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**What Are the Societal and Bioevolutionary Underpinnings of Couple Conflict?**



# 1

## The Evolutionary Psychology of Couple Conflict in Registered versus De Facto Marital Unions

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We have studied couple conflict primarily through the peculiar window afforded by homicide. This research has been premised on the notions that homicides, although rare and obviously extreme, frequently represent the culmination of conflicts whose substance is not so rare, and that factors associated with variation in the risk of being killed by one's partner are likely to be associated with variation in the prevalence and intensity of nonlethal couple conflict, too. If these premises are sound, then lethal violence holds two advantages as a conflict "assay": high face validity as a reflection of genuine conflict, and relatively minor problems of biased detection or reportage. In this chapter, we review findings about the epidemiology of spousal homicide, and also discuss evidence bearing on the premise that patterned variation in the incidence of lethal violence parallels variations in the much more prevalent phenomena of "normal" violence and coercive control. A pervasive theme is the importance of male sexual proprietariness as a motivational factor in severe couple conflict.

One major risk marker for spousal homicide is the legal status of the union. Wilson, Daly, and Wright (1993) reported, for example, that Canadian women incur a per capita risk of homicide at the hands of de facto husbands (i.e., cohabitant male partners, or "common-law husbands") that is about eight times that incurred by their registered marriage counterparts. In this chapter, we focus on the distinctions between de facto and registered marriage, in order to both explore possible reasons for this immense risk differential, and provide a framework for considering the more general issues of what couple conflict is about and what factors exacerbate or temper it. The theoretical framework that we find most helpful in pursuing these goals is that of evolutionary psychology.

### **EVOLUTIONARY PSYCHOLOGY AND INTERPERSONAL CONFLICT**

"Evolutionary psychology" does not refer to a unitary, falsifiable theory. Like "social psychology" or "cognitive psychology," it refers to a field or approach, within which alternative theories vie (see, e.g., Bock & Cardew, 1997; Crawford & Krebs, 1998; Daly & Wilson, 1988, 1997, 1999; Gaulin & McBurney, 2001). If

we may define psychology as the science concerned with how brains/minds process information and generate behavior, then evolutionary psychology is simply the part of psychological science that is conducted with active attention to contemporary theory and research in evolutionary biology.

Brains/minds possess species-typical (albeit sexually differentiated) functional organization for the same reason that anatomy and physiology possess species-typical (albeit sexually differentiated) functional organization: because of the cumulative effects of a long history of Darwinian selection. From this uncontroversial proposition, we infer that theory and research in psychology and the social sciences would benefit from efforts to stay informed about theoretical and empirical developments in evolutionary biology. A great deal is known about the process of evolution by selection, and this knowledge affords numerous leads for fruitful investigation of its products, including human motives and emotions (Daly & Wilson, 1995).

The essence of the theory of evolution by selection, for present purposes, is that the basic attributes of any living creature, including the human animal, assumed their modern forms over evolutionary time because they contributed to reproduction and their own proliferation. More precisely, the “inclusive fitness” effects of an attribute consist of its average impact on the prevalence of copies of its carrier’s particular genes in future populations, and because natural selection is differential reproductive success, attributes tend to evolve to be effective contributors to expected inclusive fitness. (*Expected* is used here in its statistical sense, and must also be interpreted to refer to outcome probabilities in ancestral environments, which contemporary environments may or may not resemble; see Daly & Wilson, 1999.) There is a theory of the foundations of self-interest implicit in this view: basic (nonidiosyncratic) likes and dislikes are means to the end of increasing expected inclusive fitness. Sugar is sweet because it signals nutrients needed for survival and reproduction. A mate’s infidelity is painful because of the threats that it entailed for our ancestors’ fitness.

From an evolutionary perspective, there are several kinds of close relationships that are qualitatively distinct in ways that cannot be summarized by simple dimensional constructs such as “closeness” or “intimacy” (Daly, Salmon, & Wilson, 1997; Emlen, Wrege, & Demong, 1995). More specifically, the relationship between mates in a sexually reproducing species is unique. The well-being and eventual reproduction of offspring contribute to both parents’ fitness, and this fact can engender a unique commonality of interest: If personal reproduction (rather than collateral kin investment) is the main form of reproductive effort, and if mates reproduce monogamously, evolutionary reasoning suggests that the solidarity of long-term mates will evolve to exceed that of any other relationship, including even the closest blood kin, because the exigencies that affect one mate’s fitness will generally have parallel effects on the other’s (Alexander, 1987). Note the “ifs” in this proposition, however. Whereas genetic relatives necessarily share interests founded in correlated fitness, the solidarity of mates is more fragile be-

cause their fitness correlation has always been more fragile. The solidarity of mated couples is threatened by a number of interacting factors, including:

1. Temptations to abandon the present partner for another (exacerbated by sex differences in the lifespan trajectory of mate value).
2. Temptations to free-ride on the partner's investments in the couple's joint project (exacerbated by power asymmetries and by differential remating prospects or other opportunity asymmetries).
3. Nepotistic interests in distinct kindreds (the in-law problem).
4. Dependent offspring of prior unions (the stepchild problem).
5. Covert extra-pair mating (the cuckoldry problem).

The last of these is especially problematic, because it can abolish or even reverse the couple's expected fitness correlation. This consideration seems to explain the special status of adultery as a betrayal of the marital union, as well as the cross-cultural ubiquity of a double standard with respect to adultery's severity (Daly, Wilson, & Weghorst 1982).

## **MARITAL ALLIANCE: THE CONTEXT OF COOPERATION AND CONFLICT**

Around the world and throughout history, individual women and men have always entered into marriages: socially recognized alliances, indefinite in duration but ideally permanent, that entail sexual and other entitlements and duties, and that are deemed the appropriate or ideal context in which to produce and raise children to whom both partners have obligations (Flinn & Low, 1986; Goody, 1976; Murdock, 1967; van den Berghe, 1979). The cross-cultural universality of such practices suggests that marital alliance is an ancient arrangement that is in some sense instantiated in our evolved human nature. (The fact that alternative practices devised by utopian revolutionaries seem invariably to collapse amidst accusations of inhumanity and exploitation reinforces this conclusion.)

Marital alliance is not usefully defined in terms of the contemporary bureaucratic procedures that distinguish registered marriages from other cohabiting unions; consider the fact that marriages are transacted and celebrated in societies that lack government or any system of writing, as well as the long struggle between church and state over the entitlement to legitimize marriages. If there is a cross culturally applicable distinction corresponding to that between registered and de facto marriage in the modern West, the defining feature must be whether the union has been solemnized by a ceremony that legitimizes the partners' entitlements and obligations in the eyes of relatives and community members other than the partners themselves. This is not simply a matter of whether the couple has chosen to formalize their union in this way; the issue is often whether other interested parties

are prepared to let the union be legitimized by ceremonial recognition.

In the contemporary West, we are inclined to see the mating game as a great marketplace of autonomous actors, but in kin-based societies and where power permits, people take a strong manipulative interest in the marital transactions of other people. One may even argue that this involvement of third parties is the primary feature that distinguishes human marriage from the mateships of other animals (Daly & Wilson, 2000). But although many writers have stressed that human marriages are economic unions or even political alliances between lineages, the reason why marriage exists has first and most basically to be understood in terms of its reproductive function. Marital transactions in traditional societies are negotiated exchanges in which the families of the bride and groom are deeply concerned about value received for value given. Where bridewealth flows from the groom's family to the bride's (as it does in a substantial majority of traditional societies), its magnitude is tied to the bride's fertility (Borgerhoff Mulder, 1995); and in those few societies in which dowry flows in the opposite direction, it is expended to marry a daughter into a social standing in which she will have higher-status sons and more grandchildren than would otherwise have been possible (Gaulin & Boster, 1990).

Evolutionists argue that offspring are cherished because they are the principal vehicles of parental fitness, but that the interests of parents and their children overlap only in part because their fitnesses are only correlated, not identical (Trivers, 1974). Daughters are reproductive and productive resources that parents have been only too pleased to treat as trade goods, and the marital futures of children of both sexes can be pawns in political transactions. The extensive role of kin in the arrangement and conduct of marriages multiplies the potential conflict domains. A particularly striking example of manipulative arranged marriages was the practice of *shim-pua* ("minor marriage") in Taiwan, in which parents acquired an infant girl as a bride for an immature son, and raised her to the role (Wolf & Huang, 1980). These future brides were often poorly treated as children, and their risk of dying before puberty was several fold greater than the risk incurred by their "adopting" in-laws' own daughters in the same households. Ironically, *shim-pua* marriages were often barren; apparently, rearing together from infancy had killed sexual interest (Wolf, 1995).

Giving very young children in marriage was, of course, common in European history as well. In medieval England, for example, children could be "espoused" as early as 7 years of age, with the Christian Church sanctifying the commitment (Helmholtz, 1974; Ingram, 1987; Swinburne, 1686/1985). Concomitant exchanges of property were contracted at the espousal stage, and if one family opted out of the planned marriage, the other family had a grievance. Although the church did not deem the marriage complete until sexual consummation after puberty, an aggrieved family could launch ecclesiastical court proceedings to recover damages. In England prior to 1563, marriages were arranged by parents with little interference from outside authority; conflicts concerning marital affairs were generally

adjudicated by church courts. State registration was established in 1563 to prevent marriage by elopement from undermining parents' entitlement to arrange their children's marriages and to thwart bigamists, a problem that had formerly been contained by the Church's practice of publishing banns (announcement of parties' intention to marry) but which was a growing problem as the populace became more mobile (Stone, 1977; Trumbach, 1984); de facto bigamy must have remained a problem in customary unions, as it is to this day. Marriage registration and "poor laws" instituted about the same period were intended to reduce the costs of economic assistance to abandoned wives and mothers that the local communities were unable or reluctant to provide. Children born to abandoned or widowed women in "registered" marital unions enjoyed public recognition and state benefits to which children born to "unwed" mothers were not entitled until the twentieth century.

Behind these practices was a contract. When a man took a wife, he relinquished the right to take another, and the woman and any children that the union produced gained some claim on his property. But his proprietary entitlements were even clearer, including a right of exclusive sexual access and extensive rights to control the actions and the fates of both wife and children. These legal implications of marriage have been withering for many decades, but in a piecemeal fashion that varies in many details among nations and smaller jurisdictions within nations. Children's legal entitlements are seldom conditional on the marital status of the mother now, and many limitations on the freedom of married women have been lifted, including the doctrine of "unity of personality" (which denied wives legal standing as persons distinct from their husbands), the lack of entitlement to make financial transactions without husbands' approval, men's entitlement to "restrain" wives intent on leaving them by force, and a man's right to sue his wife's new partner for seduction or alienation of affection (Wilson & Daly, 1992a). Increased legal emphasis on the protection of personal autonomy has not always been to the benefit of wives, however, especially in the domain of divorce law reforms that have reduced financial support obligations to former partners. Some recent rulings (e.g., the Supreme Court of Canada's 1999 ruling in *Bracklow v. Bracklow*; see later discussion) indicate a renewed recognition of the need to protect vulnerable parties and hence a partial reversal of the trend toward treating obligation as revocable upon marital dissolution. In general, both sides in most recent debates about the ongoing changes in marital and family law profess a primary concern to protect the interests and autonomy of vulnerable parties, especially children.

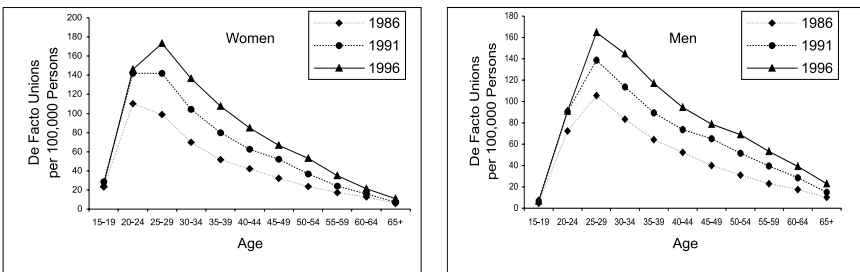
With formal state-sanctioned rules in relatively democratic societies, the interests of some may go unrecognized, but at least the costs and benefits of different courses of actions are defined, as are the legal boundaries of one's entitlements and obligations. However, de facto marital unions have not typically been subject to standardized legal norms, and the interests of "wives" and "husbands" have not been well regulated, although very recent efforts to establish laws and

regulations for “registered partnerships” are intended to protect parties in dependent affectional relationships regardless of their sex or the partnership’s (dis)similarity to a traditional registered marriage (Bailey, 1999). A likely consequence of the precarious legal standing of unregistered unions is that the outcomes of conflict between de facto marriage partners are less predictable, or are perceived as less predictable, than is the case for comparable conflicts in registered marriages, with the result that the bargaining power, intimidatory capability, and relative social and economic status of the conflicting parties may be even more consequential than in divorce proceedings or other registered marriage conflict negotiations. Furthermore, the solidarity and terms of the marital relationship may have to be constantly negotiated rather than implicitly understood.

## DIFFERENCES BETWEEN REGISTERED AND DE FACTO MARITAL UNIONS

De facto unions now constitute a substantial proportion of all marital partnerships in many developed countries, including Norway (Kravdal, 1999), Sweden (Bracher & Santow, 1998), France (Léridon, 1990), New Zealand (New Zealand Department of Statistics, 1993), Australia (Bracher & Santow, 1988), Canada (Statistics Canada, 1999), and the United States (Bumpass, Sweet, & Cherlin, 1991; Graefe & Lichter, 1999;). Change has been rapid in some cases. In France, for example, 10% of the couples registering a marriage in 1970 had previously cohabited; just 10 years later, 50% had (Léridon, 1990). In some Latin American countries, consensual unions are almost as prevalent as registered marriages (DeVos, 1999) and, in at least some cases, this has been true for decades (e.g., Glaser, 1999). In Canada, the census has clearly distinguished registered from de facto marital unions only since 1986; Fig. 1.1 shows that the proportion of the populace living in de facto

**FIG. 1.1**  
**Number of De Facto Unions per 100,000 Women, or per 100,000 Men, in Each Age Category in Canada in 1986, 1991, and 1996. Data from Statistics Canada (1999).**



unions has since grown substantially, especially but not solely among young adults.

In light of both rapid change and cross-national variability in the degree to which consensual unions are legitimate and institutionalized, generalizing about the distinctions between registered and de facto unions is obviously a risky business. Generalization is also perilous because de facto marriage is not a unitary phenomenon (DeVos, 1999; Landale & Fennelly, 1992; Léridon, 1990; Loomis & Landale, 1994; Schoen & Weinick, 1993); it encompasses “visiting unions,” “trial” marriages, and partnerships scarcely distinguishable from registered marriages, which may even have been formalized ceremonially although not registered with civil authority— sometimes all of these variants occur in the same population. Nevertheless, we shall discuss ways in which de facto unions differ from registered marriages, because certain contrasts between the two appear to have some generality, at least in developed nations, and these distinctions appear to be relevant to differential levels of couple conflict.

One of the most important distinctions is that de facto unions are less likely to endure than registered marriages, and the participants know it. According to Nock (1995), one of the main distinctions between U.S. survey respondents in de facto versus registered unions is that the former perceive the “exit costs” to be lower. In a 1996 omnibus survey, cohabiting Norwegians without imminent plans for marriage nominated the greater difficulty of dissolving the relationship above all other rationales when asked why they were hesitant to marry; the expense of weddings ranked second (Kravdal, 1999). In Sweden, the greater stability of registered marriages is apparent even when the effects of childlessness are controlled (Hoehm & Hoehm, 1992, cited in Kravdal, 1997). Even in Latin America, where consensual unions are frequent and not at all deviant, DeVos (1999) reported that they have a higher rate of dissolution than registered marriages in each of nine countries. This is not just because de facto unions are more often childless. Landale and Huan (1992) reported, for example, that 74% of children born to cohabiting couples in Puerto Rico had experienced the separation of their parents before their 10th birthdays compared to a figure (still remarkably high) of 50% born to couples in registered marriages.

The exit costs are lower for de facto unions because obligations are lower. Glaser (1999) noted, for example, that Costa Rican women are still disadvantaged financially in de facto unions, despite having recently gained maternity and health benefits from partners’ insurance and the right to inherit from their partners’ estates, because they still lack rights to property acquired during the union should it dissolve, and because the child support obligations of ex-de facto partners are not well enforced. Nevertheless, Glaser claimed that many women prefer de facto marriage because it is easier to terminate; registered marriage may provide a woman with more security, but at some perceived cost in autonomy.

In Canada, the obligations and exit costs of de facto and registered unions are in a state of flux. The Divorce Act of 1968 moved divorcing couples in the direction of division of assets and cessation of mutual obligation. De facto spouses did

not enjoy similar entitlements until 1980, when the Supreme Court overturned a lower court ruling that had deprived a woman of all proceeds from the farm that she and her common-law husband had together developed (*Pettkuss v. Becker* [1980] 2 S.C.R. 834). The Divorce Act was revised in 1985, and a recent, much discussed Supreme Court ruling (*Bracklow v. Bracklow* [1999] S.C.R. March 25, 1999) interpreted the revised act as placing renewed limits on post-marital freedom, by imposing a continued duty of support on the ex-husband of a woman unable to work. Thus registered marriage in Canada entails at least the potential for an irreversible obligation to relieve economic hardship of an ex-spouse who is not reasonably capable of self-sufficiency. De facto marriage apparently does not, but in view of its increasing prevalence (Fig. 1.1) and concerns about discriminatory treatment of same-sex couples, the legal status of de facto unions is currently being evaluated with the aim of drafting legislation (e.g., Bailey, 1999; Ontario Law Reform Commission, 1993).

An evolutionary psychological perspective on sex differences suggests some possible outcomes that might follow from there being lower “exit costs” for de facto marriages. Many studies have shown that women and men prioritize somewhat different criteria when assessing persons of the opposite sex. Presumably because they assume the burden of gestation and postnatal child care and have done so throughout our evolutionary history, women tend to rank potential partners on the basis of economic and social status, whereas men’s evaluation of women as marital prospects is less affected by their resource-accurring potential and more affected by attributes that were ancestral cues of health and fertility, including youth (Buss, 1994; Geary, 1998). It follows that conflict in marital unions is also sexually asymmetrical: Men are unable to deliver what women expect of them when they are poor and unemployed, whereas men’s satisfaction and valuation of their wives is more dependent on youth, attractiveness, and fidelity.

The inclination to pursue multiple unions is also sexually differentiated. According to the anthropological record, wherever polygamy is legal, wealthy and powerful men tend to accumulate wives (Betzig, 1986), and even where monogamy is enforced, many men of means are serial polygamists and/or keep “mistresses” who may in effect be secondary de facto wives who bear children; women do not generally use wealth and power in this way. Evolutionists attribute this difference to the fact that the minimum cost of successful reproduction has always been lower for men, who neither gestate babies nor lactate, and the ceiling on potential reproduction has been higher, with the effect that polygamy was likely to enhance male fitness if it could be attained but was never as beneficial to female fitness. This is not to say, however, that women are monogamists “by nature,” for although there is abundant evidence that they are less polygamously inclined than men, it is clear that they often do harbor such inclinations; why and when this is the case is the subject of considerable current interest (see, e.g., Gangestad & Simpson, 1990; Smith, 1984).

De facto unions are characterized by lesser commitment not only in the sense

that they are relatively likely to dissolve, but also in the sense that even while cohabiting, the partners are not as likely to be faithful monogamists as registered marrieds. Forste and Tanfer (1996) reported results from a 1991 U.S. national survey of women: Among those in the age range 20 to 37, 20% of the women in de facto unions reported engaging in "sexual activity with other men" while living with their present partners, compared to just 4% of those in registered marriages. One possible interpretation is that women who choose not to marry are relatively unconcerned with convention more generally. Another is that women in de facto unions, recognizing their instability and unreliability, are more likely to be on the lookout for a change. But in either case, male concerns about the sexual fidelity of female partners constitute perhaps the most dangerous source of severe couple conflict, as further discussed later in this chapter, and these survey data suggest that men in de facto unions have substantially greater cause for such concern.

Besides having more extramarital affairs, common-law couples report higher rates of marital sex than do same-age couples in registered marriages (Bachrach, 1987; Call, Sprecher, & Schwartz, 1995). This would be predicted by any evolutionist familiar with recent work on "sperm competition." In various animal species in which females sometimes mate with more than one male, their mates respond to cues of such partner promiscuity by courting and copulating with the female more frequently themselves, and thereby increase their chances of siring her young (e.g., Birkhead & Møller, 1987). In this light, an active sex life cannot be interpreted as indicative of a low level of conflict.

Another important domain in which de facto unions tend to differ from registered marriages is with regard to children. On the one hand, de facto unions are more often childless (Léridon, 1990; Manning, 1995); indeed, cohabiting couples frequently decide to marry before starting a family (Bachrach, 1987; Léridon, 1990; Loomis & Landale, 1994; Manning, 1995). Children and the desire for children comprise one of the most salient distinctions between de facto and registered unions (Nock, 1995), and births to de facto couples are more often the results of unplanned pregnancies than is the case for registered unions (Bennett, Bloom, & Miller, 1995; Kravdal, 1997). On the other hand, although children of the union are rare in de facto households, children of former unions are relatively common. Survey data from various countries indicate that partners in common-law unions are more often in the status of stepparent to their partner's children than are their registered marriage counterparts (Brown & Booth, 1996; Bumpass, Raley, & Sweet, 1995; Bumpass, Sweet, & Cherlin 1991; Khoo, 1987; Léridon, 1990; Winkler, 1994). Graefe and Lichter (1999) concluded from a U.S. national panel survey that only 37% of those children born between 1979 and 1992 who had ever lived in a cohabiting family (estimated at 26% of all children) were the genetic offspring of the cohabiting couple.

Both of these contrasts provide further reason to believe that conflict will be more severe in de facto couples. As we noted at the outset, children in common create common cause, because couples who value the welfare of their young will

tend toward similar evaluations of hypothetical futures. However, children of previous unions create conflict, and there is abundant evidence that reconstituted families are disproportionately susceptible to problems ranging from lower marital satisfaction to violence (Daly & Wilson, 1996, 1998; Wilson & Daly, 1987). Messinger (1976) asked remarried Canadians with children from previous marriages to rank the areas of "overt conflict" in each marriage. "Children" and "money" topped the list for the remarriages, but were hardly ever mentioned for the failed first marriages, and it was clear from the interviewees' elaborations that these two ostensibly distinct issues were really the same: The mother wanted more of the stepfather's resources invested in her children than he was inclined to contribute. A variety of studies have now shown that stepchildren, when compared to those living in two-genetic-parent families of identical means and official marital status, are indeed the recipients of less parental investment (Anderson, Kaplan, Lam, & Lancaster, 1999; Anderson, Kaplan, & Lancaster, 1999; Biblarz, Raftery, & Bucur, 1997; Bledsoe 1995; Case, Lin, & McLanahan, 1999; Marlowe 1999; Zvoch 1999), are chronically stressed (Flinn & England, 1995; Thomson, Hanson, & McLanahan, 1994) and growth-retarded (Flinn, Leone, & Quinlan, 1999), and leave home early (Davis & Daly, 1997; Mitchell 1994).

It appears that children from *de facto* families may be similarly disadvantaged. They were more likely to be malnourished and stunted (low height for age) than were children of registered unions in a study of child development in Brazil, Colombia, and the Dominican Republic (Desai, 1992), for example, and although it must be noted that *De facto* marriage is associated with low socioeconomic status in these countries, an influence of the type of marital union on malnutrition was still evident after controlling for SES. What has apparently never been assessed is the extent to which the disadvantage incurred by children in *De facto* families is attributable to the fact that so many are stepchildren, or indeed whether any disadvantage would remain if the correlated effects of steprelationship and SES were simultaneously controlled.

Finally, *De facto* unions often differ from registered marriages by being less assortative (homogamous). In the United States, age disparity between the partners is significantly smaller in registered unions, for example, and shared religious affiliation is significantly more prevalent (Forste & Tanfer, 1996; Schoen & Weinick, 1993). Lack of homogamy tends to be predictive of marital instability in registered unions (Becker, Landes, & Michael, 1977; Heaton, 1984; Lehrer & Chiswick, 1993), and it may be an important contributor to the higher rates of conflict and marital dissolution in *De facto* unions. Conversely, couples who differ in age or religious belief may remain unmarried because of a realistic perception that their relationship may not last. There is one possibly important exception to this pattern, however: *De facto* couples actually tend to be slightly more similar with respect to level of education than do registered marrieds, a group that continues to include many couples in which the husband's education exceeds the wife's (Forste & Tanfer, 1996; Schoen & Weinick, 1993). Education tends to enhance a man's marriage-

ability more than a woman's (e.g., Kravdal, 1999), perhaps because it increases earning power, which increases a man's desirability as a marriage partner more than it does a woman's (Buss, 1994). Indeed in some (but not all) developed nations, higher educational attainment is actually associated with lower rates of marriage (or later marriage) in women, the reverse of the correlation for men (Blossfeld & Jaenichen, 1995; Thornton, Axinn, & Teachman, 1995). Unlike men, U.S. women have been reported to favor registered unions less as their earning power increases (Willis & Michael, 1994), which may indicate that they feel less need to tie themselves to husbands.

## **CONFLICT AND VIOLENCE IN REGISTERED AND DE FACTO MARITAL UNIONS**

Systematic variation in the prevalence and intensity of marital violence should enable one to test hypotheses about the determinants of marital conflict, but violence is often hidden and detected cases may constitute a biased subset of the whole. For this reason, we have focused primarily on lethal violence, for which detection and reportage should be minimally biased. A number of factors that are predictable sources or correlates of marital conflict — including the wife's youth, a large age disparity, poverty, and the presence of children from prior unions — are associated with elevated risk of spousal homicide (Daly & Wilson, 1988; Daly, Wiseman, & Wilson, 1997; Wilson & Daly, 1993a; Wilson, Daly, & Wright, 1993; Wilson, Johnson, & Daly, 1995). Available evidence indicates that these same risk factors are also associated with elevated rates of nonlethal assaults on wives (Daly, Singh, & Wilson 1993; Wilson et al., 1995), supporting the premise that spousal homicide represents the tip of the iceberg of "normal" marital violence rather than an utterly disjunct phenomenon.

Evidence pertaining to the motives of spouse-killers tells a monotonous story. In samples of well-described uxoricides (killings of wives) from a diversity of cultures, it is consistently found that the great majority of the cases were ostensibly precipitated by the husband's conviction (well founded or not) that his wife was unfaithful and/or by her decision to end the relationship; a more generalized inability to control her may also be invoked (Chimbos, 1978; Daly & Wilson, 1988; Polk, 1994; Wilson & Daly, 1993a, 1996, 1998). Criminologists and police officers often attribute such cases to "jealousy," but we prefer to call these killers "proprietary," a word that implies a more encompassing mind-set, referring not just to the emotional force of one's desire for control and exclusivity, but also to feelings of entitlement and moral outrage (Wilson & Daly, 1992a).

Cases in which wives killed husbands are usually much rarer, although there are exceptions that we consider later in the chapter. However, killings of husbands, whether rare or common, are nowhere simply role-reversed versions of the more frequent uxoricides (Daly & Wilson, 1988; Wilson & Daly, 1992b). Men often

hunt down and kill estranged wives, for example, but women hardly ever do likewise. Men kill wives as part of planned murder-suicides, but analogous acts by women are almost unknown. Men kill in response to revelations of wifely infidelity, but women almost never respond similarly. Men often kill wives after subjecting them to lengthy periods of coercive abuse and assaults; the roles in such cases are seldom reversed. Men perpetrate familicidal massacres, killing spouse and children together; women do not. Moreover, a large proportion of the spousal homicides perpetrated by wives, but almost none of those perpetrated by husbands, are self-defensive acts; when a wife kills her husband, the precipitating argument is again likely to have been one in which *he* accused *her* of infidelity, not the reverse (e.g., Chimbos, 1978). All of these sex-typed attributes of spousal homicide appear to have considerable cross-cultural generality.

The idea that uxoricides are in some sense motivated by husbands' concern to protect their proprietary entitlements may appear paradoxical. Yet, it is precisely the threat of loss or violation of these proprietary entitlements that seems to arouse violent inclinations directed at countering the threat: "If you ever leave me, I'll find you and kill you." When a wife is pursued and killed by a husband she has left, the killer's motive is clearly not merely to be rid of her, and many such killers explain their actions when apprehended or in suicide notes as a response to intolerable loss: "If I can't have her, then no one shall" (Wilson & Daly, 1993a). But if keeping her is really the killer's desire, then such murders, although often deliberate and even carefully planned, are anything but rationally instrumental. They are more plausibly interpreted as relatively rare maladaptive by-products of human passions: the dysfunctionally extreme manifestations of proprietary and violent inclinations whose lesser expressions are effective in coercive control.

A credible threat of potentially lethal violence is a powerful means of controlling others, and the frequent killings of estranged wives suggest that such threats by husbands are often sincere (Wilson & Daly, 1993b). Although uxoricide oversteps the bounds of utility, it is not clear that the same can be said of nonlethal wife abuse, and it is therefore noteworthy that the primary motives in wife beating are apparently the same as those precipitating uxoricides: adultery, jealousy, desertion, and male control (Brisson, 1983; Counts, 1990; Counts, Brown, & Campbell, 1992; Dobash & Dobash, 1979, 1984; Hilberman & Munson, 1978; Rounsaville, 1978). If the coercive use of violence is best understood as one means by which the proprietary claims of husbands are maintained, then such violence is likely to vary (both within and between communities or societies) in relation to indicators of the intensity of male sexual rivalry, cues of possible marital infidelity, various factors affecting the woman's attractiveness to potential rivals, her autonomy, and the costs of using violence (Wilson & Daly, 1993b). Some or all of these considerations may be relevant to the differential rates of violence in registered versus de facto marital unions.

Wilson, Daly, and Wright (1993) reported that Canadian women are slain by their partners at a much higher per capita rate in de facto marriages than in regis-

tered marriages. This contrast is not peculiar to Canada (see later discussion). Survey evidence indicates that nonlethal violence is also high in de facto unions. In 1993, Statistics Canada surveyed by telephone a national probability sample of Canadian women over 18 years of age, asking questions about the respondents' experiences of violence by partners and other men (Johnson & Sacco, 1995). Interviewees included 8,385 women residing with spouses, 88% in registered marriages and 12% in de facto unions. Assaults by their partners within the past year were reported by 9% of women in de facto unions, but only 2% of those in registered marriages (Wilson, Johnson, & Daly, 1995). Other surveys, conducted in other countries, have produced similar contrasts (Anderson, 1997; Lupri, Grandin, & Brinkerhoff, (1994; Stets, 1991; Williams, 1992).

There is also some evidence that violence may be more prevalent in de facto unions than in dating couples who are not cohabiting (Magdol, Moffitt, Caspi, & Silva, 1998). The comparison groups in this New Zealand study were similar with respect to average age but differed in other attributes that were also associated with the incidence of abuse, including age disparity and duration of the relationship. Whether the groups differed with respect to sexual fidelity and relationship commitment was not assessed. If violence were simply a manifestation of "mate guarding," we might expect it to be more prevalent when partners do not cohabit and monitoring is less continuous, but that is not necessarily the case; we suggest that the mix of a nascent sense of proprietary entitlement with perceived threats to male control and exclusivity may be especially conducive to the exercise of coercive violence against female partners.

Greater risk that one will be slain in a de facto union than a registered marriage applies not just to wives but also to husbands. In fact, the differential is typically even greater. Whereas de facto wives incur a homicide rate eight times higher than their registered marriage counterparts in Canada, for example, the corresponding ratio for male victimization is fifteen-fold (Wilson et al. 1993). Putting the same contrast differently, the proportion of spousal homicides that are committed by wives tends to be higher in de facto unions. This statistic — that is, the proportionate representation of wives as spouse-killers (or, in a simple transformation, the "sex ratio of spouse killing"; see Wilson & Daly, 1992b) — may itself be revealing of some subtle aspects of couple conflict.

The United States is exceptional in the high percentage of spousal homicides that are perpetrated by wives, who are the killers in over 40% of U.S. cases, but less than a quarter of those in Canada, Australia and Great Britain, and an even smaller percentage of those in other, non-Western societies (Wilson & Daly, 1992b). In U.S. cities with high homicide rates, such as Chicago and Detroit, slain husbands actually outnumber slain wives. This unusual form of "gender equity" in the United States is not new, does not extend to homicides other than spouse-killings, and cannot be explained by the availability of guns (Wilson & Daly, 1992b). Neither can it be taken to imply that women and men are similar in their motives or actions; the circumstantial differences between uxoricides and killings of husbands

that we noted earlier evidently apply to U.S. cases no less than to countries in which wives rarely kill. Also consistent across countries is the fact that this proportionate representation of women as killers tends to be higher in *de facto* unions than in registered marriages (Table 1.1); this contrast is statistically significant ( $p < .001$  by chi-square test) in each of the three largest samples (Chicago, Canada, England/Wales).

**Table 1.1**  
**Numbers of Spousal Homicides and the Percent Perpetrated by Wives in Various Samples of All Cases Known to Police (Most of the killers are men, but the proportion perpetrated by women tends to be higher in *de facto* unions than in registered marriages)**

Data Set	Registered Marriages		de Facto Marriages	
	N of Spousal Homicides	% Perpetrated by Wife	N of Spousal Homicides	% Perpetrated by Wife
Chicago, 1965-1989	916	47	790	55
NSW, Australia, 1968-1986	233	21	165	27
Canada, 1974-1992	916	21	690	34
England & Wales, 1977-1990	1198	17	347	27

Wilson and Daly (1992b) offered several hypotheses to explain these contrasts, but did not test them. One possibility is that couples in *de facto* unions are disproportionately poor or unemployed, and poor men, lacking other resources, are more physically coercive in marital conflict than are men of means. At the same time, poverty is likely to be associated with circumstances in which a man's presence is more costly than beneficial for his wife, especially if a "man in the house" rule means that his presence jeopardizes her welfare benefits (e.g., Darity & Myers, 1984). Women may then be less tolerant of abuse and readier to engage in violent retaliation. Data reported below indicate that *de facto* couples in Canada are not noticeably poorer than those in registered marriages, but this hypothesis may still have local relevance. Another possible reason why women might be readier to resort to dangerous conflict tactics in *de facto* unions concerns the protection of their children. The children in *de facto* unions are more likely to be stepchildren—the genetic offspring of the woman and a prior partner—than is the case in registered marriages (e.g., Bumpass et al., 1989; Khoo, 1987), and stepfathers assault their wards both physically and sexually at very much higher rates than do genetic fathers (Daly & Wilson, 1996).

There is no question that the presence of stepchildren is associated with marital conflict. Nonviolent manifestations include elevated rates of divorce in stepfamilies (Becker et al., 1977; White & Booth, 1985) and lower levels of mari-

tal satisfaction (Perkins & Kahan, 1979; Wilson & Daly, 1987). Moreover, women with children sired by previous partners have been found to be greatly overrepresented among both the clients of a battered women's shelter (Daly et al., 1993) and uxoricide victims (Brewer & Paulsen, 1999; Daly et al., 1997). Daly et al. (1997) estimated that such women were 12 times more likely to be killed by their partners in Hamilton, Canada, than were mothers whose children were all sired by the present partner. Whether stepfatherhood is associated with an even greater elevation in the risk that the man will be killed has yet to be determined, because homicide archives with sufficient numbers of cases to test this hypothesis do not contain the information needed to identify stepfamilies.

## VICTIMIZATION OF WIVES AS A FUNCTION OF AGE

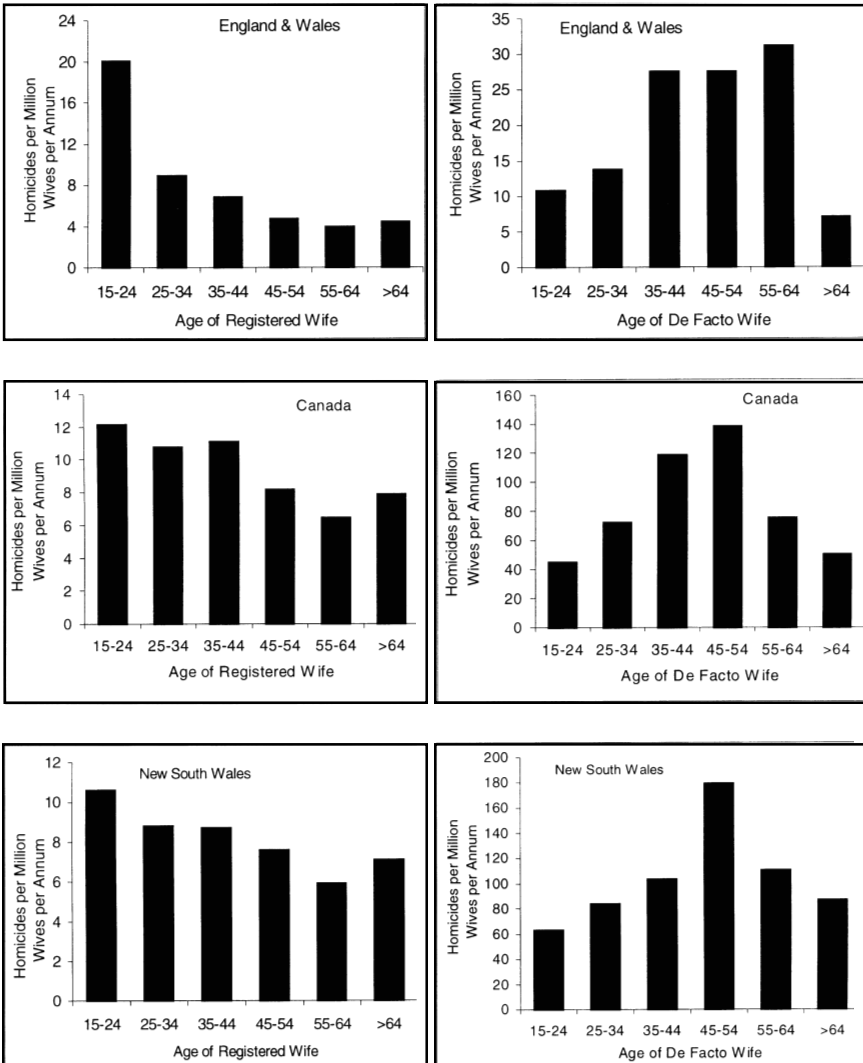
The differences in violence between registered and de facto unions cannot be attributed simply to differences in the age distributions of such unions, even though it is true that young adults are overrepresented in both de facto marriage and marital violence.

A wife's youth is one partial predictor of marital instability (Dumas & Péron, 1992; McKie, Prentice, & Reed, 1983), which may reflect the fact that young women can find new partners relatively easily. Youth is a major determinant of women's attractiveness to men (Borgerhoff Mulder, 1988; Buss, 1994; Kenrick & Keefe, 1992; Symons, 1979), and the younger a divorcee, the more likely she is to remarry (Glick & Lin, 1987; Trost, 1984). These considerations, plus their greater likelihood of still being childless, may make young wives more likely to terminate unsatisfactory marriages and more responsive to the attentions of men other than their husbands. For these reasons, we hypothesized that proprietary husbands might be especially likely to assault young wives (Daly & Wilson, 1988). Rates of uxoricide in Canada, the United States, England and Wales, and Australia are indeed maximal for the youngest wives and decline monotonically with age (Daly & Wilson, 1988; Mercy & Saltzman, 1989; Wilson & Daly, 1996; Wilson, Daly, & Scheib, 1997), and according to the 1993 Canadian survey of violence against wives, nonlethal assaults by husbands exhibit a similar decline with age of the wife (Wilson et al., 1995). Separating the influence of female age per se from that of correlated factors such as the husband's age, parity, and duration of the union is a formidable problem that awaits a satisfactory analysis, but there is some evidence that the wife's age is more relevant than the husband's, and that its influence persists when marital duration is controlled (Wilson et al., 1997).

When Daly and Wilson (1988) first reported that Canadian uxoricide rates declined as a function of wife's age, they also noted that the age pattern in common-law (de facto) unions was very different, rising to a peak in middle age. Figure 1.2 shows that this pattern, too, is not peculiar to Canada. What could account for these very different patterns of risk by age? One possibility is that the

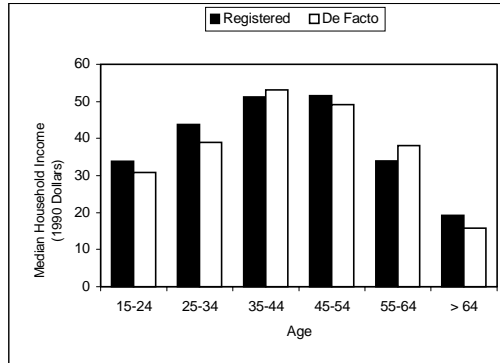
socioeconomic mix varies in such a way that the older the age category, the more de facto couples differ from registered marriage couples in means and class. This seems not to be the case, however, at least in Canada, where median household incomes of de facto couples are remarkably close to those of same-age registered-marriage couples in all age categories (Fig. 1.3).

**FIG. 1.2**  
**Uxoricide Rates in Registered and De Facto Unions in Canada (1974-1990),**  
**England and Wales (1977-1990), and New South Wales, Australia (1968-1986).**



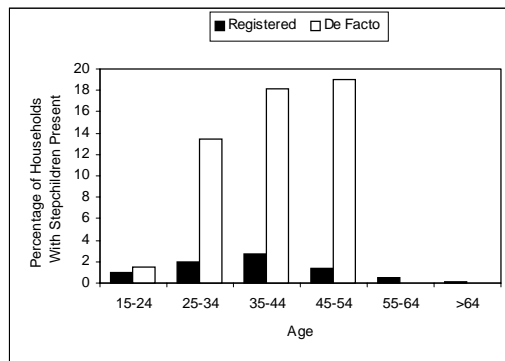
**FIG. 1.3**

**Median Household Income in Registered and De Facto Marriages in Canada, 1990, in Relation to Age of Survey Respondent. Data from Statistics Canada (1990).**



**FIG. 1.4**

**Presence of Stepchildren in Registered and De Facto Marriages in Canada, 1990, in Relation to Age of Survey Respondent. Data from Statistics Canada (1990).**



A more promising hypothesis is that middle-aged *de facto* couples are especially likely to be in conflict about the allocation of their joint resources to children of previous partners. Figure 1.4 shows that such couples are indeed the most likely to *have* coresiding minor children of prior unions, and that the prevalence of this risk factor rises with age in a pattern much like that of the homicide rate. In the homicide cases, “marital status” codings indicated that one or both partners were still legally married to someone else in more than half of the *de facto*, middle-aged couples. Unfortunately, information on the parties’ reproductive histories and present household composition is not available.

## CONCLUDING REMARKS

We have shown that the risk of uxoricide is much greater in de facto marital unions than in registered unions, and that the age patterns of risk are dramatically different, with young wives at greatest risk in registered unions and older wives at greatest risk in de facto unions (Fig. 1.2). These patterns are replicated in Canadian, British, and Australian data sets, and may apply widely, at least in developed nations. In Canada, household incomes change as a function of the couple's age, but there was no difference between registered and de facto marriages in this income pattern (Fig. 1.3) to help account for the different age-related patterns of lethal violence.

What may help explain these differences is conflicts related to the existence of children from prior unions, because the incidence of coresiding stepchildren peaks among middle-aged spouses of de facto unions (Fig. 1.4) much as the risk of uxoricide does. As far as we know, excess homicide risk in de facto unions, age patterns of uxoricide risk, their striking difference in registered versus de facto unions, and the possible relevance of the presence of stepchildren to these phenomena are findings and ideas that originated with ourselves, and they were all inspired by taking an evolutionary psychological view of couple conflict. In hindsight, one might say there is nothing very surprising about some of these statistical findings, but a great deal of research on violence against women and children had not identified these risk factors.

We must stress in conclusion that the distinction between de facto and registered marriage is a risk marker and not a causal variable. Some of the similarities and differences between these two types of marital union are reviewed here, and we propose that greater attention to the possible relevance of stepchildren to conflict, especially among middle-aged de facto couples, is warranted in the future. We also suggest that more attention to issues of commitment, sexual fidelity, and male efforts to exert control as women attempt to retain autonomy will be necessary for an improved understanding of why consensual unions are so often violent. Elucidation of the causal dynamics of marital conflict in de facto versus registered-married couples throughout the life course is of paramount concern as the popularity of de facto marriage increases.

We have studied couple conflict primarily through the window afforded by marital violence, especially lethal violence. We recognize that killing a spouse is a relatively rare outcome of extreme marital conflict compared with nonlethal assaults or termination of the relationship, and our assumption that these killings can be treated as the "tip of the iceberg" of "normal" marital conflict requires further scrutiny. This assumption is presently supported by similarities in motive, in context, and in demographic risk patterns for lethal and nonlethal assaults against wives in Canada, but risk patterns may not be identical in all details (Wilson et al., 1995). Further study of the differences between lethal and nonlethal risk patterns could elucidate important aspects of couple conflict, and may even contribute to

the prediction of lethal risk among wives who have suffered assaults.

The evolutionary psychological perspective on marital conflict and violence that we have espoused assumes that the kinds of violent events discussed in this chapter are the outcome of the simultaneous activation of distinct psychological mechanisms and processes, especially inclination to use violence, resentment over investing in a rival's child, and the sense of entitlement associated with a proprietary view of a spouse. These separable aspects of the human psyche are sexually differentiated to varying degrees, with respect to their likelihood of being activated in certain contexts, and their predominance over alternative psychological reactions and perceptions associated with marital conflict. An evolutionary psychological perspective will be essential for further elucidation of the ways in which one's sex, age, marital and parental status, and social and economic standing all affect couple conflict and its consequences.

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