social movements and political arenas (Machado, 1987; Viana, 2005; Oliveira, 2013; Levy, 2016; Lima, 2018; Helene, 2019), my findings emphasize intrahousehold disparities between women and men as an important source of disadvantages within nuclear or extended households.

My findings also refine current understandings of asset building, property sharing and inheritance processes in low-income urban settings in Latin America (Ward et al., 2011; Grajeda & Ward, 2012) by highlighting the gender dimensions of these processes that can disadvantage women disproportionately. A more systematic assessment of gender bias in inheritance practices in urban, contemporary settings should consider not only who is able to access family assets through inheritance, anticipation of inheritance or family concession but also who is entitled and able to allocate resources to other family members, as well as when, how and what kind of resources can be allocated. Regarding current knowledge on gender and inheritance in Brazil, the chapter fills a gap in the literature that often focuses on rural settings or historical perspectives (Carneiro, 2001; Melo & Marques, 2001). The findings call attention to the lingering echoes of previous legal frameworks and historical practices influencing current social norms and practices, such as patrilineal residence patterns, largely overlooked in Brazilian contemporary urban and housing studies.

Patrimonial violence against women also deserves further attention in research dedicated to inheritance in Brazil and Latin America, to address the new waves of irregularity and insecurity among second and third generation residents of self-help settlements (Ward et al., 2011; Grajeda & Ward, 2012). Domestic violence can actually exacerbate this new wave of informality of tenure, given that provisional measures issued by domestic violence judges are often wrongly understood by survivors and perpetrators as the conclusive decision on property disputes related to marital property or inheritance. This is also the case when survivors are unable officially report the violence or get protective measures, and end up leaving the marital

home or family property; while perpetrators end up possessing property that is not entirely theirs. Further attention is needed to identify the likelihood of domestic violence survivors to access family and civil courts to properly address property settlement and the longitudinal effects this might have.

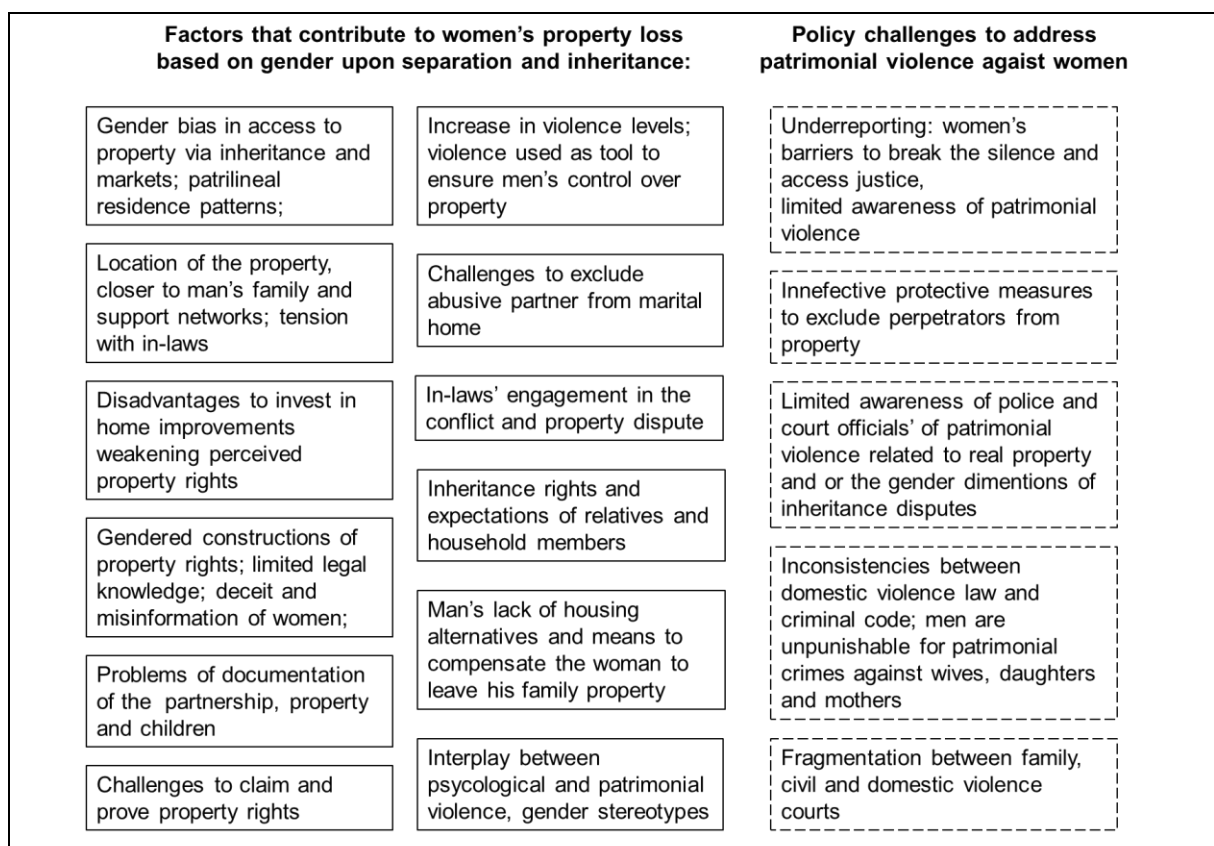
Regarding the hopefully growing literature on patrimonial violence against women, my findings call attention to the need to disaggregate data and analysis of patrimonial violence related to immovable property from that related to goods, objects, income and documents; and to better understand the dynamics and consequences of patrimonial violence, including the situations that do not reach the courts and specialized services. Moreover, this chapter stresses the need to expand the understanding of patrimonial violence against women to encompass the violation of housing rights, such as when women are evicted from a home they do not own. This requires an approach that goes beyond property ownership, to consider security of tenure in settings marked by clouded ownership and overlapping claims, and biased popular understandings of property rights that may differ from legal frameworks. This is not only feasible but desirable in countries like Brazil, where provisions define patrimonial violence against women as violation of rights in a broader sense, that may include housing rights, and where so many urban residents live in forms of tenure other than formal owner-occupation. Housing rights are not necessarily concomitant with property ownership, and evictions represent a major violation of everyone's right to tenure security and adequate housing, regardless of the form of tenure.

A housing perspective to patrimonial violence, pursued in this chapter, revealed other aspects of living arrangements besides formal property ownership that influence the dynamics and outcomes of property disputes and contribute to women's property loss upon separation and inheritance. As depicted in Figure 24, patrimonial violence against women stems from: a gender bias in access to property via inheritance and markets; location of property closer to man's family and support networks, influenced by patrilineal residence patterns, which generates tensions between women and their in-laws; inheritance rights and expectations of man's relatives or household members, often linked to men's inability or unwillingness to sell property to share the proceedings to compensate women; gender-based disadvantages to earn income and generate savings to invest in home improvements or pay rent, which strengthen perceived relationships to property; limited knowledge of property rights, problems or absence of documentation of the partnership, property and children, whose names appear in property documents, and who keeps property documents. When other forms of violence occur,

increasing levels of violence and women's inability to exclude a violence partner or co-resident from home, through judicial measures and otherwise, are also determinant factors of patrimonial violence.

The shortcomings of government response to survivors' patrimonial loss stem from the limited awareness of survivors and government officials of patrimonial violence against women, hindering women to report the violence and officials to properly register these cases; officials limited awareness of the gender dimensions of inheritance disputes that result in patrimonial violence cases being rejected in domestic violence courts; inconsistencies between domestic violence law and the criminal code that render men unpunishable for patrimonial crimes against their wives, mothers and children; as well as the fragmentation between domestic violence courts (where the perpetrators are criminally punished) and civil and family courts (where property settlement is decided), failing to address the primary concerns of survivors around civil matters and possibly fueling more informality of tenure and tension within families, when survivors and perpetrators fall under the impression that the decision from domestic violence judges are the conclusive property settlement.

Figure 24 - Housing approach to patrimonial violence against women



These are important factors that contributed to patrimonial violence against women, or women's property loss based on gender upon separation and inheritance, in the context of Recife. An appreciation of these factors can refine current approaches to patrimonial violence focused on property ownership or objects.

Other elements that were empirically present and deserve further attention beyond the scope of this thesis is the perspective of men in disputes over property; patrimonial violence perpetrated by women; and other gender issues such as same-sex unions and gender identity that may influence how property is allocated within families, disregarding legal equality.

6 GENDER, HOUSING AND PROPERTY IN “NON-VIOLENT” AND “POST-VIOLENCE” SETTINGS

The previous chapters focused on the housing and property trajectories of women who reported intimate partner violence (Chapter 4) and patrimonial violence perpetrated by partners or relatives (Chapter 5). The current chapter expands the focus to examine the housing trajectories of women who did not report partner violence (“non-violent” settings) and those who reported having overcome or transformed abusive relationships (“post-violence” settings). I take advantage of this diversity of participants within the sample to reflect on my initial research question that, before the beginning of fieldwork, did not focus particularly on domestic violence but rather on gender-based disadvantages in housing, more broadly. I also take the opportunity to expand on two crucial themes that emerged in the previous chapters, namely, the role of housing and property in reducing violence, and the role of government policies and programmes in alleviating gender inequalities in housing and property. These concerns were translated into the following questions:

- i. What are the disadvantages based on gender faced by women in “non-violent” domestic settings to access and keep housing and secure a patrimony? Are these disadvantages similar to what was observed among survivors?
- ii. How are government policies, programmes and practices that allocate housing and land plots and promote tenure regularization helping to alleviate gender-based disadvantages in housing and property? Are there contradictory outcomes of such government efforts that target or include women as beneficiaries?
- iii. Are there signs of change in gender relations and women’s freedom from domestic violence possibly associated with women’s housing tenure security and asset accumulation? Does women’s homeownership help to reduce gender inequalities and risks of domestic violence?

Tentative answers to these questions will be presented in Sections 6.1, 6.2 and 6.3, respectively, followed by a summary and discussion of the findings presented in Section 6.4.

The chapter considers the broad sample of 56 low-income women. While participants in the previous chapters were more likely to depend economically on their partners or relatives, the narratives included here also came from female breadwinners and heads of households. Interviews with key informants and a document review with a focus on legal and policy frameworks supplement the narratives of low-income women.

The quotation marks used in the term “non-violent” signal a needed awareness of a distinction between participants who haven’t experienced domestic violence and those who possibly chose not to report it or still haven’t understood their lived experiences as such. Similar awareness is important when referring to “post-violence” settings, given that some participants continue to live with once-abusive partners and report that they have overcome violence. Unfortunately, due to the pervasiveness and cyclic nature of domestic violence and diverse coping mechanisms mentioned earlier that lead survivors to avoid disclosure, domestic violence may occur and reoccur in “non-violent” and “post-violence” settings. Taking this methodological challenge into consideration and that the universe of cases is relatively small and non-representative, the following analysis brings more of a reflection and refined questions, rather than conclusive observations, on housing- and property-related elements potentially associated with gender equality and freedom from violence.

6.1 Gender and housing access in “non-violent” domestic settings

This section focuses on the housing trajectories of 18 participants who did not report partner violence, exploring how they accessed housing through markets, family and self-help strategies. The purpose is to identify advantages or constraints faced by women to rent, purchase, inherit, use and occupy property, in spite of domestic violence, and discuss similarities and differences between these experiences and those of survivors.

6.1.1 Family-based and self-help arrangements: non-monetary access to housing

Housing access through families and self-help arrangements is an important means to overcome income constraints. Among partnered participants who did not report domestic violence, housing access through inheritance, property sharing and family concession was far less common than what was observed among survivors (4 out of 17 or 23%, compared to 18 out of 31 or 58% among survivors); and, when it happened, it was always through women’s families, as opposed to survivors who mostly accessed housing mainly via in-laws and not their own families (14 vs. 4 cases, respectively).

Although emerging from a relatively small and non-representative universe of cases, this finding suggests that inheritance, property sharing, and concession through men’s families can be extremely complex and associated with risks of gender-based conflicts and domestic

violence. This seems like a plausible observation considering that when men's families provide shelter for new couples, this establishes asymmetric power relations and dependence of women on their partners from early in the relationships and which is likely to increase over time (as explained in Section 4.1). It also resonates with literature on tensions between women and their in-laws, especially mothers-in-law (Varley, 1993; 2000; Pauli, 2008), that exacerbate the hardship of daughters-in-law. On the other hand, this finding suggests that housing access through women's families may be associated with a lower risk of domestic violence. Therefore, a specific question for further research is whether patrilineal residence patterns (women moving in with in-laws) could be a risk factor for domestic violence?

From those participants who did not report domestic violence and were separated from their partners, most were able to keep the marital home (6 out of 8 or 75%), a striking difference compared to what was observed among survivors, who rarely managed to keep their homes upon separation (2 out of 20 or 10%). In all cases in which women kept the marital home upon separation in non-violence settings, they partially owned the property and were able to exercise their property rights. Explanations behind this finding revolved around women's stronger *de facto* ties with the property for having inherited the plot or having contributed directly to the purchase or construction of the dwelling but also for their primary role of caring for the children. It seems that the popular understandings of property rights are less disadvantageous for women in non-violent than in violent domestic settings. Are the factors challenging women's exercise of property rights upon separation the same ones related to the incidence of domestic violence? How are the property disputes upon separation and over inheritance linked to the incidence of domestic and family violence?

The only two participants who did not report domestic violence and left the marital home upon separation were living with their partners in rental accommodation and had left as they had not been able to pay the rent on their own; they had to choose between two forms of housing deficit and decided not to face rent burden to cope with involuntary shared residence. As mentioned earlier, single mothers are an important group among sharers who would prefer to be living in a different household, and the main reason stopping them from moving out is lack of economic resources (IPEA, 2008). The constraints on single mothers to earn income keeps them in shared housing arrangements against their will, contributing to the housing deficit, while official housing data in Brazil overlook gender differences and intrahousehold dynamics.

Participants who managed to keep their homes upon separation, and also after their partners passed away, often became matriarchs and stressed their role in supporting younger households with shelter and sometimes income. One participant, for example, subdivided the original home to set up a room for her son when her daughter-in-law got pregnant, and built an extra dwelling in the backyard to shelter her sister, who had escaped abuse and become homeless with six children (JOE). As mentioned in Subsection 5.2.1, as opposed to patriarchs who tend to favor their sons, matriarchs are likely to support both sons and daughters, in addition to sisters and other blood and non-blood relatives. The arrangements were diverse, reflecting the resources available and the needs of extended families.

Another non-monetary form of housing access is through squatting or informal occupation of land. The first observation is that no women in the broader sample occupied land on their own; only one did so with her partner (VAN), and another two joined a housing movement after separation (MCAR, DID). This observation was quite surprising, given the intense debate on the role of women in informal occupation of land in Brazil (Viana, 2005; Oliveira, 2013; Levy et al., 2016; Helene, 2019), which takes up most of the attention on the gender and housing literature in Brazil.

Participants who had experienced the early stages of land occupation referred to the hardship faced when the physical structure of their homes did not yet provide protection from climate conditions and proximity to wild environments:

“When we first moved here, we spent several weeks in a tent. I remember that when it rained, I would spend the whole night holding up the “roof” with a broomstick to keep the water out and make sure our things would not get wet.” (VAN)

“My husband bought this house from a lady who occupied this area in the very beginning [of settlement occupation], when people were only starting to come here. She didn’t want to live here anymore because of the snakes coming from the woods. I only managed because he was with me.” (VIL)

Participants who refused to join informal land occupations referred to concerns and fear for their safety in the face of human threats, like rape and burglary, and exposure to land grabbing, as illustrated below:

“My father is pushing me to leave his house, so he told me to join the occupation near the bus station, so I could have my own little corner. But it’s too dangerous, there are only men living there” (PAM)

“I’ve seen the occupation... But do you know how it works? If you get a piece of land you must sleep there every night, otherwise people take your land and

sell it to others. But I am scared of sleeping there alone, surrounded by men.”
(DOR)

Following an initial wave of squatting, informal markets, led both by professional squatters and by residents themselves, seemed quite active. The interlinkages between informal markets and land grabbing were also evident. One participant bought a plot in a recent informal occupation but, after a few weeks, since she did not move there, the same people from whom she bought the plot sold her plot to someone else and did not return her money (MRLDN). In another case, a participant was evicted from her house in a recent informal occupation by her own father, who had been evicted from his home after being abusive to her mother (KER). The local dynamics of illegal drug trafficking groups also contributed to evictions, mainly affecting young men, but also their mothers, sisters and even former partners (MIR, GAB, VER). Could it be that women have been more vulnerable to land grabbing than men in recent land occupations?

Yet another question emerging from these cases is whether women mainly arrive in informal settlements in a second wave of residents in spontaneous occupations? If so, what does this mean in terms of length of residence, plot size, and location? Are female squatters more likely than male ones to end up in smaller plots, closer to hazardous or disaster-prone areas, for example, closer to canals, sewers, railroads, steep hills, and low land liable to flooding? Similar questions may apply to the effects of micro-politics within social housing movements and so-called organized land occupations, when dominated by male leaderships. Where and which kind of plots are women getting in resettlement schemes? This is an interesting topic beyond the scope of this thesis, that deserves further research and policy attention. The following subsection focuses on the housing arrangements which are essentially based on markets (monetary transactions).

6.1.2 Market access to housing: purchase and rental

Despite income constraints, market transactions to rent and purchase housing were quite common in the sample. Among partnered participants who did not disclose domestic violence while living in rental accommodation, there was only one case in which a woman took primary responsibility for paying the rent (VAN). In all other cases, it was men who paid the rent, the agreements were verbal between men and landlords, and tenure insecurity was a constant element of couples' housing experiences, given men's difficulties to earn enough income to pay

the rent. The role of partnered women in rental markets was secondary, compared to the role of their partners.

This was quite similar to what was observed among survivors, who also had a secondary role in renting. A clear difference is that women who did not disclose domestic violence had a higher income and were less dependent on their partners compared to survivors living in similar tenure arrangements. This finding supports that women's higher income can contribute to more balanced power and expenditure arrangements within households and therefore deters or reduces violence. It also suggests that efforts seeking to better understand the relationship between housing tenure and reduction in violence can benefit from an assessment of women's income.

Regarding single women, it was uncommon for participants in the sample to live in rental accommodation before forming a partnership. Only one woman rented a room while she was still single, when she got tired of living at the family home where she had worked as a maid. None of the participants left the homes where they grew up to live independently as tenants, unless with a partner. After separation, however, several participants became tenants and, similarly to what happened among survivors, their main challenge was also to earn sufficient regular income to pay the rent as single mothers responsible for productive and reproductive work. The rent burden is not an exclusive feature of domestic violence settings but is also experienced by women who did not disclose violence, as well as by men and couples.

Few cases in the sample provided insights into women's role in rental markets as landlords. At least three participants managed to build extra space in their backyards or to clear and subdivide some space in an existing house to rent and earn some income. The circumstances in which this happened were various. In one case, the participants acquired a house through a government programme and managed to rent a room after her grown son left the house to form his own family (MAUG). The other case was of a woman who inherited the marital home when her partner passed away, and with the pension she started receiving after his death she managed to build extra space to rent (VIL). In the other case, the participants managed to keep the marital home upon separation and invested in the property to guarantee a small house for each child and an extra one to rent (M-JOC). These cases highlight the positive impact accessing housing resources through government programmes and keeping property upon inheritance and separation has on women's economic empowerment and sustainability.

The tenants and landlords in the sample also revealed how rent arrangements can be practiced within family networks, such as between sisters (MAUG), mother and daughter (MRNLV), grand-father-in-law and grand-daughter-in-law (VAN). These cases also showed families sharing property while renting a small part to an “outsider”, which implies a specific logic of landlord-tenant relationships. Further research should explore how these rental arrangements may advantage or disadvantage women as landladies and as tenants, as has been done elsewhere (Datta, 1995). How are landladies choosing tenants, and what price are they charging? Could they be compromising charging higher rent for choosing tenants with specific characteristics? On the other hand, how are female tenants navigating informal rent markets without a stable income and proof of income, after having failed gendered expectations of keeping a family together? Is there gender discrimination in the rental market?

Regarding couples purchasing a home in non-violent settings, the transactions generally depended on men’s income and negotiation skills. Similar to what happened in domestic violence contexts, the buyers were perceived as the “main owners” of the property regardless of the fact that, legally, all property purchased during consensual union is jointly owned by both partners, under partial community property regimes – as mentioned in previous chapters.

In at least two cases, partnered women had a key role in purchasing the property that became the marital home. The first was a couple renting a place for several years, earning just enough to get by. The woman (KEL-2) was formally employed and accepted to quit her job to use the contract termination bonus (mandatory saving for formally employed workers – *Fundo de Garantia por Tempo de Serviço*) to close a purchase agreement and pay for the first installments of a house. She contributed with the first R\$7,000, and her partner, who continued working and earning income, paid for another R\$30,000 in several installments.

In the second case, the participant (SOL) managed to buy a plot with help from a church congregation when she separated from her first partner: “I saved R\$100 and the people from church gave me another R\$100, and I finally bought this plot”, she said. She didn’t have the money to build the house and continued to live at her sister’s house until she started a new relationship, and her new partner agreed to invest in her plot and built what became the marital home. During the interview, when questioned about who owned the house, the participant answered, thinking out loud and revealing the rationale behind her answer:

“This house is mine, because I bought and paid for the plot, and we wouldn’t be here if we I hadn’t had the plot; but I also couldn’t be living here if he

hadn't built the house, and the truth is that he invested almost R\$2,000 while I only paid R\$200. So, I think he is the main owner, but it's also mine" (SOL).

These cases illustrate some level of cooperation within couples when purchasing property, but concrete asymmetries in terms of direct investments, with men having a primary role in finishing the payments or building the houses resulting in women's secondary relationship to property. Not surprisingly, documentation of property transactions and proof of *de facto* ownership, when available, were usually in men's names.

A few single or separated women in the sample managed to buy property after separation, using contract termination bonus (M-ILK) and savings (ROS, IRE), sometimes with external support from the church congregation as mentioned above, and from bosses, and infrequently from kin. The hardship to survive and save money was clear in participants' narratives: "I spent 20 years cleaning other peoples' houses and paying rent before I was able to buy my own place, with help from my boss" (IRE), said one participant, while another reported having spent much less time to save enough to buy her house, "one year of selling tapioca" (POC).

Another striking aspect was the prices paid by single women in these transactions, ranging from as little as R\$50 for a plot in the area known as Passarinho (CEC, MRLDN), R\$200 for a plot in Santa Luzia (SOL), and R\$1,500 for a small house in Morro da Conceição (MJS). The prices exercised in informal property markets were not the focus of this research. However, when participants mentioned how little they paid for plots and houses, an emerging question was where and what kind of property women can afford?

Further research that seeks to measure the gender asset gap should identify what kind of property women own and what the market price and exchange value of such property is. In addition, what is the likelihood of women being vulnerable to lose their property because of the characteristics of what they can afford, such as plots located in disaster-prone areas or subject to land conflicts and land grabbing as mentioned above? These issues are not exclusively experienced by women; men and couples may also face similar challenges, but they throw light on potentially gendered outcomes of informal land markets, determined by women's limited capacity to generate income, that may be pushing them to more problematic areas within informal or irregular settlements.

There were no examples of women selling property in the sample, neither single nor partnered. There were only tensions, mentioned in Chapter 5, such as children trying to stop their mothers

from selling family property, in addition to one squatter who sold her home to a participant's partner when she could no longer cope with the hardship of living in an unserviced settlement.

In summary, this section has shown that even in non-violent domestic settings, women face gender inequalities and disproportionate challenges to access to housing through markets, families and self-help mechanisms. The following section discusses the role of governments in facilitating or constraining women's housing trajectories.

6.2 Housing policies and programmes

The current section explores how public policies and programmes have been addressing women's housing needs, facilitating or constraining women's residential trajectories, and contributing to widen or close gender gaps in housing and property. The purpose here is to examine an assumption and scattered empirical evidence suggesting that land and housing programmes in Brazil prioritize women as beneficiaries, and, by so doing, empower women and may help to reduce domestic violence.

Data came mainly from a review of laws, decrees and policies, combined with interviews with key informants, such as government officials working in housing and tenure regularization agencies, and civil society organization representatives. The following text contrasts legal and policy frameworks related to tenure regularization and allocation of plot and housing, with their implementation and outcomes in practice. It explores when gender-based advantages appeared in government housing programmes and laws, what the gaps between law and policies and their implementation and practice are; and what the aftermath of these programmes is, whether there are any contradictory outcomes.

6.2.1 Tenure regularization

The legal and planning framework for tenure regularization targeting low-income groups in Brazil includes various instruments, widely documented elsewhere (De Souza, 2001; 2004; Rolnik, 2007; Fernandes, E. 2011). Here the focus is how these instruments include or refer to women.

A review of these instruments and related provisions, summarized in Table 6, shows that one important milestone in terms of gender in government housing policies in Brazil was the 2005

federal law that explicitly established that women must be prioritized as beneficiaries of all government housing programmes under the National System for Housing of Social Interest (Law N° 11.124/2005). This provision was respected in the 2009 My House, My Life programme both for housing allocation and tenure regularization (Law N° 11.977/2009), as well as in local programmes for land titling like the My Legal Property, set up by the State Government of Pernambuco (State Law n° 15.211/2013).

Before 2005, however, the instruments for tenure regularization either did not refer to women or allowed joint titling. In case of adverse possession over private land and Concession of Special Use for Housing Purposes (CUEM) over public land, the instruments provide that “the title can be given to the man, to the woman or to both, regardless of their civil status”. For Concession of Real Right to Use (CDRU), the 1967 decree does not mention women’s rights, as well as the Special Zones of Social Interest (ZEIS) in which priority for women was included only in 2012 through an amendment to the Statute of Cities. The local provisions of ZEIS in Recife still do not refer to women or gender priorities, despite political rhetoric.

This indicates that there were no restrictions for women to claim property rights using the tenure regularization instruments before 2005 but no explicit priority either. If women had been targeted in government programmes before it was a legal requirement, this would have been the result of political decisions, thus the importance of examining local implementation of programmes, as follows.

Table 6 - Reference to women in land regularization instruments in Brazil

Tenure regularization instrument	Law, decree, measure	Reference to women or gender
(i) Adverse possession (Usucapião)	1988 Constitution (Article 183) 2001 Statute of Cities (Articles 9-14) 2002 Civil Code (Articles 1.238-1.244)	“the title can be given to the man, to the woman or to both, regardless of their civil status”
(ii) Concession of Real Right to Use	Decree n° 271/1967 (Articles 7 and 8)	Decree does not mention women.

(Concessão de Direito Real de Uso - CDRU)		
(iii) Concession of Special Use for Housing Purposes (Concessão de Uso Especial para fins de Moradia - CUEM)	Provisional Measure N° 2.220 / 2001	“the concession will be granted to the man, woman or to both, regardless of their civil status”
(iv) Special Zones of Social Interest (Zonas Especiais de Interesse Social - ZEIS)	RECIFE: Municipal Law N°. 14.511 / 1983; regulated by Municipal Law N° 14.947 / 1987	Local laws do not mention women.
	BRAZIL: 2001 Statute of Cities (Art. 42-A, V); changed by Law n° 12.608 / 2012	National law did not prioritize women until changes in 2012
(v) National System for Housing of Social Interest (Sistema Nacional de Habitação de Interesse Social - SNHIS)	Law N° 11.124 / 2005 (Art. 4º, II, h; Art. 23, § 1º, VI)	Priority for lowest income groups like elderly, disabled, and female heads of household in housing plans, programmes and projects; Loans and deeds should be preferentially registered in women’s names
(vi) My House, My Life (Minha Casa Minha Vida - MCMV)	Law N° 11.977/2009 changed by Law n° 12.693/2012	Selection of beneficiaries must prioritize female heads of households Contracts should preferentially be in women’s names In case of separation or dissolution of consensual union, the property must remain with the woman
(vii) My Legal Property (Programa Meu Imóvel Legal, by the Pernambuco state government regularization agency)	State Law n° 15.211/2013	Priority should be given to women in granting property titles

Interviews with government officials who worked directly on the implementation of tenure regularization programmes at city and state level helped to clarify if and how women were included or prioritized in practice. At state level, the property title was usually granted through an administrative measure providing freehold status (full ownership) to beneficiaries, and officials confirmed that women were indeed the target of tenure regularization programmes, following provisions of the 2013 State Law that established the “My Legal Property” programme. In many cases, state government regularization efforts were providing titles to women who had been targeted and received plots with precarious titles in previous state government efforts. At municipal level, however, the most widely used instrument was the Concession of Real Right to Use (CDRU – concessão de direito legal de uso), and the target was the couple living in each house/unit at the time of enumeration.

Either through joint titling or targeting women, one important blind spot of these tenure regularization programmes was the tendency to overlook the background of couples in each house/unit, a practice that can disadvantage women who have lost property upon separation or who have been evicted by abusive partners. This background check was referred to as too complicated, resulting in the title being issued in the name of whoever was living in the house/unit at the time of enumeration and handed over to whoever was living there at the time the titles were delivered, even if the couple was no longer together and only one of the partners had kept the house:

These people change partners too quickly. The social team would go to the selected areas and register the names of both the man and woman living in each house; but on the next visit the man had kicked out the wife and was already living with a different woman, and we had no idea where the woman whose name appeared in the title was. We didn’t have the resources to keep track of each separation and each new couple being formed. We had to keep the initial names and hand over the title to whoever continued living in the house, often men. (Lawyer of the Municipal Agency of Urbanization – URB)

A state government official recalled of a case of a woman who fled her home to escape abuse and managed to reach out to the local office of the programme to attempt to reclaim her house:

I remember one woman who came to our local office in Passarinho. She explained that she owned the plot and helped to build the house, but she had no proof of this because all her documents were left behind when she ran away. We checked other records at the school, the local clinic, to verify since when she had been a resident of the area, and she met all the criteria for the programme. So, we issued the title in her name, and she would have to fight in the courts to kick her former partner out and return to the house. I doubted if she would ever do that and confront him again. (Social worker of the State Government Agency for Land Regularization – PERPART)

By not considering intrahousehold dynamics and overlooking the fact that men are better able to keep the marital home upon separation, especially when domestic violence takes place, tenure regularization programmes may disadvantage women who have lost their homes and rightful share of property either through gender violence eviction or “non-violent” but unfair property settlements. Gender neutral titling efforts, even when including women, can consolidate property loss based on gender, possibly associated with unambiguous partner violence or more subtle patrimonial violence.

A second issue that emerged from the interviews with government officials was the fact that women often lacked proof of ownership, possession, or length of residence, in order to prove uncontested possession for over five years as required in most provisions. Utility bills and informal purchase-and-sale contracts are the most common way to prove length of residence required in regularization programmes, but since men are often the primary income earner within couples/families, these contracts and bills are likely to appear in their names. Men can take advantage of this disparity to claim paramount rights over their partners, sisters, aunts, mothers, and other female household members, when the regularization programme does not explicitly require the inclusion or prioritization of women.

When the programme explicitly mandates the titles to be issued in women’s names, implementation teams may seek alternative ways to assert women’s length of residence in the plot or at least since when the couple has been living together. In the state government programme under examination, for example, documents unrelated to property have been useful, such as child’s birth certificates, school records, clinic records and even stamped letters showing the women’s address and a date. One inspiring idea from a government official is worth mentioning:

These processes are so long and so complex that if we had sent an official letter to all women when we first arrived in the area, by the time we solved all problems and got to these contested cases, women would at least have that letter proving their length of residence, for a period probably greater than the five years required to claim property rights. (Social worker of the State Government Agency for Land Regularization – PERPART).

On the other hand, when tenure regularization programmes followed land allocation that targeted women, they often had some kind of document proving rightful possession of the plot.

A third issue of tenure regularization programmes that can disadvantage women is the risk that inclusive or affirmative action can trigger a masculinity crisis. Government officials mentioned various examples of men threatening their partners should the title end up including women’s

names or exclusively in women's names. There were cases of women being forced by their partners to withdraw their names from official records to avoid conflict; men not allowing their partners to speak during interviews with social workers, thereby rendering invisible women's participation in asset building processes; in addition, some men did not allow their partners or wives to respond to enumeration and surveys for regularization programmes when they were not around. This last issue became evident when government officials started to notice many "empty plots" in regularization plans, showing a picture quite different from the actual level of occupation in the areas. Only a multidisciplinary team was able to clarify that the detailed surveys were being conducted during business hours when men were less likely to be at home, and women were not allowed by their partners/husbands to respond to surveys to prevent women's names from appearing in the property titles.

Masculinity crises were also evident in the behavior of men publicly expressing their disagreement with joint titling or titling in women's names at community assemblies, alleging they themselves were the ones who had built the house or purchased the property and diminishing women's claims (conflicting both with civil code provisions and the guidelines of the government programmes). These public statements not only discouraged women from claiming their property rights but also encouraged other men to act similarly by denying women's property rights and challenging government officials who tried to include women's names in the titles. In these cases, officials tried to explain that the title issued in the women's name did not mean that their husbands or partners didn't have property rights; in case of separation men could still claim their rights in family courts based on civil code provisions. These explanations often generated even more tension at the local offices of regularization agencies, and we can only speculate whether they triggered domestic violence when couples got back home.

In summary, the legal and policy provisions for tenure regularization in Brazil initially allowed joint titling and only in 2005 established that women should be targeted as beneficiaries although there is evidence of political efforts to do so even before it was a legal requirement. Either way, following political or legal guidelines, implementation of tenure regularization programmes may disadvantage women when not considering intrahousehold dynamics and the background of couples in each unit, when overlooking income gaps that result in women's disproportionate challenges to prove length of residence or *de facto* ownership, and finally when triggering a masculinity crisis, rooted in gendered constructions of property rights, fuelled by

concrete disadvantages faced by women to purchase, invest and contribute directly to asset building processes.

Moreover, not even the programmes that explicitly target women have kept track of how this prioritization is being implemented in practice and the outcomes of these efforts. Gender disaggregated data and analyses of these land regularization programmes seem to be unavailable to date.

6.2.2 *Plot and housing allocation*

Regarding government policies and programmes to allocate plots and housing to low-income families, there is empirical evidence from Recife of women being included or targeted before this became a legal requirement in 2005. However, it is quite complex to ascertain how and when these political decisions started, while gender-disaggregated data and gender analyses of these programmes are limited and scattered.

For instance, in the 1940s, while the Social League against the Mocambos (*Liga Social Contra os Mocambos*) was evicting entire settlements built on stilts in Recife, some of the worker villages where these families were being resettled were named after female professions, such as Seamstresses' Village (*Vila das Costureiras*), or Cooks' Village (*Vila das Cozinheiras*) (Pandolfi, 1984 apud Cavalcanti 2017). The names of the new settlements suggest that women were included or possibly targeted in some cases. However, qualified beneficiaries should be officially married and prove to be healthy, and union workers contributing to pension funds would be prioritized (FGV-CPDOC, s/d; Cavalcanti, 2017). These selection criteria probably excluded many poor unmarried women, informal workers, as well as partnered housewives dedicated to unpaid domestic work.

Regarding housing allocation or subsidies under the National Housing Bank (*Banco Nacional de Habitação*) from 1960s until the 1980s, there seems to be no gender disaggregated data and limited gender analysis of the programmes and their outcomes. In the only known article focused on this topic, Machado (1987, p.65) reflected on how the selection criteria for serviced plot allocation for families to self-build their homes through the Profilurb Program (1970s) may have excluded or disadvantaged female-headed households. Machado stressed the fact that female heads of households often had very limited and unstable income, relying on transfer payment from kin, and therefore could not prove income, were likely to struggle to pay their

debts, and, therefore, were ineligible for the programme. In addition, the programme determined being the “father” of at least two children as a requirement, and formal workers contributing to pension funds as priority beneficiaries, thereby excluding many mothers and informal workers. Finally, for women who met the eligibility criteria, Machado emphasized time, income, and skills constraints to self-build the houses since single mothers usually have to provide for the family, in addition to reproductive work.

For the allocation of starter houses (*casa embrião*) or serviced plots in Recife during the 1980s and 1990s, there is empirical evidence that women were targeted as beneficiaries: interviews with residents of different low-income settlements and with land and housing experts from different organizations and governmental departments suggest that land and houses were often allocated to women. In some narratives, this prioritization is attributed to politicians like the former state governor Miguel Arraes and his official secretaries, and in other accounts this is associated with requirements from multilateral agencies such as the World Bank and the Interamerican Development Bank (Pordeus, 2006).

More recently, in the year 2000, a policy brief to support the government plan of the Workers Party, called “Projeto Moradia”, acknowledged the special needs and challenges of women to meet their housing needs. But, as mentioned earlier, it was only in 2005 that the National System of Social Interest Housing (Law N° 11.124/2005) established that all housing programmes in Brazil should prioritize women when selecting beneficiaries. This legal requirement has been respected in the main recent housing programme in Brazil, the My House, My Life Program (Law N° 11.977/2009) and was not overruled in the preliminary version of the Green and Yellow House Programme proposed by current government (Provisional Measure N° 996/2020), pending approval.

When contrasting legal and policy frameworks related to the My House, My Life programme with observations on its implementation, the following issues became evident. First and foremost, despite the programme explicitly claiming to target women, there is limited gender-disaggregated data available in relation to beneficiaries. The one and only known document that mentions the gender of beneficiaries was actually referring to participants of a satisfaction survey conducted by Caixa Econômica Federal Bank (Ministério das Cidades, 2014), not necessarily reflecting the broader universe of beneficiaries of the programme. As mentioned earlier, important assessments of the programme like that of Cardoso et al. (2013) simply

mention that the programme targets women and does not examine what is happening in practice, or the territorial, social, economic and political effects of such a measure.

For one of the housing experts in charge of implementation of a My House, My Life project interviewed for my study, this lack of gender-disaggregated data may be related to the fact that the milestones and targets of the programme are focused on other factors such as income groups or territorial distribution across Brazil, therefore not even implementing partners are mandated to report on the gender/sex distribution of beneficiaries. This formal prioritization of women in housing programmes and political rhetoric around this matter may have conveyed a message that gender issues should no longer be a concern, dismissing efforts to verify and assess whether and how this was taking place in practice.

A second issue is what is the profile of women targeted. The official text of the My House, My Life programme first mentions priority to female-headed households and later refers to women in general. Key informants engaged in programme implementation confirmed that the focus is usually on female heads of household, disregarding the status of married and partnered women. When a couple is selected, in practice the title can be issued in women's or men's names, to be decided by couples themselves, leaving room for intrahousehold, possibly gendered, negotiations.

An attempt to protect married women's property rights was an amendment to the programme from 2012 establishing that in case of separation or divorce women are entitled to keep the property unless men have full child custody (Law nº 12.693/2012). However, this amendment has been interpreted as in contradiction with the 2002 Civil Code provisions on the partial community property regime, which establishes that all property acquired during consensual union or marriage belongs to the couple (except gifts and inheritance). According to a public defender, there is a current judicial debate on the matter, and this amendment has been disregarded by judges in formal property settlements across Brazil, mandating women to sell the property acquired through government programmes (which in itself may not be allowed in the programme guidelines) to share the proceedings between former partners. Low-income participants also confirmed that women are indeed losing the homes received or subsidized through housing programmes when dissolving the partnership (ELZ, VAN). The effects of such a practice are long-term given that housing programmes in Brazil can only be accessed once in a lifetime – eligibility criteria include the fact that the applicant must never have accessed a government housing programme before and must not have any immovable property in their

names. Prioritizing women in the programmes and not ensuring they are able keep the property upon dissolution of marriage or consensual union prevents them from ever accessing a housing programme again, while men remain eligible and with no debts in their names.

Another issue of housing and land allocation programmes is overlooking intrahousehold disparities and exacerbating dependency ties of women upon their partners. As mentioned in Chapter 4 and earlier in this chapter, when women receive a plot and do not have the resources to build the house or complete starter homes, they resort to their partners' income, time, skills and even mutual help networks to build and improve the dwelling (CLE, VLR, JOS). In these circumstances, plot and house ownership intertwine, and popular understandings of property rights favour whoever paid for and built the house rather than whoever owns the land. As one participant put it: "He thought that since he had built the house, that was *his house* and I should bow down and be quiet, and that is how many of our fights started" (CLE). Instead of attenuating power imbalances within households, these plot allocation programmes may actually exacerbate tensions between women and their partners.

In terms of the idea that government housing programmes can potentially reduce risks of violence, the observations from the interviews with low-income women were somewhat contradictory. On the one hand, the narratives supported the idea that gendered power balances may change, especially when women receive a finished house and do not depend on their partners to build the dwelling. As participants put it: "I am on the other side of the game now: this is my house and I am the one who can force him to leave if he bothers me" (M.); or "We don't put up with abuse anymore now that we've got our houses in our names" (E.).

The fact that the houses received through government programmes were documented in women's names was so strong that, in some cases, women have written their names on the front facade of their houses. Figure 25 below is an attempt to illustrate such a strong image and protect the identity of participants, using the randomly chosen name Maria. With her name figuring in big brown letters painted by herself on the wall with leftover paint used on the front door, Maria poses with a proud smile in front of a half-opened door to a recently received house, besides her new motorcycle and with her house keys and cellphone in her hands. Her name appears again on the door, in big white letters, followed by the name of her partner and children who may inherit the house one day. It is as if she had written her will on the front door of her house. This image can be truly inspiring for those committed to women's empowerment through redistribution of economic resources.

Figure 25 - Women's homeownership and empowerment



Unfortunately, there was also evidence suggesting that, when domestic violence takes place, homeownership acquired through government programmes may actually trap women in abuse instead of empowering them to leave the relationship, due to challenges to evict perpetrators from the marital home thereby meaning that women would have to leave her home to end abuse. This observation is based on the fact that, with only one exception (VRL), all beneficiaries of government housing programmes in the sample who reported domestic violence refused to leave abusive relationships, partly so as not to lose their homes and property. In some cases, participants stressed a pause or a reduction in violence, which although possible, clashes with current knowledge on the likely cyclic and escalating nature of domestic violence. This may indicate that homeownership may not only trap women in abuse, but also minimize or silence accounts of violence.

In other countries, like South Africa, it has been argued that domestic violence is not necessarily less frequent in areas of government housing programme interventions but rather less visible and less audible among neighbours, after changes in the layout of settlements and improvements of building material of the houses (Duncan, 1996 apud Meth, 2003). This observation does not sound unreasonable for the Brazilian context. Figure 25 above, for instance, also captures the new distance between Maria's house and her neighbours, currently approximately 1.5 meters, a very different layout compared to the original organization of houses on stilts that used to

occupy the area. This was also evident in my field work experience when I was able to contrast what I could hear through the walls depending on the materials used and the distance between the houses. In this sense, it seems that increased privacy provided by changes in the spatial distribution of the houses and construction materials can be a double-edged sword, affecting not only neighbour's awareness of the conflicts and willingness to "intrude" in other peoples' personal lives, but also survivors' likelihood of breaking the silence and seeking help through neighbours, which can be an important source of encouragement as well as shelter in an emergency.

The empirical data collected for this thesis does not allow for conclusive observations on the effects of housing programmes in reducing or exacerbating risks of domestic violence. In fact, a thorough examination of this subject in further research requires a multidisciplinary lens. As pointed out by Rakodi (2014), it is extremely complex to attribute societal changes to specific housing programmes that are often associated with other measures and processes. In the case of Brazil, other processes in addition to housing programmes that could be potentially be linked to a reduction in domestic violence include the *Bolsa Família* cash transfers targeting women, the widely celebrated 2006 Domestic Violence Law, and increasing recognition of feminist approaches to the right to the city. These elements may have contributed to empower women to break the silence and the cycle of domestic violence, in addition to other elements like women's age, employment and income status, intrahousehold power balances, income differences between women and their partners, age of children and other reasons widely explored in domestic violence studies. Only after examining these issues would it seem fair to assess whether housing policies are trapping or empowering women, minimizing or exacerbating family tensions and risk of domestic violence.

The limited reach of government housing programmes is another important discussion point. Considering that in 10 years approximately 5 million houses were allocated through the My House, My Life programme (Antunes, 2019; Lis, 2019), in a country of the size of Brazil, with around 200 million people, many women – experiencing domestic violence or otherwise – may never have the opportunity to apply for a housing programme in their lives. In particular, accessing a government housing programme requires a certain level of political and legal agency that may be a challenge for survivors recovering from trauma and deep isolation related to continuous abuse.

Acquiring a house via a government programme may take several years, even a decade, as was the case for some participants (DID, MIR, I-MIR, VIL), and this lag is incompatible with the urgency of survivors trying to leave abuse. If what is being allocated is a plot (not a finished house), extra time is needed to build the dwelling, not to mention the money, skills and labour to buy construction material, hire construction workers, or mobilize labour through informal networks, resources that may be unavailable to survivors. Where should survivors stay in this meantime?

If a survivor tries to get ahead by applying for a government housing programme while she is still in a consensual union, her abusive partner may be entitled to a share of the property she gets, meaning that she would face the struggles of making the abusive partner leave the marital home he partially owned. There is one account in Helene (2019) of a woman who spent years coping with violence while self-building a house through a mutual help arrangement in São Paulo. After the house was ready, she locked herself and the children up in the new house to prevent her partner from moving into the house she had built without his help, and relied on neighbours to scare the perpetrator off away from her. The study did not mention what happened afterwards, whether the presence and threats from the neighbours were enough to prevent the violence to reoccur, and ensure women's effective property rights.

Yet another important aspect is whether homeownership promoted in conventional housing programmes in Brazil is the safest or most appropriate type of tenure for women escaping abuse, who may be forced to leave their homes multiple times to hide from former abusive partners. Homeownership in these circumstances is likely to hinder women's escape strategies, or, as mentioned earlier, trap them in abuse and silence accounts of violence. In this sense, alternative forms of tenure like rental, use rights concession, and collective arrangements should be explored to address survivors' housing needs considering the complex dynamics of domestic violence, and avoid exposing women to further violence, housing deficit and insecurity and property loss and asset erosion. Gender equity and justice approaches should be adopted to minimize and overcome the impact of such measures on women's survival, housing, and asset accumulation strategies.

A final and overarching reflection emerging from interview data is *why* government housing policies have been including or prioritizing women as beneficiaries in Brazil even before it was legally mandatory? The perspective of key informants indicated that the underlying rationale of such affirmative actions was not necessarily related to a goal of closing gender gaps or

strengthening women's property rights and power within relationships. Instead, the main justification for targeting women in housing allocation and tenure regularization initiatives revolved around the assumption that women are less likely than men to sell property, among other factors because women are the primary users of domestic space with primary household responsibilities, and this would prevent property being sold off. The affirmative action, while possibly contributing to redistribution of assets, takes advantage of gender bias in property markets and gender division of labor, widely discussed in Chapter 4. As put by Moser (1989, p.1804) working with women is often not feminist.

In summary, despite laws, policies and programmes related to housing and tenure regularization being either gender-neutral or giving priority to women, implementation challenges and gendered outcomes may be disadvantaging women in several ways, while there are limited assessments of the impact and possibly contradictory outcomes of these programmes on women's wellbeing.

The following section explores signs of change despite these disadvantages, challenges and contradictory outcomes of women's housing access through families, market, self-help and government programmes.

6.3 Signs of change in “post-violence” domestic settings

My central focus in this thesis has been on the effects of domestic violence against women and gender inequalities in women's housing and property trajectories. In this section, I reflect on the other side of the coin by inquiring how women's housing and property status can influence their experiences with domestic violence and gender inequality. Looking at what participants reported as “post-violence” settings, I examine in what housing tenure scenarios women were more likely to end abuse and keep their homes, seeking to identify housing- and property-related elements that might be helping to end or reduce, or alternatively, perpetuate and exacerbate gender violence and inequalities.

The housing tenure scenarios considered in Section 5.1 will be useful again here: rent, concession or sharing with in-laws, and owner-occupation, distinguishing women's individual and partial homeownership. While Section 5.1 focused on how women were exposed to patrimonial violence and lost their homes and rightful share of property, here I contrast these narratives with those of women who managed to keep their homes and property. The rationale

is to identify similarities and differences between women in each housing tenure scenario to examine whether the premise of feminist economics that women's ownership of property can reduce domestic violence resonates in the context of Recife.

Starting with women's individual homeownership, the only two participants in the sample who managed to end abusive relationships and keep their homes and rightful share of property individually owned the marital home (UNE, JOC). Both of them acquired the property through inheritance and lived near their natal families; they experienced mild intimate partner violence (a single episode of physical violence, and psychological violence for several years) and officially reported the violence to get judicial protective measures to evict the perpetrator from the property. Both participants explicitly connected their individual ownership of property with their ability to claim their rights and exclude the perpetrators from the marital home to move on with their lives, but also mentioned the role of matrilineal relatives and of their being able to get a judicial protective measure to support the materialization of their choices. This suggests that women's individual homeownership combined with proximity to matrilineal family or support networks, as well as legal literacy and means to access justice, could be associated with freedom from violence and tenure security.

However, other participants in similar housing tenure scenarios reported different outcomes in what they called "post-violence" stages. For instance, two participants who individually owned the marital home chose to continue living with a partner who had committed the violence and reported that the violence had ended. One of these participants (KAT) inherited the marital home, like the previous two, reported physical violence and accessed the domestic violence police at the first event of abuse. However, instead of trying to evict the perpetrator from the marital home, this participant decided to give him a second chance and forced him to attend support group meetings for offenders. She explained her decision by stressing that, "We had just started living together, and he was only jealous, lacking confidence", suggesting the stage in the relationship in which the violence is experienced may influence women's likelihood to end the relationship.

A second participant who individually owned the marital home and condoned the partner abuse (MAUG) acquired a house through a government programme when she was still single, and later experienced several episodes of physical violence. Differently from the previous participants, however, she did not officially report the violence; instead, as she put it: "I learned to fight him back; I would not leave my house for anything". This case resembled the narratives

from other beneficiaries of housing programmes, who may have been trapped in abuse or silenced accounts of violence. It suggests that the form of access to property can have an influence on how women react to violence. In particular, receiving a plot or a house through a government programme is a once in a lifetime opportunity but it does not necessarily change individual, interpersonal, and environmental aspects that contribute to women's ability to end abuse. In addition to practical and emotional barriers characteristics of domestic violence, the fear of losing further subsidies should they leave the property can be challenging women's critical route to end abuse.

It was unclear from the interviews, however, how much of the decision of the two participants above to continue living with perpetrator was influenced by reluctance to lose property and the challenges to evict abusive partners from home, or by a desire to keep the family together. Nevertheless, in the two cases, women kept their homes by continuing to live with perpetrators and reported the violence as a past experience that had ended, thus the use of quotation marks in the term "post-violence", since the cyclic nature of domestic violence suggests that sooner or later the abuse will reoccur.

The last case of an individual homeowner in "post-violence" settings sheds light on the level of violence and the challenges of survivors to evict perpetrators from their own property are determinant factors to the housing outcome of abuse. The participant lived with her partner in a home built by her maternal family in her mother's backyard, and even so she had to leave the property to escape intense physical violence (IMIR). She tried to exclude the abusive partner from her property through different approaches but never officially reported the violence or sought judicial protective measures. Her uncles and male cousins got involved, which only increased the violence. She refused to leave and coped with violence for several years until she almost died and fled to survive. This case suggests that women's homeownership, even near matrilineal support networks, is not sufficient to ensure women's freedom from violence when extreme violence takes place and women are unable to seek institutional help, which technically can increase the chances of women being able to exercise their property rights.

Therefore, individual homeownership can provide a pathway to freedom from violence, or reduce violence even if temporarily. This outcome can be influenced by proximity with the matrilineal family and support networks, women's legal awareness and capacity to access justice, the stage of the relationship and the form of access to property. However, high and increasing levels of violence can jeopardize women's attempts to exercise their property rights,

and the challenges to evict the perpetrator from the property combined with a reluctance to lose property indicate perverse outcomes of property ownership in domestic violence settings, trapping women in abuse.

Women's partial homeownership was the most frequent housing tenure scenario in the universe of cases, revealing two clear patterns among women experiencing violence, as detailed in Sections 4.2 and 4.3: (i) trade-offs for shelter and property among survivors tolerating abuse in exchange for a place to live and to keep their rightful share of property especially when property ownership was clouded and undocumented, and (ii) gender violence evictions among survivors leaving the marital or family home and losing their rightful share of property to escape abuse.

"Post-violence" for partial homeowners who reported domestic violence conflates with loss of home and property. No partial homeowners in the sample managed to end abusive relationships and keep the marital home, not even when accessing judicial measures to exclude the violent partner from the property, which usually triggered violent backlashes like death threats and attempted murders (ELI-2, NEI), and fear of retaliation, eventually compelling survivors to leave the property. Proximity to the man's families, who could take part in retaliation efforts, was another aspect influencing women to resign property rights, even after reaching the courts.

The distinction between partial homeownership linked to land ownership, direct investments in home improvements or dedication to reproductive work (which under partial community property regime affords both partners/spouses joint ownership of property acquired during consensual union) was once again important for women's housing experiences. Survivors who invested income in home improvements were more likely to officially report the violence and reach the courts than to silence accounts of violence. This contrasts with the fact that no survivor who became a partial homeowner through acquiring property via a government programme or through dedication to reproductive work managed to officially report the violence and reach the courts. This suggests that the form of acquisition of property ownership can have an effect on women's sense of entitlements and willingness to claim property rights. Active acquisition of property ownership – through direct investments, for example – may afford women a greater sense of entitlement than passive means of access to property – through government programmes or reproductive work. It also indicates that women's ability to earn income and generate savings is possibly linked to higher levels of legal literacy, empowerment, and free movement in the city to access public services to report the violence.

Ambiguous observations emerged from the narratives of survivors who continued living with perpetrators and reported that access to property helped to end or reduce domestic violence. Survivors may have in fact experienced the end or a reduction in violence as a result of a more equitable distribution of resources, such as when women received a house through government programmes. Alternatively, other narratives suggest that women may be trying to minimize or deny the continuity of abuse, especially when dependence ties apply, such as when women acquire a plot and depend on the partner's income to build the dwelling. Given the cyclic nature of domestic violence, it is likely that the violence will reoccur, and therefore it is worth asking why women in such situations might self-report as having overcome violence while still living with once-abusive partners. What do women perceive as the end of violence? How is the relationship between violence reduction and access to property being constructed by survivors and interpreted by research? Is it possible that property ownership does not exactly reduce violence but rather silences or minimizes accounts of violence?

Participants who did not own property – living in rental accommodation or with their in-laws – also followed the two patterns mentioned above: enduring violence in exchange for a place to live, or experiencing gender violence evictions. Their decision as to leave or stay was less constrained in the sense that leaving did not imply major material loss. On the other hand, the decision to leave was highly constrained by economic challenges to relocate and meet pressing costs of housing and subsistence. Women's access to housing after leaving abuse was crucial to prevent relapses. As put by one participant: "I am thankful for having found this place I could afford, otherwise I would have gone back to him [abusive partner]. Now it is my new partner who lives in my house, not the other way around" (SOL). Among non-homeowners, women's likelihood of accessing new housing arrangements and being able to provide for themselves and their families influences their decision to end abusive relationships.

Migrants were an important subgroup among non-homeowners, who usually moved to their partners' or in-laws' homes when forming a partnership. In some cases, although migrants did not own the marital home, they did own a share of their natal family property but were either unable to return if, for instance, other relatives took over the property, or were unwilling to return to the minor towns or rural areas, from where they had left frequently to escape extreme poverty. Strictly speaking, these participants were not propertyless; they owned property but not the marital home. This observation suggests the need to distinguish ownership of the marital home from ownership of other property, the location of the property owned by women, the *de facto* inheritance rights and interests of other relatives or household members, as well as socio-

economic aspects that can facilitate or hinder women's livelihood strategies where the property is located.

Based on the empirical data presented above, I argue that although women's homeownership can be an important factor in their likelihood of ending abusive relationships and keeping their homes and rightful share of property, a thorough assessment of the relationship between the type of housing tenure and reduction in violence can be refined by considering different aspects of couples' and women's individual housing trajectories and strategies of survival with limited resources. The housing and property outcomes of domestic violence can be influenced by various factors other than homeownership *per se*, such as proximity to matrilineal family and support networks, the form of access to property, and women's legal literacy and capacity to access justice. A reduction in violence was also associated by participants to other elements besides housing arrangements, such as children growing up, the marital relationship becoming more stable with time, access to income through paid work, government cash transfer programmes like Bolsa Família, and child support from previous partners, in addition to the domestic violence law (Maria da Penha) becoming more widely known and effective.

On the other hand, women's attempt to end abusive relationships and keep their rightful share of property can be jeopardized by increasing levels of violence, proximity to the man's family and support networks, barriers to break the silence and seek institutional help, challenges to exclude perpetrators from the property, and risks of a masculinity crisis born of women's attempt to exercise their rights. Women's reluctance to end abusive relationships when lacking housing alternatives or means of subsistence, or to secure property for themselves and their children is a major factor that can trap women in abuse and silence accounts of violence.

6.3.1 Longitudinal effects of domestic violence on women's housing

In closing this chapter, I draw on existing literature and on empirical evidence from Recife to reflect on the longitudinal effects of domestic violence on women's housing and property.

In Recife, from the housing trajectories examined in my study, I emphasize the devastating effects of family-led evictions and property loss experienced by survivors, the loss of inheritance and access to family resources by the children of survivors, and the new or persistent cycles of abuse to which survivors and their children may be exposed to depending on where they manage to find temporary or permanent housing. This interplay between women

experiencing or witnessing abuse in childhood and the longitudinal effects of domestic violence in terms of housing was empirically present in the narratives of some participants of my study, and was especially clear in the case of SOL. I presented her narrative into pieces of evidence throughout this report, and would like to bring some of the pieces back together in Box 4, to illustrate the signs of change and stagnation possibly linked to the reduction or perpetuation of gender housing gaps and exposure to domestic violence in the life-course of women and across generations.

Box 4 - The case of SOL: longitudinal effect of domestic violence on housing

SOL, 27 years old, arrived in Vila Santa Luzia after a turbulent period in her life. She was not one of the women who received starter homes from the municipality in the 1980s; she lived by the canal, in a *non-aedificandi* area where people self-built their homes nearby the areas that received government investments. She lived in one of the most precarious houses that I visited for this study, a single-room dwelling made of cardboard, with no windows (Figure 14, in page 70, shows the entrance to her street). I was introduced to her by a local leader, who facilitated my entrance to the less accessible zones of the settlement, where the outcomes of informal property markets and self-help consolidation clashed with my naïve expectations as to how I would find women living in an area so often referred to as an example of “good practice” of government empowering women through housing allocation.

SOL received me while she was cooking and hand washing some clothes and invited me to grab a stool to sit by the door. As I was sitting closer to the ground, I could not help but notice the mixture of scents of cleaning products, food being prepared, and the dirt floor still wet from the rain in the night before, denouncing some problems in the roof. When I asked about her current house, following icebreaker conversations, she started by saying how relieved she was for having finally been able to bring her daughter to live with her again, and walked me through her housing trajectory.

As a child, SOL witnessed and experienced two forms of abuse from the same man – her step father raped her and abused her mother – after which she decided to flee and lost access to potential inheritance and family resources when escaping the incest. After several years living at her sister’s house, she got pregnant and started a partnership by moving into a house rented by her first partner, in another city, to live closer to her in-laws who would help

financially. She was abused by this first partner, who also forbid her to work, which limited her means to escape. When she saved enough to leave the relationship, she had to send her eldest daughter to be taken care of by relatives in an overcrowded house that may have exposed the girl to risks of child abuse, neglect, and deprivations.

It was only when she managed to get stable housing, a dwelling built by a second partner in a land plot acquired by her with help from a church congregation, that she saw herself free from her first abusive partner (with whom she had reconciled several times when evicted by relatives who provided temporary shelter), and managed to bring her daughter to live with her again. Although the housing disparities between SOL and her second partner were smaller than what was observed in her first relationship (now she partially owned the marital home, whereas before she was a secondary tenant with no income to contribute to paying the rent), she referred to quarrels with the second partner that suggest that she might have been entering a new cycle of abuse in the new relationship.

There was also the disturbing coincidence that SOL's daughter had lived with a distant uncle, far from her watch, and was now living with a stepfather, in a single-room dwelling, sharing sleeping space with adults and several siblings. Therefore, although accessing a plot and attaining partial homeownership prevented SOL from returning to her first abusive partner, it did not necessarily prevent abuse from the second partner, and the status of her daughter and other children was worrisome.

The case of SOL resonates with the existing literature in many ways. The negative effects of domestic violence to survivors, usually multidimensional and interlinked, have been well documented elsewhere. These include psychological distress (post-traumatic stress, depression, feeling unsafe, low self-esteem), erosion of social capital (isolation, loss of interpersonal resources or social networks), erosion of human capital (school/work absence, poor physical and mental health, poor nutrition, unhealthy behavior, decreased self-care), and financial problems (loss of employment, income, physical assets) (Sen, 1999; Sagot, 2000; Velzeboer, 2003; Bell, 2003; Wuest et al., 2003; Ponice et al., 2011; Ghosh, 2015; Sauber & O'Brien, 2017).

Housing problems provoked by domestic violence include material and perceived housing instability, such as homelessness, high mobility, evictions, lack of housing affordability and problems paying rent or mortgage, skipping meals to make ends meet, hiding, landlord discrimination, psychological instability (Baker et al., 2003; Daoud et al., 2016; Pavao et al., 2007; Ponice et al., 2011; Rollins et al., 2012; Mayock, 2015; Daoud, 2016; Meyer, 2016;

Adams, 2018; Broll & Huey, 2020; Warrington, 2001; Bowstead, 2017). Domestic violence survivors are often forced to move in with a friend or relatives, pay far more than they can afford, skimp on other necessities, and live in physically unsafe or illegal housing (Bartlett, 2018). Overcrowded and shared living arrangements are associated with loss of autonomy, intrusion from relatives and former partners, challenges to heal from trauma (Wuest et al., 2003; Ponc et al., 2011).

Children who witness or experience domestic violence in their childhood are more likely to exercise and experience violence when adults, and time spent in shelters and constantly on the move contributes to behavioural problems, anxiety, depression, disrupted school attendance and poor academic performance (WHO, 2017; Guo et al., 2016). Overcrowdings and poor housing conditions, often characteristics of where survivors and their children manage to find shelter, increase the risks of child abuse, especially if the child abuser is the one providing the shelter (Marcus, 2013 apud Bartlett, 2018; Cant et al., 2019). Experiencing domestic abuse as a child is linked to homelessness among adults, as a result of impaired social relationships, behavioural problems and low levels of social support provoked by abuse; and experiencing homelessness puts children at risk of health problems (Bartlett, 2018).

The empirical evidence from Recife shows that the usual housing aftermath of domestic violence is the eviction and relocation of women and their children to overcrowded, precarious, and shared living arrangements, or unaffordable rental accommodation, which expose women and their children to poor housing conditions, and to risks of subsequent abuse and evictions. Living and growing up in these circumstances exposes women to cumulative disadvantages that reinforce rather than minimize gender gaps in housing (Section 4.3).

In Recife, this interplay between domestic violence and gender gaps in housing is happening to the detriment of legal and policy frameworks and rhetoric. Low-income women are largely unable to access housing policies and to officially report domestic violence and, when they do, the shortcomings of these policies (detailed in Subsection 4.3.3; Section 5.3 and Section 6.2) hinder their achievement of adequate housing and freedom from domestic violence. The case of CLE illustrates shortcoming both of housing and domestic violence policies: she officially reported the violence to the police and felt unprotected from retaliation while living in her in-laws, giving up on the process; later, she received a plot and had no income to build a home, and had to resort to her abusive partner to do so, which increased her dependence upon him.

The shortcomings of public policies in providing for the basic protection for survivors, and the gendered outcomes of housing policies have a major influence on women's housing trajectories.

As this point, I build on the literature to support the subsequent articulation:

- (i) Economic theories of intrahousehold bargaining, that have shown the strategic role of command over resources to increase women's bargaining power, ability to exercise choice, and challenge gender relations (Agarwal, 1994; 1997; Kabeer, 1999; 2005; Deere & León, 2001; Deere et al, 2014);
- (ii) Health theories that acknowledge that, when survivors are able to overcome practical goals of surviving, they are able to engage in proactive efforts directed toward positioning for the future (Wuest et al., 2003; Ford-Gilboe et al., 2005);
- (iii) Gender planning theories that underpin asset accumulation as a strategic gender interest to pursue gender emancipation and equality (Moser, 1989, 2009, 2016);
- (iv) Housing theories showing that there is a tendency for homeowners to be children of homeowners and tenants to be children of tenants, therefore, given the underrepresentation of women as homeowners, it is likely that this disadvantage may be passed on to the next generation (Varley, 1995).

Considering that women generally lose their homes and property as a means to escape abuse, and that resettlement arrangements in these circumstances can deteriorate living conditions, it seems that the cumulative effects of domestic violence on women's housing and property are holding women and their children in a cycle of practical gender needs, directing efforts and resources to basic needs of survival rather than to emancipation and changing gender relations. As long as women experience domestic violence and face disproportionate challenges to access resources, this cycle of survival and subordination is likely to persist.

To end on a positive note, an optimistic approach to the post-violence settings can benefit from two propositions. The first is Sylvia Chant's (2016) articulation that female-headed household can be seen as an asset in itself despite the economic, social and emotional challenges:

(...) being part of female-headed household, in the short or long term, can act as a conduit for shifts in personal and domestic dynamics with potential to undermine patriarchal structures, advance women's interests, and strengthen demands to create more gender-equitable cities. (p.22).

(...) Female headship seems to offer women, inter alia, more power and independence, greater occupational choice, more control over household finances, enhanced mobility and freedom, less exploitation, less insecurity, and greater peace and well-being. (p.32)

This approach can be useful in a further interrogation of the positive signs of change among women who left abuse and became lone mothers.

The second proposition is that, although this is a rare and debatable phenomenon, couples may stay together and violence can stop, as stressed by Merchant & Whiting (2017) who propose a model of desistance from intimate partner violence explaining how couples successfully stop being violent and learn healthy ways of relating. This approach can be useful in further efforts to investigate the positive signs of change among women who endured violence when unable to leave and when protecting their property and their children's inheritance.

In my universe of cases, however, the signs of setbacks and stagnation in post-violence settings exceeded those of change towards women's emancipation and gender equality.

6.4 Summary and discussion

This chapter explored the relationships between housing tenure and freedom from violence, and the role of families, self-help mechanisms, markets and governments in closing, sustaining or widening gender inequalities in housing and property.

By exploring the housing trajectories of participants in seemingly non-violent domestic settings, the chapter has shown that:

- Even when no domestic violence was reported, gender inequalities permeate the housing market, family-based and self-help processes in the low-income contexts under study. The disadvantages experienced by women in non-violent domestic settings were quite similar to those of survivors, indicating that these disadvantages are not a unique feature of domestic violence settings but rather shaped by broader contextual and structural inequalities based on gender and intersecting factors, probably more acute in domestic violence settings.
- Housing access through inheritance, property sharing and concession was less frequent in non-violent settings than among survivors, suggesting that the tensions associated with family-based access to housing and the complex dynamics of extended households may be positively associated with domestic violence. For separated women, however, access to housing through family networks was the main housing alternative, escaping

violence and otherwise, often constituting housing deficit or inadequacy, in precarious, overcrowded, hidden subunits within households.

- Few partnered women in the sample occupied land plots and self-built houses with their partners. Single and separated women only squatted and self-built their homes through social movements; squatting was avoided by single women who feared the physical hardship and personal insecurity in recent settlements. Specific cases suggest that female-headed households may be more vulnerable to land grabbing and gender-violence in flimsy dwellings.
- Partnered women had a secondary role in purchasing property and investing in home improvements, due to economic disadvantages, resulting in men being perceived as the main property owners. Few single and separated women managed to buy or build property, and were likely to do so when formally employed. Reflections on the location and conditions of the property that single women can afford pointed to the gendered outcomes of informal markets.
- In rental markets, economic disadvantages to earn a sufficient regular income placed partnered women in a secondary role as tenants and exposed single women to excessive rent burden. The few women who became landladies, did so when they managed to keep property upon inheritance or separation and received pensions or cash transfers that enabled them to build extra space to rent.
- An important finding was that, upon separation, all partial homeowners who did not report domestic violence were able to keep the marital home, a pattern strikingly different from what was observed among survivors, who generally lost their rightful share of property when ending abusive relationships. This suggests that the same factors that contribute to ineffectiveness of women's property rights may be also linked to the occurrence of violence.

These findings widely support existing literature on the gender gaps in housing and property (Chant, 1984; 1996; Varley, 1993; 1995; Deere & León, 2001), and add empirical evidence from Brazil. Housing processes in low-income settings are gendered, and result in gendered outcomes, in spite of domestic violence.

Observations on the role of government policies and programmes in facilitating or constraining women's housing and property experiences showed that:

- Despite provisions since 2005 mandating government housing efforts to target and prioritize women, and scattered evidence of this prioritization taking place even before 2005, the claim that government housing programmes have empowered women is still debatable, lacking specification and empirical substantiation.
- Land regularization efforts can disadvantage women when: (i) overlooking the backgrounds of couples living in each unit, which may include previous evictions and property loss provoked by domestic violence or unfair property settlements; (ii) neglecting intrahousehold income gaps that result in women's disproportionate challenges to prove *de facto* ownership, possession or length of residence using utility bills to apply for land regularization; and (iii) when affirmative action triggers masculinity crises in men reluctant to agree with inclusion or prioritization of women's names in property titles.
- Housing and plot allocation programmes may also disadvantage women when: (i) plots or starter homes are allocated to women who lack the resources to build their homes and who have to resort to their partners or relatives to build the dwelling, thereby reinforcing rather than alleviating dependency ties; (ii) when targeting female household heads disregarding the needs of married and partnered women; and (iii) when upon separation women are unable to keep the property, sometimes mandated by judges to sell the property to share the proceedings with their former partner, and losing permanently the right to ever access a housing programme again.
- The extent to which land regularization and plot or housing allocation empower women and reduce the risk of violence still needs further examination. On the one hand, women's access to property can change power balances within households and reduce levels of violence. On the other hand, domestic violence may not be less frequent among beneficiaries of government housing programmes but rather less visible or heard about problem in the new or upgraded settlements or dwellings.
- Conventional housing programmes may address the housing needs of women who have already left abusive relationships and are juggling between rent burden or doubling up with friends or relatives. However, these programmes should not be understood as concrete exit options for those still living with abusive partners and seeking alternative housing partly because they can require time, income, legal and political empowerment and other resources that may be unavailable to women coping with violence. Homeownership, promoted in most housing programmes, may not be the most

appropriate form of tenure for women escaping violence, who may be forced to leave their homes and hide multiple times before being free from violence.

These findings may be useful to other parts of Brazil since much of the legal and policy provisions explored here (federal laws and policies) are valid across the country. They also highlight specific blind-spots in current official housing data that overlook gender and intrahousehold dynamics, hindering assessment of gender inequalities in housing and the effects of intrahousehold conflicts like domestic violence. Finally, the findings add to current housing literature in Brazil that still neglects the gendered implementation gaps and effects of housing policies and programmes, especially in domestic violence settings.

Observations of the relationships between type of housing tenure and freedom from violence revealed that:

- Women's homeownership alone was not sufficient to reduce violence. Women's ability to end abusive relationships and keep their homes and rightful share of property was influenced by a combination of factors ranging from the location of the property, proximity to women's natal family and support networks, form of access to property, legal knowledge and means to access justice, and legal and policy provisions and their implementation.
- In any form of tenure, especially where women are partial property owners, women's attempt to exercise property rights can be jeopardized by increasing levels of violence, proximity to the man's family and support networks, inability or reluctance to break the silence to report abuse and seek institutional help, challenges to exclude perpetrators from the property, and risks of masculinity crises intertwined with women's attempts to acquire or exercise their rights.
- Moreover, women's homeownership (individual and joint) can trap women in abuse and silence accounts of violence, rather than deter violence and provide exit options. Women's reluctance to end abusive relationships when lacking housing alternatives or means of subsistence, or to secure property for themselves and their children, were central issues in participants' narratives.
- The interlinkages between experiencing or witnessing abuse in childhood and the longitudinal effects of domestic violence on the housing arrangements of survivors and their children suggest that women in post-violence settings may be trapped in a cycle of

survival struggling to meet practical needs, rather than in a pathway towards emancipation and transformation in gender relations.

The relationship between women's homeownership and the reduction in violence is not a direct and simple one but intermediated by a number of soft and subtle processes linked to the housing trajectories and otherwise. The empirical data collected for this thesis does not allow conclusive observations but rather expands some insights, highlights contradictions, and suggests questions for further research. As previously mentioned, on the one hand, authors like Panda and Agarwal (2005) found that women who own property are less likely to report domestic violence and better able to leave abusive relationships. Similar findings strengthened the idea that women's asset ownership could deter domestic violence and provide concrete exit options for survivors (Grabe et al., 2015; Oduro et al., 2015). On the other hand, recent analysis suggests that the oft-perceived protective relationship between women's asset ownership and experience of intimate partner violence is possibly context specific (Peterman et al., 2017).

In the context of Brazil, I argue that women's property ownership can provide a pathway to freedom from violence when a number of other factors are present, like women's legal empowerment and the capacity to exclude the violent partner from the property without experiencing subsequent violence. On the other hand, property ownership is likely to trap women in abuse when there are no or limited housing alternatives available and limited perspectives to reclaim property rights. This nuanced understanding is crucial to inform public policies and other efforts committed to women's empowerment and the reduction in domestic violence to combine the promotion of property ownership with other factors such as legal, economic and political empowerment.

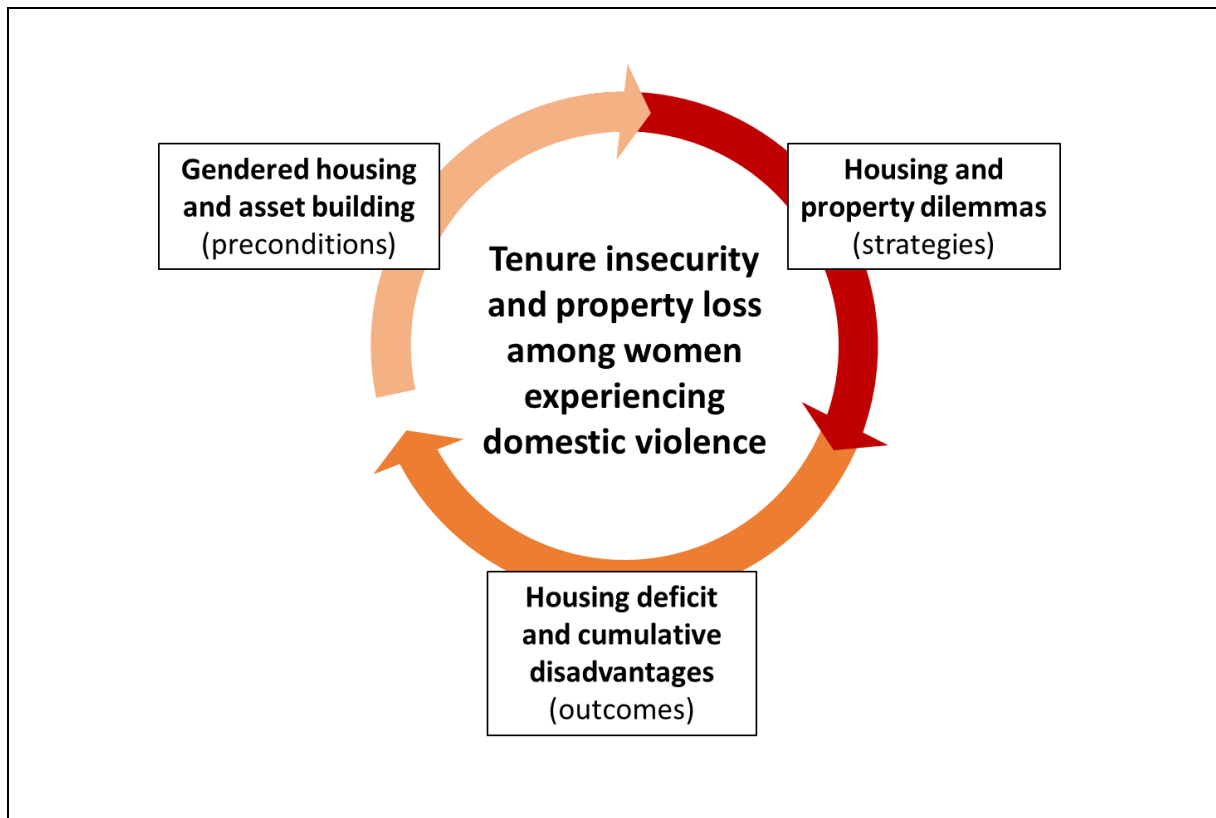
7 INSECURITY OF TENURE AND PROPERTY LOSS AMONG LOW-INCOME WOMEN EXPERIENCING DOMESTIC VIOLENCE IN RECIFE

This thesis has explored the complex relationships between domestic violence against women, housing, and property, with a particular focus on tenure insecurity and property loss. Empirically based on the housing trajectories of women in Recife, the findings have revealed the effects of intimate partner violence on women's security of tenure (Chapter 4), patrimonial violence on women's ability to build and secure a patrimony (housing assets) (Chapter 5), and gender inequalities affecting women's achievement of adequate housing in "non-violent" and "post-violence" settings (Chapter 6). Drawing on these findings, I propose a substantive theory of *women's tenure insecurity and property loss in domestic violence settings*, presented in Section 7.1. This is followed by the conclusions of the thesis (Section 7.2) and a discussion of the implications for further research, policies and practice (Section 7.3), and unanswered questions (Section 7.4).

7.1 Grounded theory

In this thesis I found that women's insecurity of tenure and property loss in domestic violence settings in urban low-income settlements in Recife stem from three subprocesses: (a) *gendered housing and asset building* that precede abuse and leave women more vulnerable to eviction and dispossession than their partners and male relatives in spite of domestic violence; (b) *housing and property dilemmas* during abusive relationships, determined by constraints to leave the property and find emergency housing, as well as to stay and exercise property rights; and (c) *housing deficit and cumulative disadvantages* after abuse, determined by constraints to access permanent adequate housing, reclaim or get compensation for the property once lost, and cope with new or persistent cycles of gender-based violence. These subprocesses are depicted in Figure 26, and explained below. Despite the schematic representation, the subprocesses may overlap, reemerge, and interlink with one another and with other dimensions of domestic violence that are not necessarily related to housing and property. This is an articulation of a highly complex social process, which requires some level of abstraction.

Figure 26 - Tenure insecurity and property loss among domestic violence survivors



Addressing the specific objectives of this thesis (presented in Section 2.1), the following set of propositions are informed by an analysis of the preconditions, strategies and outcomes of the interplay between housing and domestic violence, taking practical, contextual and structural factors into consideration. It applies to multiple forms of domestic violence against women perpetrated by partners, former partners, and relatives, including patrimonial violence. The use of quotation marks in the terms “before” and “after” violence are due to the realization that adult women may have experienced or witnessed abuse in their childhood, and be exposed to violence after leaving abusive relationships.

7.1.1 Preconditions: gendered housing and asset building processed “before” violence

Disparities between women and men, within and beyond households, shape the housing and property scenarios where domestic violence takes place. The key factors influencing the gendered housing and asset building processes that precede domestic violence against adult women include:

- Women's limited access to natal family resources, which leads to patrilineal residence patterns;
- Gender-based disadvantages to generate income and savings, which challenge women to rent, purchase and improve their homes;
- Weak documentation of property and partnerships, which challenges women to claim and prove property rights;
- Gendered constructions of property rights, challenging women to understand and exercise property rights

Structural factors contributing to these disparities include gender norms, the gendered division of domestic labour and income generation, disparities in access to and distribution of resources, and the multidimensional and intersectional feminization of poverty, placing women at a disadvantage both material and perceived. The practical factors that contribute to gendered housing and asset building processes – the chain of events, behaviors, practices – are explained below by a review of the key pieces of evidence presented throughout this thesis.

At the practical level, women's childhood experiences with domestic violence against themselves and/or against their mothers, family-led evictions, as well as migration are a determinant factor that contributes to gender inequalities in housing and assets (Subsection 4.1.1.). Women who leave their childhood homes when escaping incest, child abuse or other domestic conflicts, or when searching for better living conditions, are deprived from inheritance and other family resources (physical and otherwise) and forced to start their housing pursuit from scratch. Women in these circumstances, alone or with their mothers and siblings, are exposed to homelessness, housing instability and inadequacy, and compelled to live and work in precarious conditions, such as exchanging work for shelter and food, while coping with intersecting disadvantages, multidimensional loss and distress.

When women are not forced to leave their childhood homes in such harsh conditions, gender bias in allocation of family resources, rooted in gender norms and expected roles, compels them to leave their family property and move in with their partners and in-laws when forming a partnership (Subsection 4.1.2. and Section 5.2.). Women face disproportionate challenges to access housing resources on their own and through their families as a result of male preference in inheritance and property sharing within families, as well as gender bias in property markets, linked to gendered divisions of labor and income generation.

Women's limited access to their natal family resources and subsequent patrilineal residence patterns (women moving into their partners' or in-laws' property) mean that women's security of tenure depends on their relationship with partners and in-laws from very early in the relationship, and that couples are likely to accumulate wealth on plots that do not belong to women, located closer to the man's family and support networks. Moving into their partner's or in-law's homes also weaken women's *de facto* and perceived inheritance rights to their natal family property, especially when brothers or other male relatives keep or improve the property while women are living elsewhere. In fact, parents' pressure on daughters to move out the family property, contrasting with the support granted to sons on their path of becoming "the man of the family", is in itself a subtle form of patrimonial violence, that unfolds a series of gender-based disadvantages for women in housing and assets (Subsection 5.2.1).

Gender disparities are likely to expand rather than shrink throughout couples' and families' housing and asset building processes. Disproportionate challenges to earn income and generate savings, combined with constraints in time, skills and access to interpersonal support networks, once again linked to the gender division of labor as well as to gender stereotypes, hinder women's ability to rent, purchase or invest directly in the construction, consolidation and improvements of dwellings. These disproportionate challenges to invest in home improvements weaken women's *de facto* and perceived relationship to property, both in the marital home and their natal family property (Subsection 4.1.3 and Section 5.2).

Perceived property rights are often based on plot ownership and direct investments on home improvements, rather than on marital and inheritance provisions under which partners are entitled to joint ownership of all property acquired during the marital relationship regardless of income investments, and children are necessary heirs (*herdeiros necessários*, that cannot be disinherited) with equal inheritance rights. This disjuncture between formal and perceived property rights place women at a disadvantage, given the above-mentioned gender bias in inheritance, property sharing and markets, as well as in income and in-kind investments in home improvements. Popular (mis)understandings of property rights are somewhat negotiable, flexible enough as to emphasize men's and undermine women's relationship to property and contribution to housing and asset building strategies. Either by taking advantage of women's limited legal knowledge or by deceit and manipulation, men impose their own views of property rights upon women, weakening women's sense of entitlement to property (Subsection 4.1.5).

Women's ability to claim and prove property rights is further constrained in a context of widespread informality both in terms of marital partnerships and of property transactions (Subsection 4.1.4). Women are less likely than men to have proof of *de facto* ownership, possession or length of residence in their names, such as sale-and-purchase agreements and utility bills. Sometimes there is not even proof, like formalization of consensual union or children's birth certificates, that the relationships have existed or when it started. In these circumstances, the application of marital and inheritance provisions is highly constrained, and families heavily rely on popular understandings of property rights, biased against women, as mentioned above.

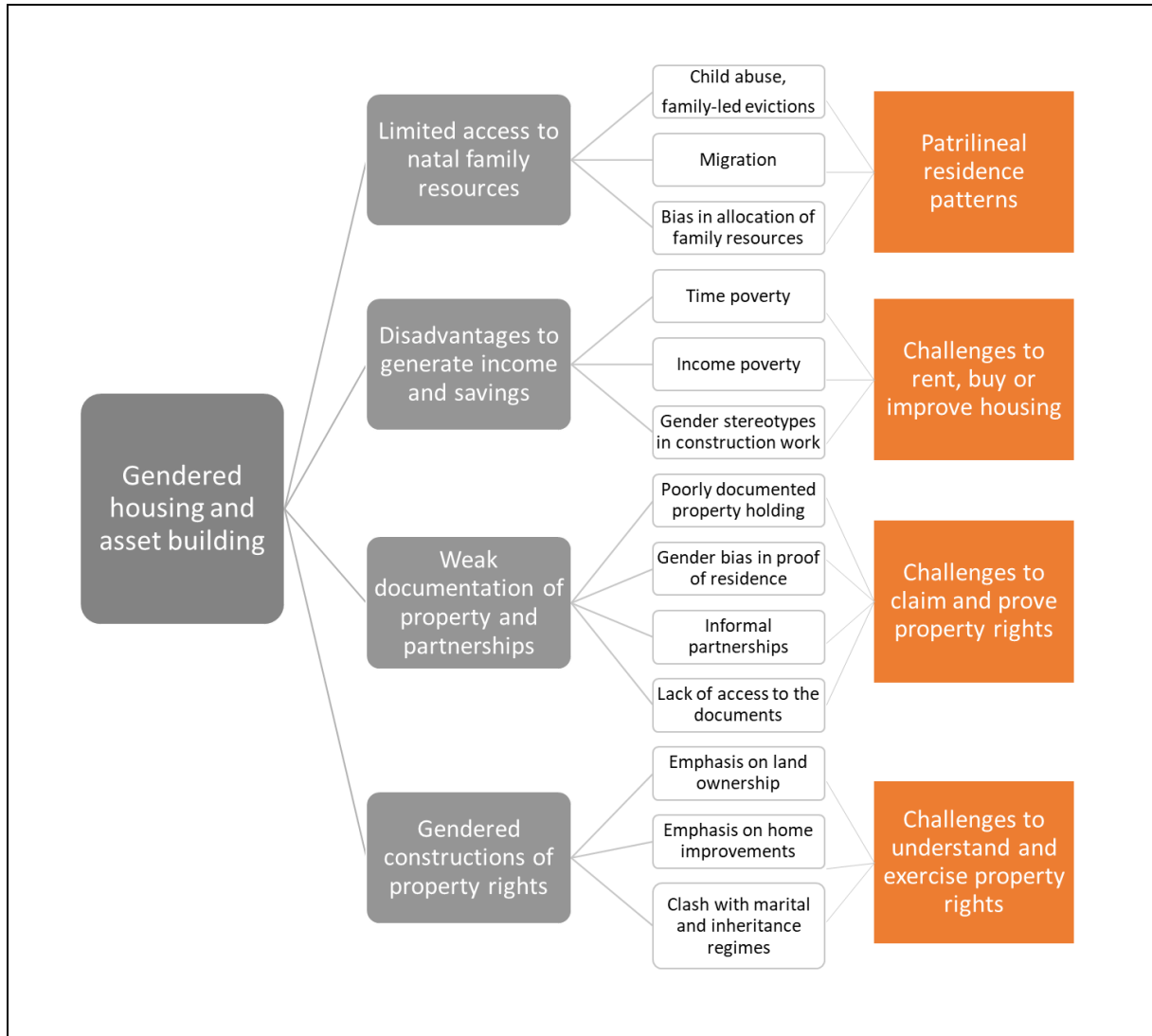
Similar factors contribute to gender inequalities among tenants: patrilineal residence patterns are explained mainly by women's disproportionate challenges to earn income to pay for rent, linked to verbal agreements between men and landlords, and proximity to men's families and support networks.

Contextual factors that could alleviate these gender inequalities in access to and control over resources include government policies and programs to promote tenure regularization and allocation of plots and houses, when these efforts include or target women. However, such government efforts can disadvantage women who lack proof of possession or length of residence in order to apply for tenure regularization. When women receive plots or unfinished homes and lack the income, savings, skills and time to build or improve dwellings, they are likely to resort to partners or siblings to do so, increasing rather than minimizing dependency ties within families. In addition, affirmative action, such as prioritizing women in property regularization and allocation programs, can also lead to perverse outcomes such as the violent backlash from men who disagree with such measures (Section 6.2).

In summary, the preconditions that contribute to women's tenure insecurity and property loss in domestic violence settings are marked by women's previous exposure to domestic violence, family-led evictions and migration before forming a partnership, and gender gaps in housing and asset building processes that determine what property women rightfully own or possess, and what they perceive and can claim and prove to own or possess. Despite formal equality and policy efforts, women may have a weaker relationship to the marital home and family property compared to their partners and male relatives, and be more vulnerable to eviction and dispossession in case of family conflicts and disputes over property, even before intimate

partner violence or patrimonial violence takes place. The elements discussed above are presented schematically in Figure 27.

Figure 27 - Preconditions: gendered housing and asset building “before” domestic violence



7.1.2 Strategies: housing and property dilemmas during abusive relationships

During abusive relationships, the housing and property choices survivors in urban low-income settings are highly constrained, often consisting of similarly unfavourable alternatives, here referred to as *dilemmas*. Key factors influencing these housing and property dilemmas are:

- Survivors’ challenges to leave and access emergency housing, which compel them to endure violence in exchange for a place to live or to secure property, or to make “*trade-offs for shelter and patrimony*”;

- Survivor's challenges to stay and exercise property rights, which expose them to "*gender violence evictions and property loss*" as a means to end violence.

Structural factors that influence these dilemmas include the normalization of domestic violence, which can challenge women to understand their lived experiences as such and make full use of the law and its institutions, as well as the normalization of eviction and property loss as a "natural" exit option to end violence.

At the practical and contextual levels, women tolerate abuse when housing alternatives are not available or feasible. Isolation from family and support networks that could provide immediate shelter, and constraints to earn stable and sufficient income to rent an accommodation, limit the housing options for survivors who are unable to break the silence and reach institutional help (Subsection 4.2.2). For those who reach institutional support, limited access to shelters and provision of alternative housing fuel desistance, and compel women to stay in abusive relationships (Subsection 4.3.3). Having a place to live, "a roof over their heads" as put by many survivors, may exceed the expected benefits of leaving abusive relationships, or leaving is simply outside the realm of possibilities.

Reluctance to lose property is a major part of the housing and property dilemmas faced by survivors. Enduring violence can be a means by which women secure a patrimony for themselves and their children, especially when unable to claim and prove property rights, and even when not fully aware of their rights and legal mechanisms to exercise them. Barriers to break the silence and seek help are fueled by the normalization of domestic violence and under-recognition by survivors of the different forms it can manifest, combined with impressions of powerlessness and helplessness exacerbated by exposure to abusive behavior. Under-reporting is a major factor preventing women to get help (Section 4.2.3).

As the levels of violence increase, survivors experience recurrent threats and fear of eviction (perceived tenure insecurity), are compelled to leave to escape severe, unbearable violence, especially when it poses risks to children, and end up returning to abusive relationships when lacking housing alternatives, or when things calm down (cyclic evictions). There is a fine line between cyclic and permanent "*gender violence evictions*", influenced by the housing and survival options available to women, in addition to other aspects unrelated to housing, such as the desire to keep the family together (Section 4.2).

Among survivors who end up leaving their homes and family property, the barriers to report the violence and get help also influences their dilemmas. Without institutional help, women must claim their property rights in the gendered residential scenarios described in Subsection 7.1.1. Male preference in inheritance and resource allocation within families reverberate in disputes over inheritance. The location of the marital home closer to man's family, as a result of patrilineal residence choice made early in the relationships, increase risk of retaliation against women and diminish their sense of belonging and entitlement to property. Gendered constructions of property rights combined with gender norms and stereotypes undermine women's perceptions of property rights, and serve to question their reasons for trying to take advantage of legal protections, suggesting that their commitment to the partnership or family were not a matter of love but rather to accumulate wealth. Widespread informality in property holdings and transactions, combined with complex family and household arrangements leave room for gendered practices in which men ignore and deny the property rights and entitlements of women, taking advantage of their limited legal awareness and challenges to claim ownership or possession of property.

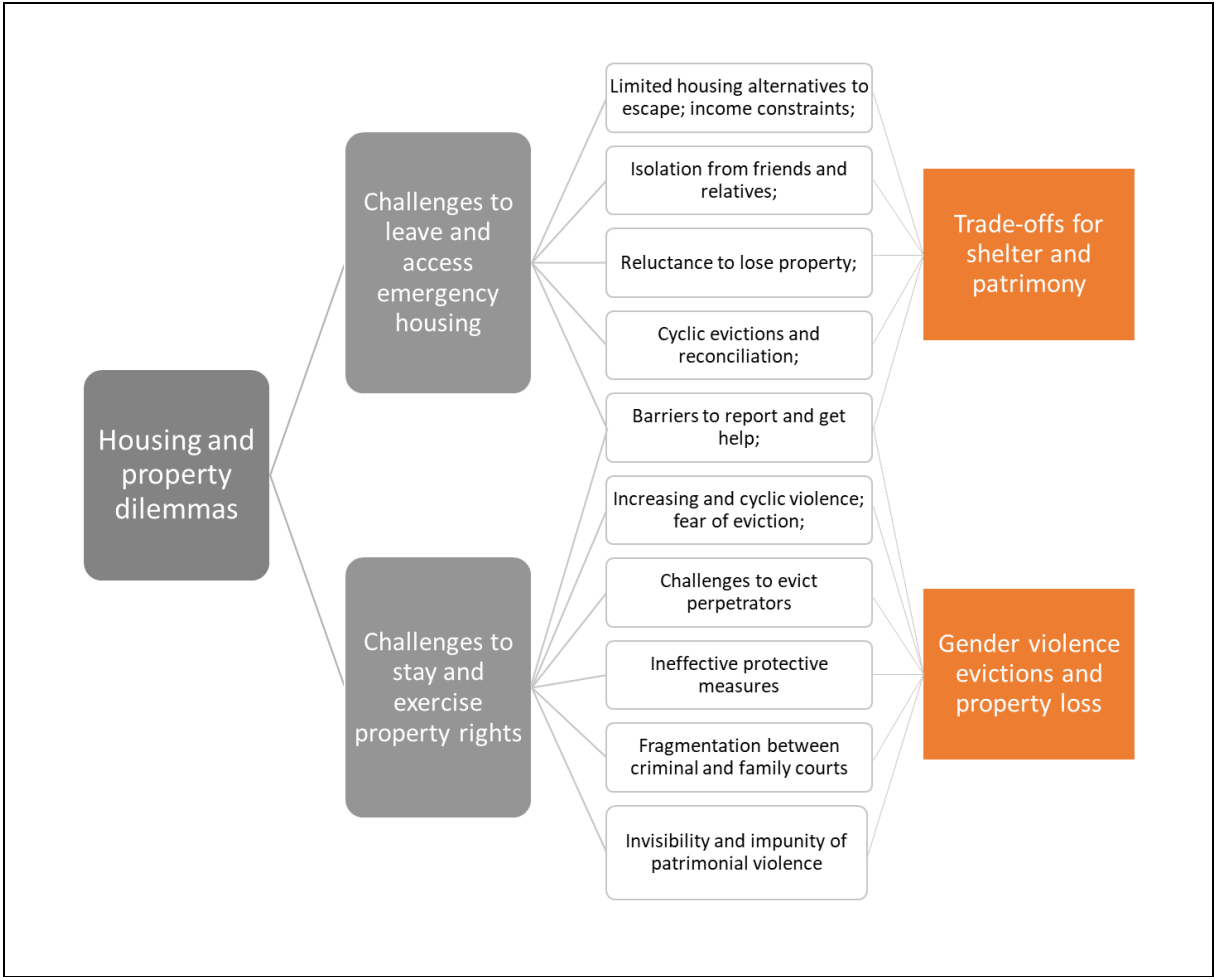
When these material and perceived disadvantages are not enough to prevent women from trying to exercise their property rights, men resort to more tangible forms of violence to make women leave the marital home and family property. Peaks in violence levels when women "try too hard" to keep their rightful share of property reveal that domestic violence can be used as a tool to ensure men's control over property. Women are highly constrained to exclude the perpetrators from the marital home or family property, often facing dispossession and further violence (Subsection 4.3.1).

For survivors who reach institutional support, bottlenecks include ineffective protective measures to exclude perpetrators from the property, exposing women to retaliation from perpetrators themselves and their relatives, and failing to prevent dispossession and desistance. In addition, legal inconsistencies, conservative interpretations of legal frameworks, the neglect and impunity of patrimonial violence against women, and the fragmentation of the judicial system – the divide between domestic violence courts where the punishment of the perpetrator is addressed, and family and civil courts where property settlement is dealt with – even further challenge women's attempts to exercise property rights and live economically sustainable lives, free from violence (Subsection 4.3.3 and Section 5.3).

In summary, a violent backlash and the risks associated with the proximity to men’s support networks, together with gendered social constructs, norms and stereotypes can override women’s attempt to exercise property rights, constraining their residential choices in response to violence. Tolerating abuse can be a coping mechanism of survivors who refuse to leave their homes, especially when lacking housing alternatives and the means to exercise their property rights. The role of housing to deter violence or provide exit options is often undermined in official responses to domestic violence, trapping women in abusive relationships and housing instability. “Rings may be gone, but not the fingers” (vão se os anéis e ficam os dedos) is an expression that captures the idea that women are expected to leave property behind to survive, even when lacking housing for survival.

The elements discussed above are presented schematically in Figure 28.

Figure 28 - Strategies: housing and property dilemmas during abusive relationships



7.1.3 Outcomes: housing deficit and cumulative disadvantages “after” violence

The outcomes of domestic violence are characterized by housing deficit and cumulative disadvantages, influenced by constraints to access adequate permanent housing, reclaim property once lost, and cope with new or persistent cycles of gender-based violence. Contextual and structural factors that influence women’s struggle for housing and survival include intersecting disadvantages faced by single female household heads to perform both reproductive and productive work, while recovering from the trauma and impoverishment provoked and exacerbated by domestic violence, bias in property markets, family-based and self-help housing strategies, as well as delays and the limited reach of government housing programs.

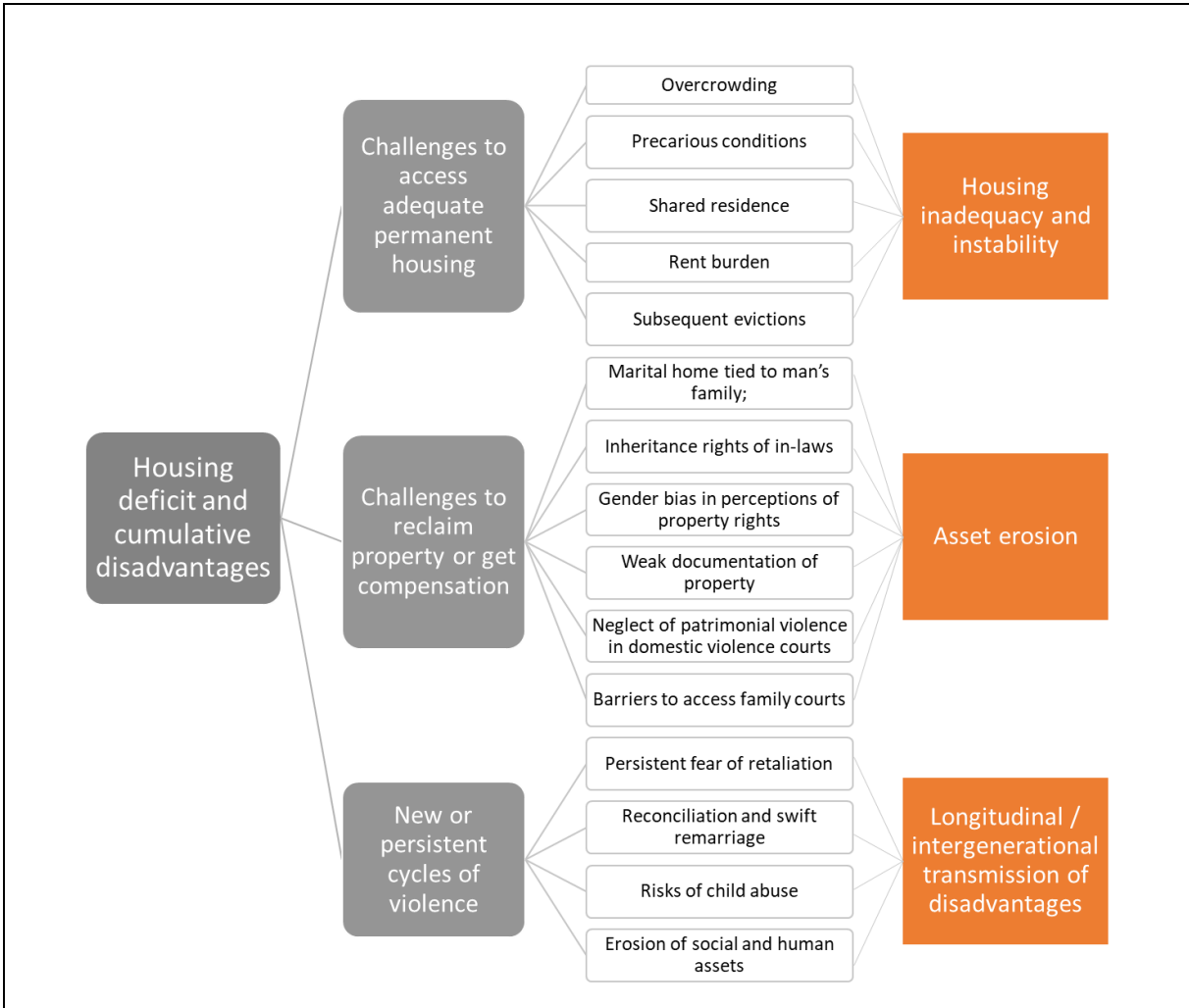
At the practical level, ending abusive relationships both by leaving or by trying to stay in the marital home or family property can have contradictory outcomes. Staying in the marital home or family property can mean holding on to property and securing inheritance rights for the next generation, but even when judicial protective measures are in place, women may be exposed to violence from former partners, in-laws, and relatives reluctant to lose ownership or possession over property, even if temporarily. Continued harassment, unpredictable break-ins, and attempted murder / femicide are concrete risks. Leaving the marital home or family property can mean freedom from violence but often means entering a housing deficit or inadequacy status, when women relocate to shared, precarious and overcrowded arrangements, or face a rent burden. Subsequent eviction by the host household heads, or by inability to earn enough to pay the rent and make ends meet are major concerns.

The aftermath of domestic violence, may have an impact on women throughout their life course and across generations. The housing arrangements where survivors manage to relocate to may involve the risk of persistent and new cycles of abuse against adult women, such as from their former partners who may find out where they are and seek retaliation. Survivors also endure the multidimensional impact of property loss and asset erosion, including social assets like interpersonal networks, a key element of survival for single mothers. Reconciliation with abusive partners, that is, returning to the cycle of abuse, is a recurrent pattern, observed among women who see no other choice but to make trade-offs for shelter and survival. Starting a new relationship is another common strategy, but these new relationships may repeat the problems of patrilineal residence patterns and relevant asset differences observed in previous relationships.

For the children of survivors, there is an intergenerational transmission of disadvantages both in terms of housing constraints and access to and control over resources, as well as in terms of exposure to further violence. Housing arrangements when escaping domestic violence can bring about risks of violence against survivors’ children, rendered more vulnerable to child abuse when living in poor, precarious, overcrowded, environmentally chaotic housing arrangements (Bartlett, 2018; Cant et al., 2019). The intergenerational transmission of disadvantages also includes children’s exclusion from inheritance in their natal family property which their mothers left, few or no assets to inherit from impoverished mothers who have been evicted and dispossessed, while exposure to violence in childhood against themselves and their mothers can be linked to the acceptance or a normalization of violence in adulthood.

The elements discussed above are presented schematically in Figure 29.

Figure 29 - Outcomes: housing deficit and cumulative disadvantages “after” violence



The cumulative disadvantages in housing and property provoked by domestic violence can trap women in a cycle of survival, rather than a cycle of transformation towards emancipation and gender equality. The more constrained the housing choices of survivors are, the more they engage in essential everyday challenges and immediate needs, postponing long-term goals such as asset accumulation as a pathway to empowerment and emancipation. Domestic violence is, among other mechanisms, a crucial process contributing to the subordination of women by reinforcing inequalities in the distribution of resources, a key one being housing.

The cases that do not fit into this framework provide insights into the circumstances in which domestic violence may have a minor effect on women's tenure security and patrimony, such as when women individually own the marital home, located near their parents and support networks, or when women generate savings or income to pay the rent, purchase and build their homes. On the other hand, similar housing scenarios have also been associated with perverse outcomes of property ownership such as perpetrators increasing violence levels and survivors silencing accounts of abuse. This inconclusive finding suggests the need to further explore the hypothesis that property ownership reduces the risk of abuse and improves women's ability to exercise housing choice to end violence, considering a much more nuanced understanding of housing and asset building processes in addition to binary property ownership variables.

The grounded theory proposed in this thesis uncovered the basic social process by which domestic violence affects women's security of tenure and patrimony. Understanding the reverse – the effects of tenure security and patrimony on domestic violence experiences – remains an important endeavour beyond the scope of this study.

7.2 Conclusions and contribution for further research

The aim of this thesis was to explore the relationships between housing, property, and domestic violence against women, drawing on empirical evidence from Recife, Brazil. The main result of the thesis is the discovery of the basic social process of *tenure insecurity and property loss among women experiencing domestic violence*, with a particular focus on urban, low-income settlements, where the effects of domestic violence may overlap with chronic challenges to access adequate, affordable housing. The grounded theory presented in Section 7.1 articulates that tenure insecurity and property loss of domestic violence survivors derives from three subprocesses: gendered housing and asset building processes before abuse, housing and property dilemmas during abuse, and housing deficit and cumulative disadvantages after abuse.

The case of Recife, provides an opportunity to illustrate the disjuncture between legal and policy frameworks and their implementation in practice, failing to ensure women's rights to housing and to freedom from violence.

I argue that gender-based inequalities play an important role all across the housing trajectories of survivors, not only after violence, but also before and during abuse. Material and perceived disparities between women and men in terms of housing and property, within and beyond households, shape the residential scenarios where domestic violence takes place, influence women's coping strategies and exit options, and exacerbate the housing and property outcomes of domestic violence. Domestic violence is affecting women's immediate housing needs, as well as long-term asset building in a cumulative manner, trapping women and their children in a cycle of survival rather than a cycle of emancipation and change in gender relations. Domestic violence is a tool to ensure women's subordination, among other mechanisms, by reinforcing gender inequalities in the distribution of key resources like housing.

Much of what my research shows about the gendered housing processes before domestic violence is not exactly new to the gender and housing/property literature, that has explored the disadvantages faced by women to access and keep resources in Latin American countries and elsewhere (Section 2.2). However, it adds to the literature on domestic violence and housing that tends to focus on the events of violence and its consequences in a way somewhat disconnected to the residential scenarios where the violence takes place. I argue that women's housing backgrounds and the living arrangements where domestic violence takes place can influence how women are able to respond, cope with and end violence. On the other hand, much of what my research shows about the housing dilemmas and outcomes of domestic violence are not exactly new to domestic violence and housing literature (Section 2.3), but, although these dilemmas and outcomes are often mentioned, they remain understudied in housing literature (Section 2.1). I stress that domestic violence is causing major housing problems, and that housing constraints exacerbate the hardship of survivors to achieve freedom from violence.

The novelty of this thesis lies in connecting these two bodies of knowledge to better understand the interplay between domestic violence and housing, in order to improve public policies. The thesis shows that housing studies can benefit from considering gender and intrahousehold dynamics, like domestic violence, and that domestic violence studies can benefit from a nuanced understanding of housing and asset building processes that precede violence and influence women's decision to leave abuse. In this sense, I summarize the contributions of this

thesis for further research by stressing the potential common ground between housing and domestic violence scholarships in the following three points: (i) why consider domestic violence in housing studies; (ii) why consider domestic violence in property studies; and (iii) why consider housing and property in domestic violence studies, as discussed below.

7.2.1 *Why consider domestic violence in housing studies?*

A major contribution of this thesis was to explain one aspect of the intersections between housing and domestic violence that remains underexplored in the housing literature, captured in the term “*gender violence eviction*”, featured in Chapter 4. The term refers to a specific kind of insecurity of tenure provoked by gender-based domestic violence that is manifested in women’s fear of eviction and cyclic eviction during abusive relationships, permanent eviction as a means to escape abuse, and subsequent risks of eviction when seeking relocation. In addition to losing their homes and possibly their rightful share of property, domestic violence survivors are also driven into unstable, precarious, and insecure housing arrangements when seeking relocation, which in Brazil is often referred to as housing deficit and inadequacy. Domestic violence brings about evictions and housing deficits, and should not be avoided in further assessments and studies on housing problems.

This thesis also shows that women may be unable to end abusive relationships when lacking housing alternatives, and many who manage to escape are compelled to return when facing subsequent evictions, a process here termed as “*trade-offs for shelter*”. These trade-offs suggest that the need for housing, at least in Recife, may be actually greater than what is currently acknowledged in housing assessments. In the Brazilian literature, some attention has been given to a so-called undesirable shared residence (*coabitação involuntária*), but analyses focused on extended households that usually provide shelter for single and separated women with children, or even couples and young families living with their parents against their will due to the lack of housing alternatives. What my findings show is that that even in nuclear households, women may be unable to end unhappy or violent relationships when lacking housing alternatives, a situation of undesirable shared residence that I am referring to as a “hidden housing deficit”, which must be acknowledged and better understood in further housing analysis.

It is not only the violence or the conflict itself that determines these evictions, housing deficits and trade-offs. Gender and intrahousehold disparities in access to and control over resources

play an important role in shaping housing scenarios, coping strategies, and outcomes of domestic violence. Aligned with the literature on gender, property and housing (Chant, 1984, 1996; Varley, 1993, 2000, 2010; Moser 2009, 2016; Deere & León, 2001; Deere et al, 2014), my findings show that gender underlies and influences residence choice patterns, investments in housing consolidation and improvements, proof of ownership or possession, and popular understandings of property rights – all biased against women, rooted in structural and contextual gender disparities. In Recife, despite formal equality, women faced disproportionate challenges to access housing on their own, through their families or through markets, to invest in home improvements, and to understand, claim and exercise their property rights. Even before domestic violence took place, and even when no violence was reported, women had a weaker relationship to property and were more vulnerable than their partners to lose the marital home upon separation, and more vulnerable than their male relatives to lose their rightful share of inheritance. In cases of such gendered disputes, domestic violence exacerbates the challenges faced by women to claim and keep their homes and property.

This proposition challenges gender-blind and household level approaches to security of tenure and housing processes, by showing that individuals living in the same household may have different *de jure*, *de facto*, perceived and actual tenure status. It also challenges approaches to security of tenure that revolve around household cooperation, neglecting intrahousehold conflicts as important drivers of asset erosion, especially but probably not only for women. In a sense, De Souza (1998) pointed out that violence between neighbours in low-income settlements is an important element of perceptions of tenure security, expanding the usual focus on land conflicts between settlers and governments and settlers and land owners. My findings add that conflicts within households also play a role in perceptions and actual tenure security.

Therefore, I propose an **enhanced understanding of tenure security and housing processes** that consider gender, intrahousehold dynamics and potential conflict and violence. In addition to the elements acknowledged in the extensive literature on tenure security, *inter alia*, the length of residence, levels of household and/or settlement consolidation, documentation, interpersonal conflict between neighbours, the impact of large-scale developments, urban plans and regulations, macroeconomic dynamics (Doebele, 1987; Varley, 1987; 2016; De Souza, 1998; Ward, 2003, Payne & Durand-Laserve, 2012), tenure security analyses should consider:

- who within the household owns or rightfully possess the plot;

- who within the household is perceived (by themselves and by others) to own or possess the plot;
- who within the household has inheritance rights and expectations;
- what the marital and inheritance provisions are, and how they apply to legal marriage, formal and informal consensual union;
- how and when (whether before or during a relationship) the plot and/or dwelling was acquired;
- where the house is located in relation to extended families and support networks;
- who within the household invested directly and indirectly in home improvements and when (before or during a relationships);
- whether women's names appear on the land titles and other proof of possession and residence like utility bills, in addition to who holds and keeps these documents (whether women have access to these documents in case of a property dispute with other household members);
- whether women are aware of their property rights under specific marital and inheritance provisions, whether women perceive themselves and are perceived by others as entitled to property rights;
- whether women are able to claim, prove, and exercise their property rights in case of family or marital disputes over property without being subject to violence, harassment or threats.

For tenants, assessments of tenure security should consider, who pays the rent, individual and household sources of income, the capacity to generate savings, whose names appear in lease agreements (if any), who made verbal agreements with landlords, and other subtle aspects such as relationships to landlords, which may imply some risks of harassment and violence, and relationship to family networks, which may supplement with income to meet payment deadlines or cover overdue rent.

The notion of tenure security as a dynamic rather than static feature (Doebele, 1987; De Souza, 1998) remains useful, to assess the changing settings where property claims are clouded and overlap while residents and their descendants age and households expand or retract, and where patrimonial violence or other forms of domestic violence can (re)occur. This discussion can benefit from the longitudinal and multidimensional understanding of poverty in terms of income, time, asset, power, and legal poverty.

In short, housing studies can benefit from an appreciation of gender and intrahousehold conflicts like domestic violence, which poses concrete threats of eviction and housing deficit to women, and possibly to men. The immediate and cumulative effects of domestic violence affect women's immediate housing needs and ability to accumulate housing assets, constraining their choices to live economically sustainable lives and transform gender relations.

7.2.2 Why consider domestic violence in property / asset studies?

This thesis calls attention to “patrimonial violence against women”, a recurrent problem that remains underexplored both by housing and domestic violence literatures. Despite legal recognition for over a decade in Brazil (as in other Latin American countries), and widespread evidence of patrimonial violence playing a major role in inheritance and separation settlements, this specific form of domestic violence is still not widely understood and reported by survivors, goes unpunished and silenced in domestic violence police and courts, and is overlooked in family and civil courts. Women persistently lose their rightful share of property in seemingly non-violent disputes, and this has an impact on their immediate housing rights and asset accumulation.

A better understanding of patrimonial violence against women seems important in the “rise of a new round of informality of property holding” (Grajeda & Ward, 2012, p.139), where pioneer settlers and their descendants are ageing and anticipated or verbal inheritance agreements are being made, exacerbating interfamilial and intergenerational conflict. So far, deeper and explicit analyses of patrimonial violence against women has mainly (if not only) been pursued by feminist economics studies, revolving around property ownership or loss thereof, and incorporating less-tangible aspects such as legal knowledge and marital status (Deere et al, 2014). Further research on patrimonial violence against women requires multidisciplinary approaches.

I argue that in order to better understand patrimonial violence in urban, low-income settlements, it is crucial to consider other forms of tenure besides owner-occupation, such as rental, shared residence and concession, as well as to treat housing as a dynamic process, not as a static outcome. The enhanced understanding of tenure security proposed above may provide some insights into key elements that can be considered in this kind of approach, such as when, how, and where individuals (not households) access housing, who owns the plot, and who builds the

dwelling, what the marital and inheritance provisions are, and how people perceive and exercise property rights. In addition, the term “gender violence eviction” can be useful in order to frame housing rights violations of “propertyless” women as patrimonial violence, addressing housing as a social and human right, not an economic right *per se*. In other words, even for propertyless women, being evicted constitutes a violation of housing rights.

Improved reporting of patrimonial violence in domestic violence courts can benefit these efforts, especially if the cases related to immovable property are distinguished from those involving objects and documents since the different magnitude of the property loss may imply very different outcomes. However, as many cases of patrimonial violence may end up in family courts, or never reach judicial systems at all, creative approaches to data collection are needed, such as the methodology designed for the current study: the tactic of examining the housing trajectories of women can help to identify silenced patrimonial violence survivors, who do not necessarily recognize those experiences as domestic violence or face barriers to access justice. Patrimonial violence studies should take advantage of housing literature and methodologies to incorporate a nuanced analysis of tenure and account for clouded property rights, overlapping claims, entitlements, and interest in property.

7.2.3 Why consider housing and property in domestic violence studies?

Corroborating with domestic violence literature, this thesis reinforces the point that housing is a major issue in women’s domestic violence experiences, sometimes triggering or exacerbating violence, preventing women from leaving, or forcing them to return to abuse. However, whether housing tenure has any influence on women’s coping strategies remains unclear. My findings show that to address this question, the usual focus on homeownership (or lack thereof) or on the post-eviction phase should be expanded to encompass other forms of tenure and intrahousehold differences, as well as the residential backgrounds and processes that shape the tenure scenarios where violence takes place. These housing scenarios and processes not only constrain / facilitate women’s coping strategy; they may also indicate previous, structural, intersecting disadvantages based on gender materializing through housing processes.

My findings do not fully support the idea that property ownership reduces the risk of domestic violence (Agarwal, 1994; Panda & Agarwal, 2005; Grabe et al., 2015). Empirical evidence from Recife suggests ownership of property alone may be of little use to end domestic violence; while ownership of the marital home, and even expected inheritance rights for subsequent

generations, may be silencing survivors and trapping women in abuse. This is still an extremely contradictory topic that, as noted by Peterman et al (2017), may be highly context specific. It deserves careful and thorough examination since much of the debate on gender, poverty and vulnerability suggests that property ownership is a key element to empower and enable women to change gender relations in a transformative way. My intention to point to these contradictions is to stress the need for further investigation to better understand the circumstances in which access to property can be a pathway to end violence and women's subordination to men, without triggering masculinity crisis and other perverse outcomes.

The paradoxical and contradictory relationship between property ownership and domestic violence should also call upon housing research and analysis to better understand the gendered outcomes of government housing policies that claim to empower women, as well as the outcomes of self-help, family and market housing trajectories. This emerged as an especially important topic given the empirical evidence showing gendered implementation and contradictory outcomes of housing policies in Recife and violent backlashes taking place precisely when women have been granted or tried to exercise their property rights. To avoid setbacks in feminist research and policy agendas promoting women's property rights, these research efforts could be combined with the exploration of alternative forms of tenure and other measures to address and counterbalance risks of violence and allow women to increasingly access and keep resources.

7.3 Implications for public policies and practice

While ending domestic violence against women still seems like a distant utopia, this study points to practical and policy improvements needed to alleviate its impact, hopefully reduce its occurrence. As mentioned earlier, this thesis found that the lack of housing alternatives is forcing women to remain in abusive relationships or move to unstable, overcrowded, inadequate housing conditions, pushing women into housing deficit. The extremely limited number of shelter spaces, accessible only to women already facing threats of death, should no longer be the main and only response to survivors' housing needs. Conventional housing allocation takes too long to be considered a concrete exit option for women seeking to escape abuse. Domestic violence survivors and their children need, among other things, secure and sustainable housing to end abusive relationships and remain out of them, without being pushed into housing deficit. This requires integrated policies to address urgent and long-term housing needs, combined with

other crucial services such as legal, psychological and economic support. For survivors who wish to remain in the marital home or family property, judicial protective measures need more effective enforcement to provide the safety and security to which women are entitled. Housing alternatives should be approached as a pathway out of violence, to prevent and address cyclic and escalating violence and its associated impact.

There is a major problem of under-recognition related to patrimonial violence against women. At the community level, legal literacy campaigns for both women and men and the legal empowerment of women are needed to ensure that women are able to understand and exercise their property rights and identify and report patrimonial violence they may be exposed to. Persistent barriers challenging women's access to justice, as well as access to and control over housing and economic resources must be addressed, such as gender bias in labour markets and the gender division of labour related to income and time gaps, and the gender bias in property markets, and the family distribution of property. A deeper understanding of the extent to which women trying to exercise their property rights may escalate violence is still needed to prevent awareness raising and affirmative measures from increasing the risks of domestic violence.

At an institutional level, awareness raising of court officials and police officers is also needed to improve the reporting of patrimonial violence. Frontline officers seem to easily understand and report patrimonial violence related to objects and documents but struggle to see evictions and other issues related to immovable property as patrimonial violence. Awareness raising should target improving the reporting of patrimonial violence related to immovable property and distinguishing these cases from those related to objects and documents since they are likely associated with very different economic impacts. Both judges and frontline service providers struggle to understand the gender dimensions of patrimonial violence cases involving brothers and sisters, usually related to inheritance issues. These cases are often rejected by domestic violence judges precisely because of this. Awareness raising of court judges and officers should highlight the underlying gendered dynamics of inheritance practices, asset building and distribution, as shown in Section 5.2, to ensure that conflicts involving brothers and sisters are not treated as mere property disputes but as patrimonial violence.

The fact that, according to the 1940 Criminal Code, men are still considered unpunishable for patrimonial crimes against their wives and partners requires progressive interpretation. This legal inconsistency has justified patrimonial violence cases between partners and spouses being rejected at domestic violence courts and assigned to family courts, rendering patrimonial

violence nearly invisible in domestic violence courts. The same section of the Criminal Code that established this impunity also established that impunity does not apply if the crime was exercised with violence (Art. 183), and the 2006 Domestic Violence Law established that the violation of women's property rights based on gender is, in itself, a specific form of violence (Art.7). Therefore, husbands and partners who commit patrimonial crimes against their wives and partners are in fact committing patrimonial violence against women and should not be exempt from punishment. Such cases should not be treated as mere property dispute but rather as patrimonial violence against women.

The fragmentation between domestic violence courts (that deals with the criminal punishment of perpetrators) and family courts (that deals with property settlements upon inheritance and dissolution of partnerships) should be minimized. In the cases of patrimonial violence against women that get rejected at domestic violence courts, due to the above-mentioned legal inconsistencies and conservative interpretations of the law, and are assigned to family courts, domestic violence survivors should receive some form of priority to permanently resolve matters like property settlement and child custody as soon as possible and minimize contact with abusive former partners. Family court cases should not be detached from the domestic violence in which the conflict is rooted, and the double burden on women who must follow up parallel cases in different courts should be avoided.

Regarding housing policies and their implementation, as detailed in Chapter 6, the claim that government housing programs and initiatives have targeted and empowered women still lacks specification and substantiation. The fact that the legal instruments for tenure regularization are gender-neutral, in practice, leaves room for political maneuver and decisions as to whether women should be prioritized. Gendered implementation and outcomes that have become evident in this study must be addressed: initiatives must consider the history of the households to avoid legitimizing previous gender violence evictions; women's disproportionate challenges to prove possession and length of residence to apply for regularization must be acknowledged and overcome; and the violent backlashes and other mechanisms adopted by men to prevent women from accessing these programs (such as threats and prohibition to respond to surveyors), must be identified and restrained.

The allocation of land plots or starter homes targeting women should be associated with subsidies for building and expanding dwellings, otherwise women are likely to remain dependent on other sources of income, particularly their partners. Allocating housing should

target all women and not only single female household heads. Current provisions of housing programmes trying to ensure that in case of separation or divorce women can keep the property acquired through government programs need to be revised since they clash with Civil Code provisions related to partial community property and therefore have been dismissed by several courts. Outcomes of sole or joint homeownership and titling must be assessed as they may be trapping women in abuse (rather than empowering them to escape). Other forms of tenure like rented accommodation may be explored as alternatives to owner occupation for women escaping abuse since they may unfortunately require a certain level of flexibility and mobility if the violence reoccurs.

The official assessment of the housing need in Brazil should not disregard gender and intrahousehold dynamics. Individual level, gender disaggregated data are crucial in order to identify and assess the gender and intrahousehold dimensions of the housing deficit, the contradictory outcomes of government housing initiatives, and the gender bias in housing markets, family and self-help processes. Individual and household well-being may be very different from one another. Without due assessment, evaluation and analyses, assuming that housing programs in Brazil target and empower women is neither empirically accurate nor helpful to move redistributive policy agendas forward.

Unfortunately, the improvements in policies and practices mentioned above are likely to function only as palliative measures, addressing the symptoms and not necessarily the root causes of problems as complex as gender, housing poverty, and domestic violence. A more transformational policy agenda is likely to require multiple perspectives and efforts to achieve gender and resource equity.

7.4 Limitations and unanswered questions

A detailed reflection on the limitations of this study is available in Section 3.3. Here, it is important to highlight that the qualitative nature of this research allowed in-depth insights into women's housing and domestic violence experiences but challenges the generalization of findings beyond the sample. Further research should assess the extent to which the propositions and observations from this study resonate in other contexts, such as among middle- and high-income class women, in other cities, in rural areas, in other countries and regions. It is possible that the insights that have emerged from the case of Recife have wider relevance as the phenomena under study are likely to be present and interlinked elsewhere.

Moreover, full comprehension of such complex and sensitive phenomena is not feasible in one piece of research. I met with the participants only once, to discuss very intimate experiences and events that may have happened years, even decades before the day of the interview. It is likely that important pieces of information were left out of these interviews and out of this thesis altogether. In some cases, participants were at a determinant junction of their housing trajectories, and I did not have the chance to meet them again to follow up what came next. Future research may build on this study to further explore the longitudinal effects of domestic violence and capture the cyclic and convoluted housing trajectories of women who experience multiple, overlapping, and recurrent domestic violence.

Due to ethical and methodological reasons, I did not interview men, a crucial segment of the phenomena under study. If, in some contexts, the domestic violence law is being implemented properly – particularly the protective measures to exclude abusers from marital homes and family property, even if temporarily – this may be causing a major impact on men's housing. Domestic violence against men, as well as other forms of violence to which men are disproportionately exposed, may have a housing impact as devastating as that observed among female domestic violence survivors. There is also the situation in which men, partnered or otherwise, enduring hardship and violence from neighbours, land owners and governments, to self-build a home and secure a patrimony for their children, as widely discussed in the housing literature in Latin America (such as De Souza, 1998, Ward, 2012).

In closing this thesis, I would still like to pull some threads together to acknowledge the urban scale and scope of the housing and property impact of domestic violence, and of gender inequalities in control over resources. What the small, non-representative universe of cases considered in my study suggests is a pattern of mobility / migration / displacements fuelled by gender-based norms, inequalities and violence in which women are “mobile” and men stick to property. When forming a family, women often move out of their original family property and access housing through their male partners; in case of intimate partner violence, women tend to leave the marital home and seek shelter through friends and families and experience subsequent evictions. Some return to rural areas where they came from, sometimes with government support to do so against their will; for others, returning to their natal family property is not an option when male relatives have taken over the property and ignore or actively deny women's property entitlements. There is also a pattern of residential immobility, observed among women who remain in abusive relationships when lacking housing alternatives. We can only speculate what these mobility / immobility patterns represent at the city level, across time, given that one

in every three women experiences domestic violence in their lifetime. This gendered mobility pattern seems to be more frequent than we currently acknowledge in housing and urban studies, and it is an important mechanism by which gender asset gaps operate, affecting women's housing, patrimony, and exposure to intersecting poverty and vulnerabilities. What are the urban implications and spatialization of gender inequalities in housing and property and the effects of domestic violence?

These reflections bring me back to my impetus to conduct research on the intersection between housing and domestic violence, summarized in one question and a dead-end, and two final observations from my professional trajectory. The question that I heard time and again over the course of this study from peers in academic and professional arenas was *why* was I interested in domestic violence. Why would an urbanist be interested in such a private matter? When I tried to answer this question, the conversations usually reached a dead-end, linked to the assumption that housing policies in Brazil are already taking care of the housing needs of women, suggesting that there was not much to worry about or explore research-wise. Unfortunately, as I showed in Chapter 6, this assumption is not backed up by systematic data or analysis; and although lacking specification and substantiation, it diverts attention from important contradictions that surround current policies in terms of gender and women's empowerment, which I only partly addressed in this thesis.

The two final observations come from my professional practice and direct engagement in mapping and tracking land conflicts and forced evictions for over a decade in the non-profit sector, working closely with progressive segments of the housing and urban reform social movements. In my professional practice, I realized that evictions provoked by domestic violence – that I am calling “gender violence evictions” – are still not widely considered by housing practitioners and activists (except the feminist ones) as a relevant source of insecurity of tenure, while the notion of “patrimonial violence against women” is nearly absent from housing debates. Similarly, the more I engage with domestic violence practitioners and activists, the clearer it becomes that “patrimonial violence against women” is often seen as a somewhat less important form of domestic violence, and that evictions and violations of housing / property rights are not as easily understood as patrimonial violence as breaking a cell phone against the wall, or tearing someone's clothes.

It seems that, resonating with the disjuncture between the literature on both topics, housing experts and practitioners are not deeply concerned with domestic violence, and domestic

violence experts and practitioners are not deeply interested in housing. Patrimonial violence against women – a powerful legal device to emphasize the interplay between domestic violence and property – is ostracized in both fields, as a secondary form of violence and eviction.

I hope that I was able to reduce this disjuncture with this thesis. Addressing the devastating effects of gender and domestic violence against women on housing and property, and broader inequities in gender, housing and control over resources, requires us to take “private” discussions “from the household to the city”.

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APPENDICES

Appendix 1 – Interview guide for women residents of low-income settlements

Appendix 2 – Interview guide for women using the services of domestic violence court

Appendix 3 – Interview guide for housing experts

Appendix 4 – Interview guide for domestic violence experts

Appendix 5 – List of subject matter experts interviewed

Appendix 1 – Interview guide for women using the services of domestic violence courts

[Apresentação do estudo e assinatura do Termo de Consentimento Livre e Esclarecido]

Data:	Código do questionário:	Observações:			
A. DADOS DA RESPONDENTE					
A01. Nome da respondente:	A02. Bairro de residência:				
A03. Cor da pele, raça, etnia: [] negra(o) [] parda(o) [] branca(o) [] indígena [] outro:	A04. Estado civil: [] solteira [] casada [] união estável [] separada/divorciada [] viúva Há quanto tempo?				
A05. Vítima nasceu no Recife? Se não, onde nasceu? Há quantos anos, com quem e por que veio morar no Recife?					
B. SOBRE A VIOLÊNCIA					
B01. Qual é o gênero ou sexo do agressor?					
B02. Qual é a sua relação de parentesco com o agressor?					
B03. Você e o agressor moravam juntos na mesma casa?					
B04. Você acha que a violência que você sofreu estava relacionada com a casa onde você morava? Por exemplo: [] O agressor já ameaçou ou expulsou você de casa? [] Você já teve que sair de casa para se proteger? Chegou a voltar pra casa? [] Você só aguentava essa situação por que não tinha pra onde ir?					
B05. Você continua morando na mesma casa em que morava quando acontecia a violência?					
C. SOBRE O DOMICÍLIO					
C01. Quando acontecia a violência – quem morava com você no mesmo domicílio?					
Nome	Gênero	Idade	Ocupação	Rendimento	Benefício
<i>Vítima</i>					
C02. Quem era o chefe do domicílio / pessoa de referência?					
C03. Vítima dependia (depende) economicamente do agressor?					
C04. Vítima contribuía de alguma forma com as despesas da casa?					

D. SOBRE A CASA
<p>D01. Quando a violência acontecia, você morava em: <input type="checkbox"/> casa <input type="checkbox"/> apartamento <input type="checkbox"/> outro:</p> <p>D02. Quanto tempo você morou nessa casa?</p> <p>D03. A casa era: <input type="checkbox"/> própria <input type="checkbox"/> alugada <input type="checkbox"/> cedida <input type="checkbox"/> outro:</p> <p>D04. Se a casa era <u>alugada</u>, quem pagava o aluguel? Existia contrato? Quem era o responsável? (pule para H)</p> <p>D05. Se a casa era <u>própria</u>:</p> <ul style="list-style-type: none"> a) Como e quando você foi morar lá? Por exemplo: comprou, herdou, ganhou, ocupou, foi morar na casa do agressor? b) Quem é o dono da casa? Quem é o dono do terreno? c) Se dono é marido/companheiro – vocês já estavam juntos quando ele construiu / adquiriu a casa? Você ajudou de alguma forma na aquisição ou construção da casa?
E. SOBRE DOCUMENTAÇÃO DO IMÓVEL
<p>E01. Existe algum papel ou documento desse imóvel? Por exemplo: título de posse, escritura, recibo de compra e venda? <input type="checkbox"/> Sim. O documento está no nome de quem? O documento está com você? <input type="checkbox"/> Não. Pq não?</p> <p>E02. Você tem comprovante de residência? Por exemplo: conta de água ou energia. Se sim, qual?</p>
F. SOBRE SEGURANÇA DE POSSE
<p>F01. Alguma vez você já foi ameaçada ou expulsa da sua casa? Se sim, quando, como, por que, por quem?</p> <p>F02. Hoje, você se sente segura de continuar morando onde você mora? Existe algum risco de você ser expulsa?</p> <p>F03. Você acredita que poderá <u>deixar sua casa de herança</u> para algum(a) herdeiro(a)? Por favor, explique sua resposta.</p>
G. CONHECIMENTO LEGAL
<p>Agora, eu vou fazer algumas perguntas e gostaria que você respondesse com base no que você conhece sobre a lei.</p> <p>F01. Imagine um homem que <u>compra um terreno com seu próprio dinheiro quando ele ainda é solteiro</u> (antes de casar). Se um dia ele casar, quem é o dono desse terreno – de acordo com a lei? <input type="checkbox"/> o homem, que pagou <input type="checkbox"/> a mulher <input type="checkbox"/> o casal PQ?</p> <p>F02. Se esse homem <u>compra um terreno ou uma casa com seu próprio dinheiro quando já está casado</u> (durante o casamento); quem é o dono desse terreno ou casa de acordo com a lei? <input type="checkbox"/> o homem, que pagou <input type="checkbox"/> a mulher <input type="checkbox"/> o casal PQ?</p> <p>F03. Se esse homem se <u>separar ou divorciar da mulher</u>, quem tem o direito de ficar com essa casa que ele comprou durante o casamento?</p> <p>F04. Se esse homem morrer, quais os direitos da viúva?</p> <p>F05. Quais os direitos das filhas e filhos do falecido?</p> <p>F06. Quais os direitos da nora e genro do falecido?</p>

H. TRAJETÓRIAS DE MORADIA	
H01. Você pode contar um pouco mais sobre onde você já morou e sobre as vezes que você já se mudou, desde que saiu da casa onde morava quando era criança: quando, por que, com quem, onde, como você foi morar?	
a) MUDANÇA 1 (quando você saiu da casa onde morava quando era criança) - Qual era a sua idade ou ano? - Por que você se mudou? Ex.: casamento, separação, despejo. - Com quem foi morar? - Em qual bairro foi morar? Pq escolheu o lugar? - Como conseguiu o imóvel? Ex.: comprou, alugou, herdou, ocupou? - Recebeu alguma ajuda? Ex.: vizinhos ajudaram a encontrar o lugar ou a construir a casa, pegou algum empréstimo, alugou no nome de outra pessoa? - Ficou nessa casa por quanto tempo?	
b) MUDANÇA 2	
c) MUDANÇA 3	
d) MUDANÇA 4	
H02. Alguma dessas vezes você se sentiu ameaçada de ter que sair ou ser expulsa do lugar onde morava? a) Se sim, quando foi, por que, por quem, como você foi ameaçada(o)? b) O que você fez e o que aconteceu: você buscou ajuda? Para onde você foi (qual foi a estratégia de sobrevivência)? Quais foram os impactos? d) Alguma outra vez você se sentiu ameaçado? O que houve?	
I. REDE DE APOIO À MULHER	
I01. Quais foram as principais dificuldades que você encontrou quando tentou romper o ciclo da violência?	
I02. Quais os principais pontos positivos da rede de apoio à mulher?	

Você gostaria de dizer mais alguma coisa sobre essas perguntas ou sobre esse tema?

Muito obrigada! A sua participação é muito importante!

Appendix 2 – Interview guide for women residents of low-income settlements

[Apresentação do estudo e assinatura do Termo de Consentimento Livre e Esclarecido]

Data da visita:		Código do questionário:		Observações:				
A. DADOS DO RESPONDENTE								
A01. Nome da(o) respondente:		A02. Sexo / gênero: [] Feminino [] Masculino [] outro:		A03. Cor da pele, raça, etnia: [] negra(o) [] parda(o) [] branca(o) [] indígena [] outro:				
A04. Estado civil: [] solteira(o) [] casada(o) [] união estável [] separada(o) [] divorciada(o) [] viúva(o) Há quanto tempo?				A05. Quem é o chefe do domicílio / pessoa de referência?				
B. PESSOAS QUE MORAM NO DOMICÍLIO								
B01. Nome de todas as pessoas que moram no domicílio (que usam a mesma cozinha), e qual a relação com respondente:	B02. Gênero F – Fem. M – Masc.	B03. Idade (anos)	B04. Portador de deficiência ou necessidade especial S – Sim N – Não	B05. Escolaridade (anos de estudo)	B06. Ocupação 1. Empregado formal, carteira assinada 2. Trabalhador autônomo, prest. serviço 3. Trabalhador informal, bicos 4. Aposentado 5. Desempregado 6. Dona(o) de casa 7. Estudante 8. Outro:	B07. Rendimento 1. Salário fixo 2. Rendimento variável 3. Bicos – instável 4. Benefício ou pensão (aposentadoria, bolsa família, auxílio moradia, etc.) 5. Não tem rendimento 6. Outro:	B08. Valor (R\$)	B09. Contribui com despesas da casa? S – Sim N – Não
1. Respondente								
2.								
3.								
4.								
5.								
6.								

B11. Quem é responsável pelas <u>tarefas domésticas</u>?	
B12. Quem é responsável pelo <u>cuidado</u> das crianças, idosos e portadores de necessidades especiais?	
B13. Você <u>nasceu aqui</u> nessa cidade onde vive hoje? <input type="checkbox"/> Sim <input type="checkbox"/> Não a) Se não, onde você nasceu? b) Há quantos anos você veio morar nesta cidade? c) Com quem e por que você veio morar nesta cidade?	
C. SITUAÇÃO DO DOMICÍLIO	
C01. Você mora em: <input type="checkbox"/> casa <input type="checkbox"/> apartamento <input type="checkbox"/> outro:	
C02. Há quanto tempo você mora nessa mesma casa / apartamento ou no mesmo terreno?	
C03. O domicílio onde você mora é: <input type="checkbox"/> próprio <input type="checkbox"/> alugado <input type="checkbox"/> cedido, mora de favor <input type="checkbox"/> outro:	
C04. Se o domicílio é <u>alugado</u>, existe contrato de aluguel? Está no nome de quem? Quem paga? Qual valor? (PULE PARA E01 – PERCEPÇÃO)	
C05. Se o domicílio é <u>próprio</u>, como você veio morar aqui? Por exemplo, você se mudou para a casa do marido, comprou, herdou, ocupou, ganhou uma casa ou terreno?	
C06. SOBRE O TERRENO: a) Quem é o <u>dono do terreno</u> ? b) <u>Como o dono adquiriu</u> o terreno? c) <u>Quando o dono adquiriu</u> o terreno? Já estavam casados / viviam juntos? d) <u>Você também se acha dona</u> desse terreno? Pq? Você acha que ajudou na aquisição desse terreno?	C07. SOBRE A CASA: a) Quem é o <u>dono da casa</u> ? b) <u>Como o dono adquiriu</u> / construiu a casa? c) <u>Quando o dono adquiriu</u> / construiu a casa? Já estavam casados / viviam juntos? d) <u>Você também se acha dona</u> dessa casa? Pq? Você acha que ajudou na aquisição ou construção dessa casa?
D. DOCUMENTAÇÃO DO IMÓVEL	
D01. Existe algum <u>papel ou documento</u> que comprove a posse ou a propriedade do imóvel onde você mora? Por exemplo: título de posse, escritura, recibo de compra e venda, etc. <input type="checkbox"/> Sim, qual? <input type="checkbox"/> Não (pule para pergunta D3)	
D02. Se você <u>tem</u> o documento do imóvel onde mora: a) Qual é a procedência desse documento? Como você (ou o dono da casa) recebeu ou tirou esse documento? Por exemplo: emitiu no cartório, recebeu da prefeitura, governo ou algum político, etc. b) O documento do imóvel está no <u>nome de quem</u> ? c) O documento <u>está com você</u> ? Você poderia me mostrar? Eu poderia fotografar?	

D03. Se você não tem o documento do imóvel onde mora:

a) Você sabe como tirar ou como conseguir o documento?

b) Se você sabe como tirar o documento, por que ainda não tirou? Qual é o problema?

☐] você não acha necessário; não existe nenhum risco de perder a sua casa

☐] o procedimento é muito caro ou muito trabalhoso

☐] existem desentendimentos na família

☐] falta algum documento

☐] já dei entrada no processo e estou aguardando a decisão na justiça

☐] Outro:

D04. Você tem algum comprovante de residência? Por exemplo: conta de água ou energia.

Se sim, qual e desde quando?

E. PERCEPÇÃO DE SEGURANÇA DE POSSE DO IMÓVEL

E01. Às vezes, existem problemas que ameaçam algumas pessoas de perder o direito de continuar morando onde elas moram. Podem ser problemas entre marido e mulher, ou problema com o governo ou prefeitura, que fazem com que pessoas tenham que sair de casa ou sejam expulsas de casa.

a) Isso já aconteceu com você? Você já se sentiu ameaçado de ter que sair de casa ou ameaçado de ser expulso, despejado, ou removido da sua casa? Se sim, quando, como, por que, por quem?

b) Você já foi expulso, despejado ou removido do lugar onde você mora ou morava? Se sim, quando, como, por que, por quem?

E02. O que faz você se sentir seguro contra uma ameaça de expulsão / remoção?

☐] Você tem a documentação do imóvel

☐] Você mora aqui há muito tempo

☐] Você já investiu muito nessa casa

☐] O poder público já investiu muito nessa área

☐] Você pode contratar um advogado para se defender

☐] Você confia na proteção das autoridades

☐] Outro:

E03. O que faz você se sentir inseguro? Por qual motivo você acha que teria que sair de casa ou seria expulso?

☐] problema com cônjuge (companheiro(a), marido, esposa, etc.) **[*]**

☐] problema com outros familiares (filhos, enteados, sogros, tios, irmãos)

☐] problema com vizinho(s) ou outros moradores da área

☐] problema com o dono do terreno

☐] problema com poder público (por exemplo, remoção por causa de obras da prefeitura / governo)

☐] você mora em área de risco (deslizamento, desabamento, inundação, cheia, etc.)

☐] outro:

b) Quem está sendo ameaçado por esse problema?

☐] você (pessoalmente ou com seus filhos) ☐] todas as pessoas que moram na sua casa

☐] várias famílias da sua comunidade ☐] a sua comunidade inteira

c) Você já buscou alguma ajuda?

☐] sim – qual? Onde e a quem recorreu?

☐] não – onde e que tipo de ajuda você buscaria?

d) Você acha que essa ameaça ou risco de despejo pode se concretizar nos próximos 5 anos?

[] sim [] não Por favor, explique sua resposta.

E04. Você acredita que poderá deixar essa casa de herança para algum(a) herdeiro(a)?

[] sim [] não.

Por favor, explique sua resposta.

F. TRAJETÓRIAS

H01. Você pode contar um pouco mais sobre onde você já morou e sobre as vezes que você já se mudou, desde que saiu da casa onde morava quando era criança: quando, por que, com quem, onde, como você foi morar?

a) MUDANÇA 1 (quando você saiu da casa onde morava quando era criança)

- Qual era a sua idade ou ano?

- Por que você se mudou?

Ex.: casamento, separação, despejo.

- Com quem foi morar?

- Em qual bairro foi morar? Pq escolheu o lugar?

- Como conseguiu o imóvel?

Ex.: comprou, alugou, herdou, ocupou?

- Recebeu alguma ajuda?

Ex.: vizinhos ajudaram a encontrar o lugar ou a construir a casa, pegou algum empréstimo, alugou no nome de outra pessoa?

- Ficou nessa casa por quanto tempo?

b) MUDANÇA 2

c) MUDANÇA 3

d) MUDANÇA 4

e) MUDANÇA 5

f) Você já se mudou alguma outra vez? Se sim, o que houve em cada ocasião?

H02. Alguma dessas vezes você se sentiu ameaçada de ter que sair de casa ou de ser expulsa, despejada do lugar onde morava?

a) Se sim, quando foi, por que, por quem, como você foi ameaçada(o)?

b) O que você fez e o que aconteceu: você buscou ajuda? Para onde você foi (qual foi a estratégia de sobrevivência)? Quais foram os impactos?

d) Alguma outra vez você se sentiu ameaçado? O que houve?

Se não for continuar na Parte 2, conclua e agradeça.

PARTE 2

G. EXPERIÊNCIAS

1. Você pode contar um pouco mais sobre o caso? Como ou quando a mulher se deu conta do que estava acontecendo?
2. Houve alguma ameaça ou agressão relacionada com a questão da moradia ou patrimônio? A mulher chegou a sair de casa? Chegou a voltar pra casa?
3. Qual foi a reação da mulher? Procurou alguma ajuda dos amigos, familiares, ou de algum serviço público – polícia, justiça, serviço de saúde? Se nunca procurou ajuda, pq não?
4. Quais foram as dificuldades encontradas na tentativa de solucionar esse caso?
5. Qual era a situação do domicílio onde isso acontecia? Próprio, alugado, cedido, compartilhado?
 - a. Se o domicílio era próprio, quem era o dono da casa?
 - b. Quem, como e quando adquiriu a casa? Antes ou depois da união estável?
 - c. Existia documentação do imóvel? O nome da mulher aparecia no documento?
 - d. Se alugado, quem pagava o aluguel? Existia contrato? No nome de quem?
6. Quem contribuía com as despesas da casa? A mulher dependia economicamente do companheiro ou parente?
7. A mulher veio de outra cidade?
8. Quais os pontos positivos da rede de apoio à mulher?

H. CONHECIMENTO LEGAL

Agora, eu vou fazer algumas perguntas e gostaria que você respondesse com base no que você conhece sobre a lei.

F01. Imagine um homem que compra um terreno com seu próprio dinheiro quando ele ainda é solteiro (antes de casar). Se um dia ele casar, quem é o dono desse terreno – de acordo com a lei?

☐ o homem, que pagou ☐ a mulher ☐ o casal PQ?

F02. Se esse homem compra um terreno ou uma casa com seu próprio dinheiro quando já está casado (durante o casamento); quem é o dono desse terreno ou casa de acordo com a lei?

☐ o homem, que pagou ☐ a mulher ☐ o casal PQ?

F03. Se esse homem se separar ou divorciar da mulher, quem tem o direito de ficar com essa casa que ele comprou durante o casamento?

F04. Se esse homem morrer, quais os direitos da viúva?

F05. Quais os direitos das filhas e filhos do falecido?

F06. Quais os direitos da nora e genro do falecido?

Você conhece alguma outra mulher dessa comunidade que aceitaria participar dessa pesquisa?

Conclua e agradeça.

Appendix 3 – Interview guide for housing experts

[Breve apresentação sobre o estudo]

1. Você pode contar um pouco sobre o seu trabalho, e sobre a órgão/organização/coletivo onde você atua?
2. A sua organização vem trabalhando como questões de gênero? Como? Existe algum atendimento prioritário para mulheres na organização? Qual é o papel das mulheres nas iniciativas da organização / movimento?
3. Você acha que, nas camadas mais pobres, homens e mulheres têm condições semelhantes de moradia? Ou será que as mulheres estão em condições mais precárias? Você lembra de algum exemplo?
4. Como você acha que a pobreza interfere na questão da moradia?
5. Você acha que a mulher conhece mais ou menos sobre direitos de propriedade do que os homens?
6. Você já ouviu falar em violência patrimonial? Conhece algum exemplo?
7. Como você acha que a violência doméstica interfere na situação da moradia da mulher?
8. Algumas pessoas defendem que as mulheres são mais interessadas nos programas de moradia. Por que será que isso acontece?
9. Você trabalha com programas habitacionais ou de regularização fundiária? Você sabe dizer se, na prática, existe uma priorização da mulher? Existe algum acompanhamento posterior para avaliar os impactos dessa ação?
10. Alguns estudos apontam que quando um programa habitacional prioriza as mulheres, isso pode gerar uma insatisfação dos homens e termina gerando conflitos ou violência doméstica. Você tem observado esse tipo de situação?
11. Você conhece dados oficiais sobre moradia ou sobre segurança de posse (proteção contra despejos) que sejam desagregados por gênero? Existem estudos importantes sobre esse tema?

Appendix 4 – Interview guide for domestic violence experts

[Breve apresentação sobre o estudo]

1. Você pode contar um pouco sobre o seu trabalho, e sobre a órgão/organização/coletivo onde você atua. Vocês lidam diretamente com casos de violência contra mulher?
2. Quantos casos de violência contra mulher são reportados por mês (ou por ano) aqui nesse órgão? Quais são os tipos de violência mais recorrentes?
3. Vocês também lidam com casos de violência patrimonial? Quais os problemas mais comuns?
4. Em comparação com os outros tipos de violência, os casos de violência patrimonial são menos recorrentes? Ou menos reportados?
5. A partir do que você tem observado, qual é a relação entre a violência contra a mulher e a questão da moradia do casal ou da família?
6. Existem informações sobre a questão da moradia das vítimas? Por exemplo: em quais bairros elas moram; se moram em domicílio próprio; se são donas ou parcialmente donas das casas onde moram; se moram de aluguel; se dependem economicamente do agressor?
7. Qual é o perfil socioeconômico das vítimas? São mais pobres? Vivem em regime de união estável? A violência é mais frequente em que estágio do casamento? Quantas moram em comunidades / áreas pobres?
8. Como funciona o serviço de atenção à mulher vítima de violência doméstica? Quais os caminhos possíveis para uma mulher que quer denunciar um caso de violência? Quais são os protocolos de atendimento específicos do seu órgão/departamento?
9. Existem procedimentos específicos para os casos de violência patrimonial?
10. O que acontece depois da denúncia? Quais os principais desafios para os prestadores?
11. Quais os principais desafios para as vítimas?
12. Como os casos de violência contra mulher estão sendo registrados, sistematizados e analisados? Quais dados estão sendo produzidos/levantados, principalmente depois da Lei Maria da Penha? Esses dados estão disponíveis?
13. Esses números são subestimados? Quantas vítimas não denunciam?
14. Eu poderia conversar com algumas dessas mulheres / vítimas, pra escutar um pouco das suas trajetórias de moradia?
15. Você tem alguma sugestão de pessoas que trabalhem esse tema, especialistas, servidores, ativistas, etc., que poderiam participar dessa pesquisa?
16. Existe algum estudo sobre violência patrimonial no Brasil? Algum estudo sobre violência doméstica e moradia no Brasil?

Appendix 5 – List of subject matter experts interviewed

Data da entrevista	Nome da pessoa entrevistada	Setor que representa
19 de julho 2018	Tiago Gonçalves – Advogado, ex-gestor da gerência de regularização fundiária da URB e Prefeitura do Recife, hoje membro do Instituto Brasileiro de Direito Urbanístico.	Executivo municipal (Prefeitura)
20 de julho 2018	Celso Severo – Assistente social, superintendente de Regularização Fundiária, Pernambuco Participações – PERPART, Governo do Estado de Pernambuco. Formulou o Programa Meu Imóvel Legal em 2013.	Executivo estadual (Governo do Estado)
30 de agosto 2018	Andreza Lins - Assistente social, gerente social do Programa Meu Imóvel pela PERPART, na comunidade de Passarinho.	Executivo estadual (Governo do Estado)
10 de setembro 2018	Patrícia Chaves - Diretora ONG Espaço Feminista.	ONG, movimentos, lideranças, profissionais
10 de setembro 2018	Natali Lacerda - Advogada ONG Espaço Feminista.	ONG, movimentos, lideranças, profissionais
30 de outubro 2018	Vanessa Chalegre - Defensoria Pública de São Paulo, Núcleo de Habitação e Terras.	Setor justiça (defensoria, núcleo moradia)
7 de janeiro 2019	Avani Santana – Diretora do Centro de Referência Clarice Lispector, Prefeitura do Recife.	Executivo municipal (prefeitura)
29 de janeiro 2019	Marília Montenegro - Universidade Católica, Grupo Asa Branca de Pesquisa sobre Criminologia, coordenou a pesquisa do Conselho Nacional de Justiça sobre lei Maria da Penha 2018.	Academia (direito criminal)
27 de fevereiro 2019	Carolina Salazar - Doutoranda UFRJ, participou da pesquisa do Conselho Nacional de Justiça sobre a Lei Maria da Penha.	Academia (direito criminal)
22 fevereiro 2019	Wanderlúcia Diniz - Psicóloga, Centro de Referência Clarice Lispector, Prefeitura do Recife	Executivo municipal (prefeitura)
22 fevereiro 2019	Gisele Costa - Advogada, Centro de Referência Clarice Lispector, Prefeitura do Recife	Executivo municipal (prefeitura)
22 fevereiro 2019	Josilene Carvalho - Gestora, Centro de Referência Clarice Lispector, Prefeitura do Recife	Executivo municipal (prefeitura)
29 de janeiro 2019	Ana Mirtes - Grupo Poupança Comunitária da Ilha de Deus, Grupo Mulher Virtuosa	Grupo de mulheres, liderança comunitária
7 março 2019	Maria Rita Holanda - Professora Direito Civil, Universidade Católica Pernambuco	Academia (direito de família)
20 de março, 2019	Ilka Guedes - Técnica Social ONG ActionAid / Fórum de Mulheres de Pernambuco, atuou em Passarinho pela Casa da Mulher do Nordeste, mora no Morro da Conceição.	Grupo de mulheres, liderança comunitária

20 de março, 2019	Danielle Gonçalves de Barros Vasconcelos Soares - Chefe de Secretaria, 2ª Vara de Violência Doméstica e Familiar contra a Mulher da Capital	Sistema de justiça (vara de violência)
20 de março, 2019	Maria do Carmo Bezerra de Melo Pontes - Assistente social, 2ª Vara de Violência Doméstica e Familiar contra a Mulher da Capital	Sistema de justiça (vara de violência)
20 de março, 2019	Rozeane Leal do Nascimento - Assistente social, 2ª Vara de Violência Doméstica e Familiar contra a Mulher da Capital	Sistema de justiça (vara de violência)
20 de março, 2019	Ana Kelly Almeida da Costa - Assistente social, 2ª vara de violência doméstica e familiar contra a mulher da capital do Recife	Sistema de justiça (vara de violência)
21 de março, 2019	Elzanira - Movimento de Luta nos Bairros; Fórum de Mulheres de Pernambuco; Liderança Vila Santa Luzia;	Movimento de moradia, grupo de mulheres, liderança comunitária
21 de março, 2019	Irmã Viviane - Centro Social Dom João Costa, Vila Santa Luzia	Igreja – referência na comunidade
25 de março 2019	Virgínia Moury Fernandes - Defensora Pública, 2ª Vara de Violência Doméstica e Familiar contra a Mulher da Capital	Setor justiça (defensoria, violência doméstica)
2 de abril de 2019	Edclea Santos - Grupo Espaço Mulher; Fórum de Mulheres Negras; liderança comunitária de Passarinho;	Grupo de mulheres, liderança comunitária
12 de abril de 2019	Marília Gabriela - Morro da conceição	Grupo de mulheres, liderança comunitária
30 de abril de 2019	Priscila Santos - Movimento de Mulheres Sem Teto de Pernambuco, Rede de Mulheres Negras de Pernambuco	Movimento de moradia, grupo de mulheres, liderança comunitária
25 de julho 2019	Araceles Domingos - Assistente Social, ONG Habitat para Humanidade Brasil	ONG moradia
25 de julho 2019	Ronaldo Coelho - Assessor Jurídico, Habitat para Humanidade Brasil, ex-Cendhec Centro de Estudos e Ação sobre Regularização Fundiária	ONG moradia
20 dezembro 2019 (por escrito)	Nálida Coelho - Defensora pública SP núcleo da mulher	Sistema de justiça (defensoria, direito das mulheres)