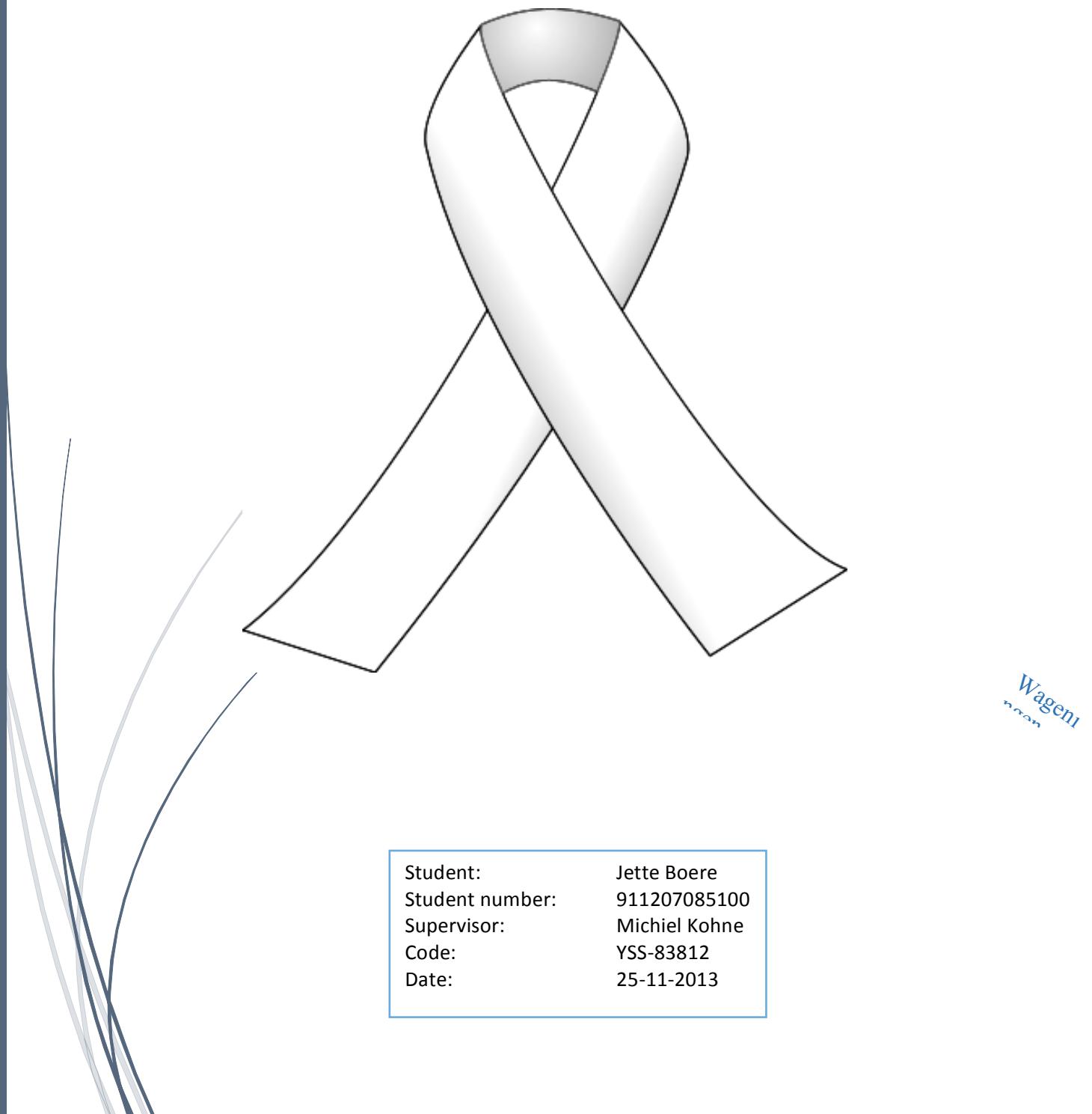


# The influence of mobilization and shifting frameworks on domestic violence in Cambodia



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## Table of Contents

Abstract .....	3
1 Introduction .....	4
1.1 Approach .....	4
1.2 Research questions .....	4
1.3 Scope and limitations and methodology.....	5
1.4 Paper overview.....	6
2 Theory .....	8
2.1 Legal Pluralism.....	8
2.2 Conclusion .....	11
3 Domestic violence in Cambodia .....	12
3.1 Domestic violence in Cambodia in comparison to the rest of the world .....	12
3.2 Acts of violence .....	12
3.2.1 Reporting and justification of violent acts in Cambodia compared to other countries	14
3.3 Acts of domestic violence in Cambodia.....	14
3.4 The history of violence in Cambodia .....	15
3.4.1 Individual consequences of a violent history .....	15
3.5 Circumstances which influence the risk of experiencing domestic violence.....	16
3.6 Conclusion .....	17
4 Efforts to reduce domestic violence.....	18
4.1 Governmental efforts.....	18
4.1.1 External funding .....	19
4.1.2 Effects of governmental efforts.....	20
4.2 NGO efforts .....	21
4.2.1 The Cambodian Women Crisis Centre.....	21
4.2.2 Projects against domestic violence.....	21
4.2.3 Effects of NGO efforts .....	22
4.3 Conclusion .....	22
5 Non-legal Cambodian norms.....	24
5.1 Customary norms for the households.....	24
5.1.1 Household economics .....	25
5.1.2 Public vs. private.....	26
5.2 Religious norms .....	27
5.3 Customary norms for the politics.....	28

5.3.1	Corruption .....	29
5.4	Conclusion .....	29
6	Processes of domestic violence perpetuation in Cambodia explained .....	31
6.1	Historical impact on the perpetuation of domestic violence in Cambodia .....	31
6.2	Analysis of the perpetuation of domestic violence in Cambodia .....	33
6.2.1	Improving the DV-law.....	34
6.2.2	Conflicting frameworks and mobilization of principles, laws and norms.....	35
6.3	Conclusion .....	39
7	Conclusion .....	40
8	References.....	42

## Abstract

Domestic violence is an often occurring phenomenon in Cambodia. In this thesis the approach of legal pluralism is used to explain the relation between domestic violence and the acts and statements of the Cambodian government. Multiple actors are involved within the domestic violence situation in Cambodia. Those actors can decide upon which framework they will base their acts and statements concerning domestic violence. Within this thesis, three different frameworks are discussed; the customary-household framework, the religious framework and the customary-political framework. Those three frameworks are co-existing and overlapping, which causes them to influence each other. The principles, laws and norms regarding domestic violence based upon the customary-household and religious framework are mobilized within the Cambodian society. Because those frameworks both normalize and justify acts of domestic violence, it has gained a normalized hegemonic meaning. This hegemonic meaning can explain the current persistence of domestic violence in Cambodia. Even though the Cambodian government claims to make an effort to reduce domestic violence, their acts and statements appear to be unable to stop the persistence. Still, the acts and statements of the Cambodian government are useful, because they are challenging the current hegemonic meaning of domestic violence. When the hegemonic meaning is decreased, it is possible for actors to shift from the customary-household- and religious framework, to the customary-political framework. This possibility however, is restricted, and depends on the mobilization of specific principles, laws and norms.

# 1 Introduction

Within this thesis the relation between domestic violence in Cambodia and the acts and statements of the Cambodian government is researched. Even though the Cambodian government claims to make an effort to reduce the amount of domestic violence in the country, Domestic violence is an often occurring phenomenon in Cambodia (Eng, Li et al. 2010). Despite of the policies they created and the international agreements they signed, almost 25 percent of the Cambodian women have once suffered from domestic violence (Royal-Cambodian-Government 2005, Cambodian-Ministry-of-Women's-Affairs 2008, Eng, Li et al. 2010). Frequent exposure to domestic violence can cause severe mental and health issues, for example injuries, permanent disabilities, chronic pelvic pain, depression, sexual dysfunction, eating problems and post-traumatic stress disorder (Khan 2000, UNDP-Cambodia and VBNK 2010).

## 1.1 Approach

The aim of this thesis is to formulate an explanation on the persistence of domestic violence in Cambodia and to look at how this persistence is affected by the policies made by the Cambodian government. The persistence of domestic violence can be examined by using multiple perspectives. Within this thesis, I will use a legal anthropological perspective to approach the persistence of domestic violence in Cambodia and the relation between this persistence and the acts and statements of the Cambodian government. The legal anthropological perspective makes it able to construct an understanding of the Cambodian situation concerning domestic violence. Furthermore, it researches the constellation of the multiple actors involved in this situation (Wedel, Shore et al. 2005). The anthropology of policy investigates the knowledge and perspective of the actors involved. Those actors can be for example, the Cambodian government, donors, NGOs and the Cambodian inhabitants. This investigation makes it possible to understand the activities and the decisions made by the involved actors concerning domestic violence.

In this thesis I will study the relation between the policy making of the Cambodian government, and the amount of domestic violence in Cambodia. In order to do this I will apply the theory of legal pluralism. Legal pluralism is an approach regarding the co-existence and interaction of multiple different policies, based on the different frameworks within the Cambodian society. In Cambodia, the prevailing principles, laws and norms are not only created by the Cambodian government. Like the legal anthropological perspective already displayed; there are multiple actors creating policies regarding domestic violence. Those policies are based upon a different framework than the one used by the Cambodian government. The interaction between the policies, constructed by different actors and based upon different frameworks, might explain the relation between the acts and statements of the Cambodian government, and the perpetuation of domestic violence in Cambodia.

## 1.2 Research questions

In order to reach the aim of this thesis, I formulated a research question which I will try to answer in this thesis.

*How come domestic violence is an often occurring problem in Cambodia, despite of the laws and policies created by the Cambodian government to reduce it?*

It is crucial to understand the dominant culture in Cambodia in order to reduce domestic violence and to successfully implement laws in society (Surtees 2003). To gain this understanding, three sub questions are formulated.

1. *In which forms does domestic violence in Cambodian occur and which circumstances increase the risk of experiencing domestic violence?*

This first question is asked in order to create a proper vision on the current Cambodian situation regarding domestic violence. I also have to look at the different norms and values of domestic violence at society level. Those different norms and values make people act like they do. Knowing the norms and values makes it easier to understand the dominant Cambodian attitude towards domestic violence. Studying the different norms might also give an insight in why domestic violence is still perpetuating in Cambodia. The second question is answered in order to gain this information.

2. *What norms are relevant within the Cambodian society and how can they be connected to domestic violence in Cambodia?*

Furthermore, it is important to know what actions, efforts and interventions are currently taken. This knowledge can give a more accurate vision on the efforts the Cambodian government and the NGO's make in order to reduce the amount of domestic violence in Cambodia. This knowledge will be gained by answering the third question.

3. *What are the current interventions to reduce domestic violence in Cambodia, and how do they work in practice?*

Finally, these three questions have to be connected which will lead to an explanation of the existence and perpetuation of domestic violence in Cambodia. Therefore, a fourth question is formulated.

4. *How are the forms and circumstances of domestic violence, the norms concerning domestic violence and interventions to counter domestic violence, related?*

### 1.3 Scope and limitations and methodology

A lot of research is done on domestic violence in western societies, however, information regarding domestic violence in Cambodia is limited. This means the amount of information, which can be used to answer the main and sub questions is limited. Information used for this thesis is gathered not only in scientific articles, but also reports, surveys, newspaper articles and other sources. Information has to be found concerning the current Cambodian situations, norms, actions and efforts, in order to be able to answer the main and sub questions.

Methods used to obtain the information used in this thesis differs. The first sub question requires literature on domestic violence within Cambodia. This information will be used to give a description of the current situation in Cambodia. Thereafter, the current Cambodian situation will be linked to the various violent situations of the Cambodian history. Next, information on the interventions taken by the Cambodian government regarding domestic violence, is inquired in literature in order to gain insight in the government's vision towards domestic violence. Also, Information on interventions taken by other organizations such as NGOs is inquired. This information is obtained through literature, web pages and leaflets. I will create an overview of the different domestic-violence-reducing efforts made by different actors. Finally, the public response toward the efforts will be studied. Information for this will be inquired from different articles. I will cover multiple perspectives

towards domestic violence, using information from varying resources. Thereafter, I will investigate the norms concerning domestic violence, used within the Cambodian society. In order to do so, I will inquire information on the Cambodian society in articles on the Cambodian society and on the Cambodian way of life. Information found in those articles, will be used to describe the interaction between the non-legal Cambodian norms and the vision of the Cambodian government concerning domestic violence.

The fourth sub question is combining the forms and circumstances of domestic violence, the non-legal norms, and the interventions taken by multiple actors on domestic violence. In order to answer this sub question, information gained by answering the previous sub questions is used. This information will be combined which makes it possible to construct a good analysis regarding the relation between the three aspects. This final knowledge will result into an analysis on the relation between domestic violence in Cambodia, and the efforts of the Cambodian government.

#### [1.4 Paper overview](#)

In the first chapter of this thesis, domestic violence will be introduced and the research question will be asked and explained. The following chapters will be used to answer the sub questions and finally the main question. In the second chapter the approach will be introduced which will be used in order to construct a good analysis on the relation between the persistence of domestic violence, and the acts and statements of the Cambodian government. Legal pluralism will be introduced and connected to the Cambodian situation regarding domestic violence.

The third chapter will describe the Cambodian situation regarding domestic violence. Different kinds of violence are discussed, and the Cambodian history concerning domestic violence is displayed. Thereby I will investigate which circumstances increase women's risk of experiencing domestic violence. Furthermore, the Cambodian situation concerning domestic violence will be compared to the domestic violence situation in other countries. This comparison makes it easier to estimate the severity of the Cambodian situation. Within this chapter, an answer on the first sub question will be formulated.

The fourth chapter will be used to provide an insight in the efforts made by the Cambodian government and the NGOs concerning domestic violence. Those efforts will be discussed and their effects on the Cambodian situation regarding domestic violence will be researched. Knowledge gained in the fourth chapter will be used to answer the second sub question.

In chapter five three different non-legal Cambodian norms, which are all influencing the Cambodian domestic violence situation are discussed. First, the customary norms for the Cambodian households are discussed, including the household's economics and the vision of Cambodian inhabitants concerning domestic violence. Thereafter, the Cambodian religion and the associated norms are discussed. Finally, the customary norms for the politics are evaluated, including the corruption of Cambodian officials. This chapter will provide an answer to the sub question on the different Cambodian norms regarding domestic violence.

In the sixth chapter, the information gained in the previous chapters will be used to construct a good analysis of the relation between domestic violence and the acts and statements of the Cambodian government. Furthermore, multiple reasons for the persistence of domestic violence will be discussed.

The last chapter of this thesis will provide in answers of the main and sub questions. A conclusion will be drawn concerning the relation between domestic violence and the Cambodian government.

## 2 Theory

Over the years, multiple efforts have been made in order to reduce domestic violence in Cambodia. Despite of those efforts, domestic violence is still perpetuating in Cambodia. In this chapter I will introduce the theories which I will use to explain this perpetuation of domestic violence in Cambodia.

Multiple approaches which can be used to analyse the domestic violence situation in Cambodia have been proposed in literature. In this thesis I will use only one approach to explain the Cambodian situation regarding domestic violence, legal pluralism. This approach provides in a perspective on how different policies, based on the norms and principles of the Cambodian local population, as well as policies created by the Cambodian government, are currently co-existing in Cambodia and how they are influencing each other. Finally, I will look at mobilization in order to explain what principles, laws and norms are used by actors, which of them will be put into practice and on which framework or field those principles, laws and norms are based. When elaborated at the end of this thesis, this approach, in combination with the aspect of mobilization, will lead to an explanation on the perpetuation of domestic violence in Cambodia.

### 2.1 Legal Pluralism

Legal pluralism can be defined as the co-existence of two or more different legal orders within one socio-political space (Mariano 2011), similarly, it is also explained as the constellation and complexity of different legal phenomena, like state laws, customary laws or customary practices and religious laws (von Benda-Beckmann 1996). This means not only state-, but also non-state actors create principles, laws and norms people live by. Therefore, people's perceptions and the rights they claim are hardly ever coming from one single normative framework. Legal pluralism also states there are multiple different law making actors involved in the construction process of different policies. This construction process happens at local, national, international and transnational level organizations, but also at non-governmental level. Especially in non-western countries, like Cambodia, notions of customary laws and practices are an important source of normality within their society. The existence of multiple different principles, laws and norms, derived from law making powers coming from different frameworks, are often causing contradictions between those specific principles, laws and norms. These contradictions might cause problems concerning which principles, laws and norms will be mobilized and which won't. This mobilization determines the efficiency of the policies, as explained later in this chapter. (Griffiths 1986, von Benda-Beckmann 1996, Mosse 2004, Comaroff and Comaroff 2009, Hospes 2012)

In Cambodia, different principles, laws and norms are arising which are formulated by different actors. On the one side there are the Cambodian inhabitants and their social networks and organizations, which are producing principles, laws and norms coming from both customary-household and religious frameworks. On the other side there are the principles, laws and norms formulated by the Cambodian government; those are based on a customary-political framework. All the different principles, laws and norms that are formulated by multiple policymaking actors and co-exist in Cambodia. This has consequences regarding the process of putting some of the principles, laws and norms into practice.

Moore discusses in her article the concept of the semi-autonomous social fields, which explains the legal pluralism approach (Moore 1973). According to Moore, the multiple different fields within one society, which are creating principles laws and norms, can be understood as semi-autonomous social

fields. Semi-autonomous social fields are different fields within a society which are affected by different perspectives. Moore defines those fields as fields of observation, meant to study law and social change within complex societies (Griffiths 1986). The different aspects by which fields are affected can be religion, the customary household rules and yet others fields are affected by the customary politics. Those different fields are developing principles, laws and norms, based on the aspects they are affected by. The principles, laws and norms constructed in the different fields do not just exist next to each other, instead they are overlapping. Furthermore, they are interacting with principles, laws and norms constructed in other semi-autonomous social fields. The different principles, laws and norms might complement each other; however, they are often contradicting and conflicting. (Moore 1973, Griffiths 1986, Comaroff and Comaroff 2009)

The different actors involved in the policy making process have to make a decision upon which framework or field they will base their decisions and statements. Once a framework or field is chosen it is possible for an actor to switch to another framework or field. However, this ability to switch between frameworks or field is limited and it depends on the mobilization of the principles, laws and norms provided with that specific framework of field. The aspect of mobilization will be explained later in this chapter. The ability to switch between different fields means people can sometimes reason and make decisions based on the religious semi-autonomous social field, and in a different situation they can base their decisions or statements on the customary-household semi-autonomous social field. The principles, laws and norms constructed based on the different semi-autonomous social fields are equally valid, their influence upon society however, is not equal. The effect of principles, laws and norms depend on their mobilization. (Moore 1973, Griffiths 1986, Mosse 2004)

When the principles, laws and norms based on different semi-autonomous social fields are contradicting and conflicting, it is impossible to entirely implement all the principles, laws and norms constructed in both fields. Which principles, laws and norms will be used by actors depends on process of mobilizing by the inhabitants (Moore 1973, Griffiths 1986). Mobilization is part of the link between a principle, law or norm and the people who are affected by this specific principle, law or norm (Black 1973). Whenever principles, laws and norms are mobilized, it means they are supported and implemented by the local population. When a principle, law or norm is not mobilized, it means the inhabitants are not ready or willingly to activate the legal process of that specific principle, law or norm. This lack of activations results into lack of power of the principle, law or norm within the society (Black 1973). Mobilization is thus the central aspect which defines whether or not a specific principle, law or norm will be successfully put into practice.

In specific situations, mobilized principles, laws and norms are combined to certain behavioural codes and are normalized. This means they can be implemented within the society and applied within the livelihoods of the inhabitants (Mosse 2004). This causes the users of mobilized principles, laws or norms are no longer able to identify the origin of the principles, laws and norms anymore. As a result, the mobilized principles, laws and norms are no longer part of a specific framework or semi-autonomous social field, instead they became part of the common behaviour, the culture and the daily lives of the performers. When this happens, it is called cultural hegemony. In short, cultural hegemony states that the hegemonic meaning of mobilized and normalized acts have become invisible for the performers. (Mosse 2004, Comaroff and Comaroff 2009). By the means of different examples, Comaroff and Comaroff explain in their article (Comaroff and Comaroff 2009) how normalization can lead to hegemonization, and how hegemonized actions can be debated by

outsiders, even though the performers are unaware of any strangeness or wrongdoing. This unawareness is caused by the normality of the performed actions.

However, before principles, laws and norms obtain a hegemonic meaning, they have to be mobilized first. In order to realize the mobilization process, there are some terms and conditions which need to be met by the concerned principles, laws and norms. First, people need to be able to identify themselves with the proposed principles, laws and norms. Inhabitants have to be aware of the existence of a problem, otherwise there is no need for them to mobilize a specific principle, law or norm which is supposed to solve a non-existing problem. In other words, the proposed principles, laws and norms have to meet the current needs of the inhabitants. Another requirement which needs to be met before mobilization can happen is for the principle, law or norm to have a great amount support from all actors in society. This support is needed in order to prevent any formulation of rebellion and resistance against the proposed policy. Finally, the consequences of the mobilization of specific principles, laws and norms are important. Mobilization can lead to the successful implementation of a principle, law or norm. However, mobilization can also have negative consequences like social disapproval. In extreme situations however, the mobilization of specific principles, laws or norms can even cause abandoning or social isolation. Together the identification, need, interest, consequences, support and lack of resistance makes a specific policy accepted. When a policy is accepted, it is possible to apply the policy, in a stable and dominant manner, in society. (Mosse 2004)

Some principles, laws and norms are not mobilized within the society. This can often be explained by a dissimilarity between the practices and rationalising models of those principles, laws and norms on the one side, and the overarching policy framework on the other. When those two are not similar, a lack of support and validation of the customary-political framework will arise. This will finally cause a lack of mobilization and interpretation of the principles, laws and norms in society. (Mosse 2004)

Finally, I want to come back to the semi-autonomous social fields and their application within the Cambodian situation regarding domestic violence. In the Cambodian domestic violence situation, there are multiple semi-autonomous social fields involved. All those fields are having their own principles, laws and norms. There are semi-autonomous social fields affected by the Cambodian religion or the Cambodian households. Other Cambodian semi-autonomous social fields are affected by the Cambodian government, constructing policies regarding the reduction of domestic violence in their country. Some of those Cambodian semi-autonomous social fields are conflicting with each other, and the principles, laws and norms they construct are contradicting. Within this thesis, I will look at how the principles, laws and norms constructed within different Cambodian semi-autonomous social fields are interacting and influencing each other. Besides, the possible mobilization of principles, laws and norms created within the different semi-autonomous social fields will be evaluated. Looking at the mobilization makes it possible to substantiate which semi-autonomous social field appears to construct the most effective principles, laws and norms regarding to domestic violence in Cambodia. Insights coming from this evaluation will lead to an explanation on why the policies constructed by the Cambodian government are not implemented in the Cambodian society and how this is related to the occurrence of domestic violence in Cambodia.

## 2.2 Conclusion

Within this chapter the approach is introduced which will be used to explain the current existence and continuation of domestic violence in Cambodia, despite of the efforts the Cambodian government made to reduce the domestic violence in their country. This approach, legal pluralism, is explained in this chapter and its relevance within this specific Cambodian case is displayed.

A lot of attention will be given to the overlapping of different semi-autonomous social fields and the way in which those different fields are interacting and influencing each other. Finally, the mobilization of the principles, laws and norms coming from the different frameworks and fields shows the influence ratio of the social organizations and networks, and the national policy making process as well as their matching frameworks.

Within the following thesis the above approach will be applied while researching the different social organizations and networks involved in the Cambodian domestic violence situations as well as their corresponding frameworks. All the other actors involved and their corresponding frameworks will be researched as well. Furthermore I will look at the aspects of those different frameworks, and how they are overlapping and influencing each other.

Finally I will research by which framework the mobilized principles, laws and norms regarding domestic violence are affected. Besides, I will look at the conditions of mobilization indicated in this chapter, and which one of them are met by the current principles, laws and norms on domestic violence. Mobilization is the key in this research because it makes it able to explain which principles, laws and norms are put into practice and which are not. When elaborated, legal pluralism and the mobilization of specific principles, laws and norms will lead to an analysis on why domestic violence is still perpetuating in Cambodia.

### 3 Domestic violence in Cambodia

In this chapter, domestic violence in Cambodia is introduced while making a comparison between the Cambodian situation regarding domestic violence and domestic violence in other parts of the world including other Asian countries. Furthermore, the Cambodian history will be discussed, this is needed to make a connection and comparison between the Cambodian history and current acts of domestic violence in Cambodia. The current Cambodian situations regarding domestic violence will also be explained by looking at different circumstances and features of the lives of Cambodian women, which increase the chance of experiencing domestic violence in Cambodia.

#### 3.1 Domestic violence in Cambodia in comparison to the rest of the world

Cambodia is currently one of the poorest countries in Asia. Cambodian life circumstances are bad, and the health conditions of the inhabitants are among the worst in the whole Pacific Region. (Yount and Carrera 2006). Violence against women is commonly accepted in Cambodian society (Surtees 2003). Threats like "I can kill you whenever I want, I could kill you and no one will ever do anything about it" appear to be not empty and are frequently used by Cambodian men towards their wives (Hardenbrook 2003).

Violence against women is not only a severe problem in Cambodia. All over the world populations struggle with violence and abusive spouse. Recently, the United Nations decided to recognize violence against women as a violation of the human rights. One specific form of violence against women is domestic violence (Heise, Raikes et al. 1994). The Cambodian government lately expressed their concern over the growth of domestic violence in their country (Eng, Li et al. 2010). Domestic violence often has both physical as well as mental consequences. The psychological impact of abuse is higher than the physical damage. Abused women are more often in need of psychiatric treatment than women who have never been abused. Asides from psychological and physical damage, another possible consequence of domestic violence is death. (Heise, Raikes et al. 1994)

All over the world people are experiencing domestic violence. In Latin America, the amount of women being physically hurt ranged from 40 to 52 percent. In Africa this amount shifts between 17 and 48 percent. And in Asia the amount of lifetime and recent physical domestic violence against women is high too (Yount and Carrera 2006). Cambodia's percentage of ever-married women between the ages of 15 and 49 years old, who have ever been beaten by a spouse is 18 percent (Yount and Carrera 2006) and almost 25 percent of all Cambodian women once suffered from domestic violence (Cambodian-Ministry-of-Women's-Affairs 2008). Other Asian countries like China and India, have high percentages of domestic violence as well. In China, 34 percent of the women has reported being a victim of domestic violence (Zhang 2009) and in India the 45 percent of ever-married women being beaten by a spouse is (Kocacik, Kutlar et al. 2007).

#### 3.2 Acts of violence

According to the Law on the Prevention of Domestic Violence and the Protection of Victims, domestic violence can be divided into four different acts of violence: physical abuse, sexual abuse, psychological abuse and economic abuse. (Khan 2000, UNDP-Cambodia and VBNK 2010).

Physical abuse includes all acts of physically violence. This includes slapping, kicking, beating, stabbing and burning but also violence with a weapon and murder are examples of physical abuse.

Finally, physical abuse also includes harmful practices towards women like genital mutilation and wife inheritance.

Sexual abuse includes all abuse related to sexual activities. Examples are coerced sex through threats, intimidation or physical force, being forced to have unwanted sex and forcing sex with others.

Psychological abuse includes intended intimidate behavior, which can lead to threats, abandonment and abuse. All different sorts of threats are included, for example threats to take away children, threats about destruction or abuse, and constant humiliation.

Economic abuse is defined as the denial of economic rights of a women. This includes the denial of funding's, refusing to contribute financially, denial of food or other basic (socio-economical) human rights and denying access to health care systems or employment.

Most domestic violent research focusses on the first act of violent, physical abuse. However, in many cases physical abuse is accompanied by both psychological and sexual abuse. Often they are all connected and all four different acts of violent are considered to be equally important (Khan 2000, UNDP-Cambodia and VBNK 2010).

Injuries caused by domestic violence can be divided into two categories: fatal and non-fatal outcomes. These non-fatal outcomes can be divided into physical health outcomes, like injuries, unwanted pregnancies, permanent disabilities, chronic pelvic pain etcetera, and secondly, in mental health outcomes. Examples of mental health outcomes are depression, anxiety, fear, sexual dysfunction, eating problems and post-traumatic stress disorder. (Khan 2000)

In Cambodia all the above named types of violence occur (Khan 2000, UNDP-Cambodia and VBNK 2010). However, most literature regarding domestic violence in Cambodia concerns psychological, physical and sexual violence. Approximately 25 percent of the Cambodian women reported having experienced some sort of psychological, physical or sexual violence once in their life. Of those women, 23 percent declared having those experiences the past year. In Cambodia, the most frequent act of violence is psychological. Of all the Cambodian women who reported to have experienced domestic violence, 17 percent involved psychological abuse. Most psychological violent acts in Cambodia are concerning public humiliation, swearing and threats. (Yount and Carrera 2006)

The second most frequent occurring act of violence within the Cambodian society is physical violence. Of all the Cambodian women who ever experienced domestic violence, 16 percent stated to be physically harmed by an abusive spouse (Yount and Carrera 2006). In Cambodia, those physical acts mostly consist of slapping and pushing. Besides, many victims of domestic violence receive different kinds of head injuries. One third of the abused women however, reports being threatened by their significant other with a knife or gun, and some are even tight up and beaten, sometimes with multiple different objects (Hardenbrook 2003).

The least common act of violence in Cambodia is sexual violence. Less than 4 percent of the Cambodian women who ever experienced domestic violence stated to be sexually harmed (Yount and Carrera 2006).

Not in every Asian country are the percentages, concerning the different acts of violence, divided the same as in Cambodia. In multiple Asian countries, it appears physical abuse is more often occurring than psychological abuse. In India for example, of all the women who reported having experienced domestic violence, 31 percent declared being physical abused (Kimuna, Djamba et al. 2012). This same applies to China, of all the Chinese women who declared having experienced domestic violence, almost 35 percent stated to be abused physically (Zhang 2009).

### 3.2.1 Reporting and justification of violent acts in Cambodia compared to other countries

Of the all the Cambodian women who have ever suffered from domestic violence, 89 per cent did never officially report the domestic violence (UN-Women 2011). This percentage is growing, in 2005 approximately 62 percent never reported domestic violence and in 2009 this percentage grew to 81 percent (Kent 2011). The amount of reports of domestic violence acts might depend on the justification of those acts. Whenever victims of domestic violence justify the violent acts used against them, or when women agree with their husband that she needed the punishment, they are less likely to report the domestic violence. Other reasons for not reporting domestic violent acts might be corruption, which will be addressed in chapter 4, anxiety for the abuser, being ashamed because of the violence, religion. Some women in Cambodia believe their report will not be taken seriously, which makes sending in a report a waste of time and energy. (Hardenbrook 2003, Bhuyan, Mell et al. 2005, Walsh 2007, Kent 2011, Neang 2013).

Compared to other ethnic groups originated from similar Asian counties like Laos, China and Vietnam, the Cambodian inhabitants most often justify domestic violence in certain situation and are less likely to consider leaving or divorce a violent spouse (Bhuyan, Mell et al. 2005). A lot of Cambodian inhabitants often accept and agree with domestic violence, it is seen as a normal family issue, "common but not considered to be okay"(Bhuyan, Mell et al. 2005). The amount of Cambodian women who agree with the statement "husband is ever justified to beat his wife", is more than 56 percent. Especially in situations when a women goes without telling her husband (30 percent), and situations in which a women neglects her children (32 percent), Cambodian women agree beating is justified (Yount and Carrera 2006).

## 3.3 Acts of domestic violence in Cambodia

Currently, 25 percent of the Cambodian women reported having experienced some sort of psychological, physical or sexual violence once in her life. The most common act of violence is psychological violence, closely followed by acts of physical violence. The two quotes below provide into examples of Cambodian situations in which violence occurs. The first quote concerns physical violent acts, and the second regards psychological acts of violence. Those quotes give proper examples of violent households in Cambodia, and how women are treated when domestic violence is present.

This quote derived from a CAMBOW report on the life of a 35 year old woman. Her marriage is changed from a happy non-violent marriage into one in which she is a victim of domestic violence. This quote describes a situation in which domestic violence occurs and in what form (CAMBOW 2007): *"I have been married to my husband for 7 years. For the first two years of our marriage my husband and I were very happy. However, after around two years, my husband started to become violent with me. He started beating and insulting me. He would keep a big knife near him at all times*

*and he would constantly threaten that one day he was going to kill me. I believed him. Some days he beat me so badly I could not stand up”.*

The example below describes an act of psychological violence. In this quote, displayed in the article by Bhuyan, Mell et al. (Bhuyan, Mell et al. 2005), a women describes the domestic situation of her friend, who is experiencing the deeds of an abusive spouse. She explains: *“I have a friend who is abused by her husband. She is not allowed to go anywhere. In the dawn, she is ordered to cook foods and bring them on the food tray to him as well. She has to sit down by folding her legs as well [proper way for a woman to sit down on the floor in the Khmer custom]. She has to iron his clothes when he is going places. She is forbidden to finish washing and ironing all clothes. She has to call him in a polite manner. She is forbidden from saying harsh words. One day he has a girlfriend. She would not dare to say anything even when he has another women. He brings that girl to sleep in their bedroom. He lets her [his wife] sleep outside. She would not dare to say anything. If she does, he beat her up while she as to sit in a leg-folding manner”* (Bhuyan, Mell et al. 2005).

### 3.4 The history of violence in Cambodia

During the late 1960’s and early 1970’s, Cambodia’s politics and economics declined due to prior years of ineffective leadership during the period of French colonization (Nathanson 1998, Kraynanski 2007). This situation worsened because of the bombardments which came along with the invasion of forces derived from the United States and South Vietnam (Nathanson 1998, Kraynanski 2007).

After this period, the Khmer Rouge gained control over Cambodia in 1975 and remained in power until 1979. The Cambodian population thought the Khmer Rouge would end the former years of conflict and death. What was thought to be a new and fresh beginning for Cambodia, turned out to be another period full of hardship, cruelty and death (Kraynanski 2007). The Khmer Rouge encouraged all sorts of brutalities against the Cambodian population (Bhuyan, Mell et al. 2005). During the rule of the Khmer Rouge, violence became a way of life. Children learned that the social order was based on acts of violence and punishment and they were encouraged to turn in their parents whenever they misbehaved. Domestic violence became a way to survive during this period of time (Walsh 2007). During the rule of the Khmer Rouge a lot of Cambodian inhabitants died in the so-called death camps and were buried there at burial sites. These sites are now known as the Killing Fields. All the invasions, foreign occupations and civil wars made Cambodia into the country it is today (Yount and Carrera 2006).

At that time, violence became a regular and common happening within the Cambodian society. Because of the big amount of violence during the rule of the Khmer Rouge, it became an integral part in today’s Cambodian social order (Walsh 2007). The use of violence never completely left the Cambodian culture (Walsh 2007), as will be discussed later in sub chapter 5.1. Currently, the Cambodian society is influenced by people’s individual history and since the revolt and ruling of the Khmer Rouge happened less than a lifetime ago, the people’s own history is often entwined with acts of violence.

#### 3.4.1 Individual consequences of a violent history

Children who grew up during the rule of the Khmer Rouge experienced a violent childhood, and violence might now have become a common aspect of their lives. Witnessing abusive situations as a child, will lead to strong feelings of helplessness, anger, shame of guilt and finally to the

normalization of violent acts (Diop-Sidibé, Campbell et al. 2006, Yount and Carrera 2006). Approximately 40 per cent of the children who witnessed domestic violence do believe it is sometimes justified (Miles and Varin 2005). Those children often agree with their parents when they are themselves beaten by them. One child stated: "Yes, they should, because the children make the mistake, make them angry" (Miles and Varin 2005).

Children and adolescents who experienced and survived the rule of the Khmer Rouge period often experience post-traumatic stress disorder. When people have a post-traumatic stress disorder, the trauma of the past was too big for the brain to process. This might lead to mental illness including flashbacks, nightmares, memory impairment and disposal (NIMH). People with Post Traumatic Stress Disorder have an increased chance to experience domestic violence (Berthold 1999).

The violent experiences of the past kept playing a role in the lives of the Cambodian survivors of the Khmer Rouge regime (Berthold 1999). Children growing up during the rule of the Khmer Rouge have frequently witnessed violence. Due to the normalization of violent acts in the lives of those children, they are likely to pass those violent influences and experiences on to the next generation, and so on (Widom 1989). This passing on also occurs because the children who grew up during the rule of the Khmer Rouge, did not have caring parents (Ministry-Of-Women's-Affairs 2005), which means they miss that experiences which makes it hard for them to become caring parents themselves. Situations in which violence is perpetuating into later generations due to frequent violent early life experiences or the lack of caring parents are referred to as 'the cycle of violence' (Widom 1989). However, it must be noted that frequently experiencing violence during childhood does not automatically lead to violent acts later in life. The chances of experiencing and committing violence only increases when violent situations are frequently experienced as a child (Widom 1989). It is found in literature that it might take multiple generations before this violent way of life will change. The violent effects will decrease over the generations, but it will take years before it is completely gone (Widom 1989, Yount and Carrera 2006).

### 3.5 Circumstances which influence the risk of experiencing domestic violence.

Although domestic violence is still experienced by a lot of Cambodian women, not every woman has the same risk in getting involved with domestic violence. Certain events or features are known to increase a woman's chance to ever experience domestic violence in her life. Those events or features might occur within specific groups of women or with women who have had certain life experiences.

As explained in sub chapter 3.4, the Cambodian history is of influence whenever domestic violence is discussed. In some cases, specific historical events do increase the risks of women to experience domestic violence. The Ministry of Women's Affairs mentions a household survey of Cambodia in 1996, which shows women born between 1946 and 1960 are 20 percent more likely to experience domestic violence (Ministry-Of-Women's-Affairs 2005). This increased risk of experiencing domestic violence within that age group is caused by the Cambodian history and their experiences with the rule of the Khmer Rouge which ended in 1979, 17 years prior to this Cambodian household survey. This means, the people who have a higher risk at experiencing domestic violence were between the ages of 19 and 33 when the rule of the Khmer Rouge ended. Those people have consciously experienced their rule and were old enough to remember that period. LICADHO, the Cambodian League for the Promotion and Defence of Human Rights, notes: "women who came of age during the

Khmer Rouge period reported significantly higher rates of domestic abuse" (Ministry-Of-Women's-Affairs 2005).

Individual historical situations do also influence the risk of experiencing domestic violence. Women who have experienced domestic violence in her past, for example father-to-mother violence, are more likely to experience domestic violence later in life too (Yount and Carrera 2006). A women's decent also influences her possibilities to come into contact with domestic violence. Cambodia's poor suffer excessive. Women originating from low households standards of living more often come into contact with domestic violence after their marriage, compared to women originated from middle of high classes of the Cambodian population (Yount and Carrera 2006). Women originated from the poorest 20 percent of the Cambodian society are the most likely to experience domestic violence due to an abusive spouse (Kishor and Johnson 2006).

Furthermore, women who live far away from her own family after marriage have a higher risk of experiencing domestic violence compared with women who will live close to her family home after marriage (Ong 2011). Finally, it is found that domestic violence occurs more frequently in households with a controlling husband. Husband control means the husband exercises power and control over the social activities of his wife. The risks for domestic violence increases, when a women has to ask her husband for permission whenever she wants to undertake any social activity. (Eng, Li et al. 2010)

### 3.6 Conclusion

Domestic violence is an often occurring phenomenon, not only in Cambodia but all over the world. There are differences between the violent acts occurring in the Asian countries. Often, violent acts concern physical violence. In Cambodia however, the most act of violence are psychological, closely followed by physical acts of violent. There appears to be certain features which contributes to the probability of domestic violence occurring within a women's life. Those features concern the near Cambodian violent history, the amount of husband control, a women's decent and her past experiences and finally the distance between her place of living after marriage and her parental home.

## 4 Efforts to reduce domestic violence

The Cambodian government, as well as multiple different non-governmental organizations, is aware of the amount of domestic violence in Cambodia. They both claim to make an effort to reduce domestic violence within Cambodian households, those efforts will be discussed within this chapter.

### 4.1 Governmental efforts

The Cambodian government is making an effort to reduce domestic violence and to ensure there is no impunity for abuses and violent spouse. They include the reduction of domestic violence in Cambodia to their own Cambodian Millennium Development goals (Ministry-Of-Women's-Affairs 2005) and they created different laws regarding the reduction of domestic violence. In September 2005, a new law was enacted to the Cambodian legislation; the Law on Prevention of Domestic Violence and the Protection of Victims, also known as the DV law. This law gives the following definition of domestic violence; "violence that happens and could happen towards: husband or wife, dependent children, or persons living under the roof of the house and who are dependent on the household" (Palk 2007). With this law, power is given to the Cambodian police to intervene in cases of domestic violence. The law provides in a legal mechanism to prevent domestic violence, to protect the victims of domestic violence and at the same time, this law tries to keep the harmony within the households (Royal-Cambodian-Government 2005). The DV law is another tool which can be used to fight domestic violence (Palk 2007) and to strengthen the recourses which are available to those victimized by an abusive spouse (Walsh 2007). The DV law clarifies that "domestic violence used by spouses or concubines is a criminal offense and imposes a higher punishment on its commitment" (Menzel 2012). This clarification makes domestic violence an official crime, recognized by the Cambodian law, which makes it easier for authorities to intervene in domestic situations in which violence occurs.

This is also showed in article 9 of the DV law, which gives the nearest authorities in charge the duty to urgently intervene in case domestic violence occurs or when it is likely to occur. Those authorities have to make a clear record of the situation, and report that to the prosecutors in charge (Royal-Cambodian-Government 2005). The authorities also have the right to move the abusive spouse or the victim from the violent scene to a safer place. Furthermore, the authorities in charge are legalized to take the weapons or objects used by the abusers and to use them as evidence against the offender in case of a trial. Finally, it is also enshrined in the DV law that victims of domestic violence should be given the opportunity to be educated and informed about domestic violence and about the DV law (Royal-Cambodian-Government 2005). This will increase the local knowledge about the law, and might also increase its effectiveness. This means the DV law does not only make interference in domestic situations possible and legal, but also provides victims of domestic violence with alternative places to go and with information regarding violence and the DV law.

Aside from creating policies, the Cambodian government addresses domestic violence in more ways. In November 2010, the Ministry of Women's Affairs started a campaign to raise awareness towards domestic violence. This campaign, called the white ribbon campaign, has as ultimate goal to end domestic violence, to raise public awareness and to implement the DV law (Kunthear 2010, White-Ribbon-Campaign 2010). A secretary of state at the ministry explained: "our campaign will start to educate students in six universities and distribute leaflets to inform people ... that we have to work together to end domestic violence" (Kunthear 2010).

Not only at the national level, but also at the international level actions are taken by the Cambodian government regarding domestic violence within their country. According to a report created by UNICEF regarding domestic violence, a government should not commit human rights violations, instead they have to respond to violations of human rights and try to prevent those from happening. This report states that the government has to take preventive and punitive steps when violent situations within household occur (Khan 2000). Not only UNICEF has this opinion, other international organizations, like the United Nations have created multiple treaties which aim to reduce domestic violence and violence against women in general. Examples of such treaties are United Nations Charter, the Universal Declaration of Human Rights and the Convention for Elimination of all forms of Discrimination Against Women. The Cambodian government has signed those three international agreements (Hardenbrook 2003, Menzel 2012). They declare men and women to be equal and have equal rights in Cambodian society. When women's rights are equal to those of a man according to the law, women are expected to be treated more equal within the households too. This is meant to result in a reduction of domestic violence (Hardenbrook 2003). The strength on those agreements rest on international consensus as well as on the vision that all practices harming women or girls, no matter how deeply embedded in the dominant culture, should be eradicated (Khan 2000).

Even though international agreements are signed by the Cambodian government and national policies are created, gender discrimination and domestic violence are still common phenomena in Cambodia. Gender discrimination and domestic violence are often related because gender discrimination leads to social ideals about male and female relationships and skewed power relations, which, in turn, leads back to domestic violence (Hardenbrook 2003).

#### 4.1.1 External funding

The Cambodian government is receiving external funding's coming from donors. Those external funding's form a large part of the government budget. In 2010 the funding provided by donors accounted for 77 percent of the total capital spending (Kimchoeun 2011). The external funding is compensating for the low budget of the Cambodian government. This low budget makes it hard to carry out all the necessary public service activities regarding domestic violence. Activities which are carried out appear to have limited substantive outcomes because they had to be developed with a limited budget. (Sokbunthoeun, Sedara et al. 2013). An official from the Ministry of Women Affairs explained: "*We have very little government budget, which mainly covers administrative cost. Most of the activities depend on donor's funding*" (Sokbunthoeun, Sedara et al. 2013). These external funding's is given to the Cambodian government by donors, which include NGO's, who are mainly concerned with poverty reduction strategies and are highly influenced by the Millennium Development Goals. So, because of the big contribution NGO's give to the Cambodian government, their policy making process is greatly influenced by NGO policies (Jönsson 2008). In 2002, a large number of the Cambodian commune projects were funded by both NGO's and line departments. It that year, it appeared that projects initiated by the commune, received less funding than projects proposed by the NGO's and line departments. (Rusten, Kim Sedara et al. 2004).

Even though the political power in Cambodia is currently centralized and the power of implementing and improving specific projects and policies lies officially completely with the Cambodian government, they do not have sovereignty. Donors introduce different rules, norms, practices and agendas and the Cambodian government has to follow the wishes of the donor concerning the creation of certain laws and policies because they are dependent on the external funding given by

them. If not obeyed, those donors will put pressure on them and might threaten with lowering their funding's (Merry 2006, Kimchoeun 2011, Paling 2012, Sokbunthoeun, Sedara et al. 2013).

#### 4.1.2 Effects of governmental efforts

The governmental policies are influenced by external donors and NGO's due to the external funding they receive and need. These policies are often designed at global scale, which creates streamlined solutions covering international issues. These solutions are meant to be used for both national and local problems, therefore they are not very specific (Jönsson 2008). This can become problematic because adjustment is important within the implementation process (Surtees 2003). It is currently stated that Cambodia's external donors are not pleased with the slow progress of the government's reform processes regarding domestic violence. They want to see improvements of the livelihoods and conditions of the Cambodian inhabitants (Jönsson 2008). The donors are also aware of the amount of corruption inside the Cambodian government, which is discussed within the sub chapter "Customary norms for the politics" at page 28. The external donors are not satisfied with the amount of corruption (Un 2011), since corruption is weakening the law enforcement of the Cambodian government (UNDP-Cambodia and VBNK 2010). This explains why the Cambodian government has a hard time putting policies into practice. Those policies include both the policies partly formulated by the external donors and their own laws and policies regarding domestic violence.

It is estimated that between 100 and 300 million dollars a year is lost due to corruption in Cambodia. Most of this money is provided by donors, which is one of the reasons Cambodia is receiving less money from external donors (Neang 2013). In 1997, the amount of money lost due to corruption, led to the cancellation of a 60 million dollar loan from the International Monetary Fund which was meant for the Cambodian government. Later, also the World Bank decided to decline their budgetary support, for the same reasons as the IMF (Neang 2013).

The donors blame the corruption to the lack of anti-corruption legislations and institutions (Un 2011). However, the lack of law enforcement makes it hard for the government to put laws regarding corruption reduction into practice. (UNDP-Cambodia and VBNK 2010). Still, the Cambodian government is aware of the dissatisfaction of its donors and the danger of losing them. Prime Minister Hun Sen recently stated: "if we don't ban corruption, we will lose investment and we will die" (Neang 2013). An attempt has been made by the Cambodian government to reduce the amount of corruption in their country which resulted in the creation of the first anti-corruption law in 1994. This law was realized in 2010. The effectiveness of this law is doubtful because of the lack of control and lack of juridical independence to implement the law. (Un 2011). Corruption is also noticeable in laws regarding domestic violence, its existence makes implementing laws like the DV law harder (Walsh 2007).

The people who suffer the most from the consequences of corruption are the poor. The poor are lacking money which makes it impossible for them to compete against wealthy bribe-takers. Furthermore, perpetrators of corruption are often only serving their own goals. The consequences their acts might have for others, is often not considered (Neang 2013). The Cambodian poor are currently more often protesting against their situation and insist on their human rights. Such protests are expressive because they show that the poor increasingly feel they are let down by the people with power. They feel that the powerful people in the country should respond adequately to their situations and grievances. Within these kinds of situations the legitimacy of the government is undermined because

they fail to respond to the calling of the country's poor (Hughes and Conway 2003). For the Cambodian poor it is hard to access the legal system or the rule of law. This results into accusations of the poor towards the Cambodian government. The Cambodian poor are accusing the Cambodian government to only work for its rich inhabitants, while they forget the poor victims. A Cambodian local explained: "we are so poor, we have no power...We have no money and even if we complain to the court, we will lose" (Kent 2011).

## 4.2 NGO efforts

Several legal aid organizations in Cambodia are actively trying to help Cambodian domestic violence victims by providing free advice, shelters and information. An example of such an organization is the Cambodian Defenders Project, a Cambodian NGO active since 1994. The CDP tries to realize equal justice for everyone. They do not believe justice is only meant for the rich and they try to equalize the law for everyone. The CDP declares on their website: "we work with many of partners to promote the full range of human rights for all Cambodian people by providing legal representation to the poor and vulnerable, and by strengthening the institutions required for a liberal democracy and for the rule of law" (CDP). In 1999 multiple other Cambodian NGO's developed the 16-Day campaign which is an annual campaign to raise awareness and support all around the world for violent issues. Especially young people, students and workers are participating with this campaign and make an effort to spread the message of non-violence (Cambodian-Men's-Network 2010).

Two different NGO's are important in the discussion regarding acts against domestic violence within Cambodia: the Cambodian Women's Crisis Centre (CWCC) and Project Against Domestic Violence (PADV). These two NGO's provide direct help and services to victims of domestic violence (Palk 2007) and have, over the years, developed appropriate interventions regarding domestic violence in Cambodia (Surtees 2003).

### 4.2.1 The Cambodian Women Crisis Centre.

The CWCC, established in 1997, is an organization created to respond to the overwhelming rate of violence against women in Cambodia and to the impunity which came along with the violence. The CWCC supports women and children who are victims of domestic violence, and facilitates survivors of domestic violence with information to make choices which meet their needs and interests. For example, decisions which are made frequently regarding whether or not an abused women stays with her husband or decides to get a divorce and leave him behind. This choice can be conceptualized as a choice between victim, staying with their husband, or agent, leaving him and getting a divorce. (Surtees 2003). When the abused woman decides to leave her husband and to get a divorce, the CWCC helps to ensure her safety (Palk 2007). The choice to get a divorce and leave entails a lot of effort and consequences. "Women in Cambodian society feel they must tolerate violence to keep their families together and to make a good life for their children, but it is even more difficult in the countryside, for if they divorce, they will need to fight very hard to survive." (Henderson 2013)

### 4.2.2 Projects against domestic violence.

PADV's goal is to provide resources, information and training agencies (Surtees 2003). In 1994, the organization states the first milestone regarding the reduction of domestic violence was achieved. It conducted a first qualitative study regarding domestic violence, called *Plates in a Basket Will Rattle* (Walsh 2007). This report showed domestic violence in Cambodia was very widespread and most violence towards women was extreme and varied between "severe and unrelenting beatings,

including punching; kicking; hair-pulling; whipping with ropes, bamboo canes, metal rods and cords; immolation; rape; stabbing and gunshots". During its research, PADV noticed that abused women were ashamed of their family situation and for that reason, kept quiet about the abuse. At that time, little help was given to abused women from different NGO's and the state. Reasons for this ignorance are the lack of awareness of domestic violence being a severe and social problem. (Walsh 2007)

Today, PADV is raising public awareness towards domestic violence and makes an effort to let the Cambodian government and its inhabitants recognize domestic violence as a public, instead of a private issue. This is sought by producing creative information materials concerning domestic violence like videos, posters, radio announcements and television shows. An example of a PADV awareness-raise action was their national theatre tour in 1998. This tour consisted of a play in which domestic violence was, in a subtle way, raised and explored as a public issue and an offensive act. (Surtees 2003)

#### 4.2.3 Effects of NGO efforts

Both the CWCC and PADV have formulated actions and interventions which mesh with the prevailing Cambodian norm, while at the same time challenging the acceptance of domestic violence (Surtees 2003). This may seem contradicting, but the adjustments created by the CWCC and PADV do not harm the current Cambodian culture. The CWCC and PADV both make the situation for violated women better and raise more awareness for domestic violence. For example, the national theatre tour of PADV did not claim domestic violence is bad. Instead it showed the difference between a happy non-violent family and one in which domestic violence did occur. The national theatre show was well received by its audience and resulted in conversations among Cambodian inhabitants about abusive domestic situations and human rights. This made domestic violence less taboo and at the same time a more public issue. (Surtees 2003)

The CWCC created shelters in Phnom Penh, to which women can flee whenever they decide to leave their abusive spouse. The existence of those shelters, created a real possibility for Cambodian women to leave their domestic situation. The knowledge of having another option, gives women a more realistic choice on whether or not to stay with her husband. If there would be no such things as shelters, the women would have no place to go to when she decides to leave, so she has to stay in the violent situation anyway. Still, more shelters are needed. Currently, most shelters can be found surrounding Phnom Penh, but shelters should also be available in Cambodians rural areas (Surtees 2003).

Both the CWCC and PADV, create small changes in society and culture, which all together might cause a big shift in the Cambodian society and attitude towards domestic violence.

### 4.3 Conclusion

In this chapter the governmental and NGO efforts regarding domestic violence in Cambodia are described. Both are making efforts to reduce domestic violence. The Cambodian government has created the DV law. This law states domestic violence to be an official crime, which has to be reduced. Furthermore, the Cambodian government has signed multiple international agreements which should contribute to the reduction of domestic violence. However, the decisions of the Cambodian government are bounded to certain wishes of the donors providing them with external funding's. Since those funding's account for 77 percent of the total capital spending, the influence of

the external donors is very high. In addition to the efforts of the Cambodian government to reduce domestic violence, NGOs also try to decrease domestic violence in Cambodia. The CWCC and the PADV making an effort to reduce domestic violence and to improve the lives of violated women and children in different ways. They are raising more public awareness and creating alternative places to go for violated women and children. Those efforts appear to be successful, but should be more widespread over the Cambodian country. In order to reduce domestic violence, the Cambodian government and the NGOs are fighting the normalization of domestic violence in Cambodia, and counter the customary norms of the households as well as the religious norms.

## 5 Non-legal Cambodian norms

Multiple different norms are affecting the acts of Cambodian inhabitants, the Cambodian policy and its turnout, all regarding domestic violence in Cambodia. Those norms are defined within different aspects of the Cambodian lives and social networks. There are norms concerning the acts of violence, and norms concerning the supervision of those acts. Within this chapter three different kind of norms are discussed. The customary norms for the Cambodian households, the norms regarding the Cambodian religion and customary norms for the politics. Furthermore, this chapter will discuss corruption, because it is a consequence arising from the customary-political norms and the view Cambodian inhabitants have regarding the governmental policies. Another important issue forthcoming in this chapter, is the discussion whether or not domestic violence is a public or private issue.

### 5.1 Customary norms for the households

Rebecca Surtees highlights in her article (Surtees 2003) the importance of the customary norms within a country, while searching for appropriate actions regarding domestic violence. She states that specific anti-domestic violence interventions, which may be very successful in some countries, might fail in Cambodia because the intervention does not fit within the dominant Cambodian culture. "Understanding is the key to finding a solution". (Surtees 2003)

The understanding of customary norms for the households and ideologies is indeed of importance. Those norms can express into situations in which (domestic) violence against women is legitimate or socially accepted (Khan 2000). In Cambodia, abusers are often not punished for their deeds, because domestic violence is socially accepted and fits within the Cambodian culture. The social acceptance of domestic violence occurs from the different gender roles in Cambodia (Eng, Li et al. 2010). These different gender roles can be indicated by a popular Cambodian saying in which men are compared to gold, and women to white cloth, "dirt washes off men but women remained stained forever" (Kent 2011).

Men are believed to be the superior sex and they are dominating the culture. Generally, a man can do as he pleases without having to explain himself to others and specifically not towards women. Women, on the other hand, are supposed to obey their husbands and to endorse themselves to the dominant roles of their husbands (Eng, Li et al. 2010). Even more, most Cambodian males feel like it is their right and duty to beat their wives for 'legitimate' reasons. Those legitimate reasons often focus on wife failures during the fulfilment of their family- and housing tasks. Examples of women failures which require punishment are preparing unappetizing food and being sexually unrepresented. (Surtees 2003)

To summarize: Cambodia is a society dominated by men; a society in which a man is allowed and expected to use certain types of violence to make sure their women and their relationship are well controlled.

The acceptance of domestic violence goes further than only Cambodian men. As said above, within the Cambodian society women are expected to obey their husbands and to endorse themselves to the dominant roles of their husbands (Eng, Li et al. 2010). Research shows that over 56 percent of the Cambodian women agree with domestic violence and believe that a husband is justified to beat his wife (Yount and Carrera 2006). Even in the most severe and harmful cases, Cambodian inhabitants believe that yelling, cursing insulting and even abuse and murder can be justified (Walsh 2007).

Abusive situations can be very extreme and can go much further than beating and kicking. Situations occur in which women are burned, chocked, hit with objects, harmed with knifes or guns and even harmed due to acid throwing (Walsh 2007). A survey done by the Ministry of Women Affairs with Cambodian locals in the year 2005, found 95 percent of the respondents considered those extreme acts illegal. Still, one third of the Cambodian respondents considered them sometimes acceptable, for example when the wife argues with the husband or does not show him enough respect (Ministry-Of-Women's-Affairs 2005).

Cambodian women live by a cultural code; the *Chbap Srey* ("Rules of Women") (Eng, Li et al. 2010). The *Chbap Srey* is based on ancient Cambodian wisdom and Buddhist teachings (Walsh 2007). It provides into cultural reasons for a women's acceptation of domestic violence in Cambodia. The *Chbap Srey* is a code which has long been used in the Cambodian education system as curriculum for junior high students. It consists of codes of conduct which have to be followed by every girl or women in Cambodia (Eng, Li et al. 2010). The *Chbap Srey* advises women to "follow their husband like a slave; dread your husband's hear for fear of otherwise being insulted or beaten; cook well and never dare to eat until your husband returns home; suppress your emotions to avoid the risk of having your husband insult you; even if your husband has a terrible temper, you must never dare to reply" (Surtees 2003). Rules related to the code are for example talking softly, walking softly without making any sound, sitting nicely and appropriate with both legs to the side. Women are not allowed to scream or yell and women have to obey and please their husband at all-time (Eng, Li et al. 2010). The *Chbap Srey* gives an impression of the vision of Cambodian inhabitant's towards their society, in which women are encouraged to submit to abuse and men are taught abuse is acceptable (Hardenbrook 2003).

In Cambodia, domestic violence is often put down as the women's fault, which leads, during abusive situations to the question "what did the women do to deserve this punishment?". The overall mind set of Cambodian inhabitants in relation to domestic violence indicates that women are more likely to have done something wrong to deserve the punishment, instead of them being innocent or too harshly treated when punished. (Surtees 2003, Menzel 2012)

Abusive husbands are often supported by society, their behavior is expected of them. Domestic violence against women is justified whenever men decide it is necessary. Women are expected to behave in a certain way and when they fail to do so a man is allowed to punish her in any way he deems to fit (Surtees 2003). Whenever a woman tries to resist her husband's control, he may use violence to subdue that woman to his control. When she is subdued to the control of her husband, he may still use violence to show her that no matter how hard she tries to submit to his wishes, he will always be in control of her and nothing will reduce his amount of power over the situation (Eng, Li et al. 2010).

### 5.1.1 Household economics

In Cambodia, women often lack economic resources which makes them dependent on their husband and vulnerable to violent situations (Khan 2000). The lack of economic resources may be connected to the Cambodian customary norms for the households, because husbands do not want their wives to have good jobs that be of influence on the economic situation within the household. Wives have to behave according to the *Chbap Srey*, which leaves no time for employment. This makes women often experience threats of violence and fear to be victimized while expressing their desire to have a job. Those threats and fears keep them from searching for employment, or it makes them more

eager to accept low paid jobs or home-based exploitative labour (Khan 2000). Economically active and independent women are seen as a threat to the male population (Walsh 2007). When women are employed and do earn money for the family, men might become dependent on a women's income which is experienced as being a shame (Walsh 2007). Due to this dependence, the husband might lose both his ultimate decision making power as well as his status as head of the household. The more money is earned by the female, the more influence she will get in the household decision making processes as well as in the whole household. In situations in which a women is gaining power within the household, power struggles do often arise. Those struggles might cause the husband to feel the need to hold on to his own power within the household as well as in the household decision making process. (Walsh 2007)

### 5.1.2 Public vs. private

Another issue related to the Cambodian customary norms for the households concerning domestic violence is the dominant view of Cambodian inhabitants towards domestic violence. Domestic violence is by Cambodian inhabitants commonly considered to be a private and family issue, which goes beyond the state law and which should be kept from outsiders (Surtees 2003, Bhuyan, Mell et al. 2005). This dominant view towards domestic violence declares whey so little victims officially report acts of violence. Due to this current and dominant view, families are investing a lot of effort into the avoidance of a public dispute regarding domestic violence. Whenever domestic violence is out in the open it will harm the pride and bring shame to the family (Walsh 2007). A Cambodian woman explained this: "When our family has a fight, we can't let outsiders know. We just want to keep it in our family" (Bhuyan, Mell et al. 2005).

Still, almost 74 per cent of the Cambodian women are aware of domestic violence happening in other surrounding families. One Cambodian woman explained: "It happens a lot, to my friends, to my family... Many women in Cambodia are hurt by husbands" (Surtees 2003). A woman, who herself is a victimized due to domestic violence states that evidence of violence against women can be seen everywhere "I know many women who have been assaulted—look at our eyes and you can see how it is. It is a shame, but I am poor and I need to survive" (Henderson 2013).

This current and dominant approach towards domestic violence makes it often unchecked (Walsh 2007) and makes it more difficult to reduce the amount domestic violence in Cambodia. When domestic violence is considered to be a private affair, society can ignore the gendered nature of domestic violence. Surtees describes that appropriate addressing of domestic violence is only possible when the dominant view towards it changes from a private into a public issue (Surtees 2003). Dr. Ing Kantha Phavi, minister of Woman Affairs of Cambodia, confirms this in a survey on violence against women (Ministry-Of-Women's-Affairs 2005).

If domestic violence would be a more public and open issue, different parties could work together more efficiently towards its decrease. Fighting an issue which is out in the open and considered as a societal problem is much easier than an issue which is ignored, considered private or treated as a common phenomenon (CAMBOW 2007). When domestic violence is considered to be a private and family issue, it implies that the state should not be involved with it. This allows the police to ignore issues regarding domestic violence (Surtees 2003).

Not only the Cambodia inhabitants rather ignore domestic violence, also a lot of Cambodian politicians feel like they cannot intervene with domestic violent situations. They consider domestic

violence as a family issue, and they do not want to infiltrate within a families private businesses (Hardenbrook 2003, Menzel 2012). Because of the way domestic violence is integrated in the Cambodian culture, local employees of the Cambodian NGO community have a hard time fighting the acceptance and appearance of domestic violence. Their norms are contradicting to the dominant norms of the NGO's they work for. This can be explained because the local Cambodian employees of NGO's are raised with the customary norms for the households as described above. Therefore they learned to partly agree with domestic violence and that they should not intervene in other people's private affairs. Cambodian NGO's are trying to make domestic violence more negotiable and open, and they try to reduce the amount of domestic violence as much as possible (Surtees 2003). This requires intervention into, what Cambodian locals define as, people's private affairs.

## 5.2 Religious norms

The major religion in Cambodia is Theravada Buddhism (Ty 2010). Currently, 90 percent of the Cambodian inhabitants live by this religion (Ray, Bloom et al. 2012). Buddhism is believed to be the conscience of the Cambodian society (Kent 2011). The main aim of this religion is to gain as much merit in this life as possible, in order to be reborn better in your next life than you were before. Buddhists are constantly improving their karma until the ultimate Nirvana is achieved. (Ray, Bloom et al. 2012). Buddhists have five Buddhist's percepts which they live by and which define their acts (Ledgerwood and Un 2003):

1. Not killing or harming living things is to respect the right to life.
2. Not to steal the belongings of others is to respect the right of property.
3. Not to commit sexual offenses is to respect the rights of individuals and the rights of society.
4. Not to drink intoxicating beverages is to respect the right of individual security and respect the right of security within society.
5. Not to lie or defame is to respect the right of human dignity.

As seen above, Buddhists have clear rules and visions regarding life and behaviour. A Cambodian human rights advocate explains Buddhism is against abuse and torture, as well as mistreatment, discrimination or suppression. Since the Buddhist precepts overlap with some of the Human Rights, Cambodian Human Rights activists consider Buddhism to be a positive and good way to promote the Human Rights. (Ledgerwood and Un 2003)

Buddhists have a clear vision regarding violent acts and domestic violence. As explained in the previous chapter, domestic violence can be divided into four different acts of violent; physical abuse, sexual abuse, psychological abuse and economic abuse. The Buddhists have clear statements regarding all those four acts of violent because they are all in contradiction with one of more Buddhists precepts.

According to the Buddhists religion, deeds associated with physical abuse are absolutely wrong and in contradiction to the first Buddhists percept. Sexual abuse is also considered to be wrong by Buddhists because it is contradicting to the third Buddhist percept. The third act of violent is psychological abuse, this form of abuse can hurt both family and children. Buddhist consider this kind of violence to be mental violence since they believe the perpetrators of this kind of violence have lost their mindfulness, consciousness and like to act for their own pleasure. Buddhists believe this kind of behaviour is often caused by alcohol misuse, therefore Buddhists see psychological violence as an act of harming the fourth and fifth percept. The last violent act is economic abuse which

concerns withholding money or not allowing the victim to work. People who harm others by using economic abuse are according to Buddhists greedy and selfish. Perpetrate economic abuse partly harms the second percept regarding respecting property rights. (Seng 2005)

Even though in theory, Cambodian Buddhists are against violence and strive towards social and gender equality. In Cambodian practice however, this appears to be different. In Cambodia, the Buddhist realm is often interpreted as misogyny (Kent 2011). Buddhist believe women are by definition inferior because of misdoings in one of their previous lives. If she had behaved better and had achieved more merit, she would be born a man in this life. For Buddhist women however, it is impossible to reach the ultimate Nirvana because their possibilities in life are limited. (Kent 2011)

Furthermore, Cambodian Buddhists believe all the bad things happening in this life are punishments for bad and harmful acts in previous lives. This means whenever a woman is abused or became a victim of domestic violence, this is considered to be her own fault. The only way to prevent this from happening is by living a good life and cause no trouble, this way a woman can save merit for her next life. Whenever a woman officially reports domestic violence or other abusive acts, she is causing problems which make her lose her merit. (Kent 2011). This means the Cambodian religion also influences the low amount of officially reported acts of domestic violence.

Despite the Buddhists gender discrimination, both man and women often visit Buddhists temples to meditate. For both sexes meditating and visiting temples provides them with knowledge and the ability to handle all the daily life challenges. For abused or isolated women, Buddhists temples are a place to find a refuge with multiple nuns who have experienced the same in the past or who can help them with their current situation. (Kent 2011)

### 5.3 Customary norms for the politics

The social acceptance rate of domestic violence by man as well as women, might lead to a form of institutional acceptance (Surtees 2003). As will be explained in the chapter above, the Cambodian government is making efforts to decrease the amount of domestic violence by creating national policies and laws, for example the Law on Prevention of Domestic Violence and the Protection of Victims also known as the DV-law, and by signing international agreements. It appears as if those policies, laws and agreements are not properly put into practice. They are rarely enforced upon the society, which might be caused by the ambient social attitude towards women (Hardenbrook 2003).

The customary norms for the households are obstructing, one Cambodian woman explains: "Here, man comes first, and I think it may be impossible to change the way they are. Of course I hope change happens, but new policies by this government will not work because they won't enforce them—they never do." (Henderson 2013). This explains the core problem with the Cambodian political structures. When the government creates different laws and rights which should decrease the amount of domestic violence, they do not put an effort in putting those laws and rules into practice. If the government does make an effort of putting their laws and rules into practice, they are not able to enforce them so no change will ever come (Hardenbrook 2003, CAMBOW 2007, Walsh 2007, Sokbunthoeun, Sedara et al. 2013).

The Cambodians customary norms for the households appear to affect the customary norms for the politics regarding domestic violence. Due to the cultural vision towards the women in society, the Cambodian government has a hard time putting its principles, laws and norms into practice. It seems

as if this vision is so dominant that creating and trying to enforce laws regarding domestic violence seems like a waste of effort for the Cambodian government. This might also happen the other way around. Because the Cambodian government does not put its efforts into putting its laws and policies into practice, the Cambodian norms and visions towards domestic violence will only be encouraged.

### 5.3.1 Corruption

The Cambodian law system is corrupted and it seems like many corrupt Cambodian officials do not put much value in the laws created by the Cambodian government in order to reduce domestic violence (Walsh 2007). Unlawful compensation settlements are often realized when a victim made a criminal complaint. The abuser tries to persuade the victim to drop the complaint by offering a certain amount of money. Although this happens within the shadow of the law and outside the court, Cambodian police and court officers are often involved. They help the abusers setting the deal and in return they receive compensation of their own. (Walsh 2007). The Cambodian laws and policies regarding domestic violence appear to be easily forgotten when the alternative is more appealing. Corruption is known to be harming the governmental quality and its stability (Neang 2013).

According to the Transparency International's Global Corruption Barometer of 2007, 72 percent of the people confessed to bribe whenever they had to obtain services. While on the other hand, more than 61 percent of the firms stated they were expected to use informal payment whenever they had to arrange things (Un 2011). Also the Cambodian police is known to only provide services when they are encouraged by informal payments in cash (Kent 2011). In Cambodia, corruption is seen as a culturally legitimized way of doing business and as a normal feature in life (Gibson, Sonis et al. 2010).

The attitudes of the Cambodian government and the Cambodian police and officials regarding the law are not unnoticed. Prosecutors of violence are often aware of the lack of law enforcement and the society's response towards domestic violence. They know they can do harm without them ever getting punished or being negatively judged because of their behavior towards their women (Palk 2007). It is more likely that a man is judged positively because of his violent attitude towards his wife because this is how society expects them to behave. This means the threshold to commit violent acts is very low, which causes men to not hold back when they feel violent because of an unenforced governmental laws (Khan 2000).

## 5.4 Conclusion

Within this chapter, different norms applied within Cambodian society and households were discussed. Those different norms need to be understood in order to identify the influence of those norms on the amount of domestic violence within the country. The customary norms for the households provide the Cambodian society with a dominant view towards women. Within this view, women are less important than man and they must comply with the codes of conduct of the *Chbap Srey*. Whenever women fail to behave as is expected of them, men are justified to use violence against them. This view is encouraged by the religious norms of the Cambodian Buddhist. Even though on first sight it appears as if the Cambodian Buddhist try to counter domestic violence, Cambodian Buddhists actually contribute to the customary view of the households, towards women and domestic violence. The customary norms for the politics are affected by the customary norms for the households. The Cambodian government does not put its laws and policies into practice, and is influenced by corruption. Those two activities both counter the efforts to decrease domestic violence in Cambodia.



## 6 Processes of domestic violence perpetuation in Cambodia explained

In this chapter, the processes of the perpetuation of domestic violence in Cambodia are analysed. I will concentrate on the legal pluralism, which is introduced in the second chapter of this thesis. In chapter four and five of this thesis I have already discussed the principles, laws and norms created by both the Cambodian inhabitants as well as by the Cambodian government. Those different principles, laws and norms are co-exist in the Cambodian society. This co-existence leads to the interaction between the principles, laws and norms created by the Cambodian inhabitants and the efforts made by the Cambodian government. This interaction might partly explain the perpetuation of domestic violence in Cambodia. The Cambodian history might also increase the perpetuation of domestic violence in Cambodia. The Cambodian history is intertwined with violence, which has contributed to the current normalization of violent acts, as well as to the hegemonic meaning of domestic violence in Cambodia. This historical impact will be discussed in this chapter. Furthermore, an analysis concerning domestic violence, constructed by multiple authors will be described. Thereafter this analysis will be refuted by describing another analysis. This second analysis describes the relation between domestic violence and the efforts of the Cambodian government, as well as the continuation of domestic violence in Cambodia.

### 6.1 Historical impact on the perpetuation of domestic violence in Cambodia

This section will analyse how the violent history of Cambodia contributed to the normalization of violent acts, the hegemonic meaning of domestic violence and finally to the continuation of domestic violence in Cambodia. This analysis will be provided while further elaborating on the violent history of Cambodia as introduced in the third chapter of this thesis. The frequent acts of violence that occurred in the Cambodian history have influenced the Cambodian society. This influence is still continuing within the Cambodian society and is causing the current perception of Cambodian inhabitants regarding the perpetuation of domestic violence in their country.

The Cambodian historical events are connected to the view of Cambodian inhabitants towards domestic violence: the two influence each other. During the rule of the Khmer Rouge, Cambodian inhabitants frequently came into contact with different acts of violence. The people who have consciously experienced the rule of the Khmer Rouge still have vivid memories of the Khmer Rouge's gruesome activities and acts of violence. This causes psychological damage, especially when they personally witnessed or performed violent acts during the rule of the Khmer Rouge. This might have caused acts of domestic violence and increased the normalization and justification of domestic violent acts later in life (Nelson, Zimmerman et al. 1996).

Another factor that is possibly of influence on the amount of domestic violence is the so called circle of violence. It is known that abusive experiences during someone's childhood, increases the risk for those children to be involved in domestic violence again, later in life. The risk that those children will become victims of abuse themselves one day, is bigger than the risk to become victims of abuse for children who have never witnessed any violence. There is also a risk for those children to become abusers themselves. (Diop-Sidibé, Campbell et al. 2006, Yount and Carrera 2006). This perpetuation of violence to later generations, due to frequent and violent early life experiences, is called the cycle of violence (Widom 1989). It might take multiple generations before the consequences of the violence derived from the rule of the Khmer Rouge have been completely left the Cambodian society

(Widom 1989). This passing on of violence over multiple generation, might partly explain why domestic violence is still often occurring in Cambodia.

The rule of the Khmer Rouge, and the associated acts of violence in the Cambodian history, made violence enter the current Cambodian way of life. It also introduced the dominant norms by which this is defined. Due to the frequent occurrence of violence, acts of domestic violence in Cambodia became normalized, accepted within the society with led to the mobilization and legitimization of domestic violence. (Yount and Carrera 2006, Walsh 2007). When violence is normalized within a society, the threshold to use violence is lower compared to a society in which violence is unaccepted. This will lead to an increase of violent acts (Yount and Carrera 2006). This legitimization of domestic violence in Cambodia emerged through the normalization within the customary rules and norms for the households, which created the hegemonic meaning of domestic violence. This hegemonic meaning causes domestic violence to be out of discussion.

Multiple principles, laws and norms are provided in the Cambodian society, in the Cambodian households and in the Cambodian religion. Those principles, laws and norms often accept and justify acts of domestic violence. For example within the *Chhap Srey*, which states that Cambodian women should behave as explained in earlier chapters. When they fail to do so their husbands are allowed to punish them in any way they consider to be reasonable, including violent punishments. This punishment therefore often results into domestic violence. The Cambodian religion also contributes to the perpetuation of domestic violence by defining women as the inferior sex. Whenever a woman is punished and domestic violence occurs, she, according to the Buddhist percept, has only herself to blame for it. According to the Cambodian Buddhists, bad things only happen to someone when the person deserves it. So whenever domestic violence occurs, it is not the violent act that is considered to be bad. Instead, the previous act, which made someone use domestic violence, is. The interrelation of domestic violence with both the Cambodian households as well as the Cambodian religion, hence the Cambodian daily lives, shows the normalization of violent acts. This normalization results in the fact that acts of domestic violence in Cambodia will be mobilized. This mobilization causes violent acts to not been questioned by the Cambodian inhabitants, instead they will just happen. This mobilization will be explained later in this chapter.

Another way in which domestic violence in Cambodia is legitimized due to the Cambodian history is by the hegemonic meaning of the domestic violence as normal. Due to the frequent occurrence of violence during the rule of the Khmer Rouge, domestic violence became part of daily life, religion and households of Cambodian inhabitants. The normalization of domestic violence, and its acceptance within the Cambodian culture and religion led to cultural hegemony. This lead to the fact that the whole Cambodian society did no longer question acts of violence. Domestic violence is a normal aspect within the daily life of the Cambodian inhabitants, which means that the Cambodians do not recognize the wrongdoing of domestic violence. This percept leads to the normalization of domestic violence in Cambodia and makes that domestic violence is still present in Cambodia. Due to the normalization of violent acts, the Cambodian inhabitants do not see the need to interfere in domestic violence. This leads to the ignorance of the actions of the Government and NGOs regarding the reduction of domestic violence, as well as to the continuation of domestic violence in Cambodia.

The current perception towards domestic violence does no longer act as a specific norm based upon a framework. After the mobilization of the current principles, laws and norms, domestic violence

became culturally hegemonized. This means it has become a non-discussed aspect within the Cambodian lives. Before any interventions regarding domestic violence will be taken seriously by the Cambodian inhabitants, the hegemony concerning violent acts needs to be challenged. After the hegemonic meaning of domestic violence is decreased, the current percept towards domestic violence can be changed. This way, the Cambodian inhabitants will recognize the problems that rise due to violent acts, which makes it possible to mobilize new principles, laws or norms concerning domestic violence.

The hegemonic meaning of domestic violence is challenged by raising awareness regarding the wrongdoings and consequences of domestic violence. Currently, the NGOs and the Cambodian government are challenging this hegemony by raising awareness regarding acts of violence through showing the problems that rise due to domestic violence. In the fourth and fifth chapter of this thesis I discussed some of their actions against domestic violence, for example the play developed by the PADV. This play raised awareness by showing two Cambodian households, in which one of them does not experience any acts of violence while the other struggled due to acts of domestic violence. This play made domestic violence negotiable, which means the normalization and hegemonic meaning of domestic violence reduces a little. The Cambodian government created the DV-law and signed international agreements, which also contributed to the decomposition of the hegemony concerning acts of domestic violence. When this hegemony disappears, domestic violence can be discussed and questioned. This might result into the acceptance of actions regarding the reduction of domestic violence in Cambodia.

To conclude, this section shows the influence of the Cambodian history on the perpetuation of domestic violence in the country. The violent Cambodian history led to the acceptance, normalization and finally to the legitimization as well as the hegemonic meaning of domestic violence in Cambodia. This perception regarding domestic violence is still present in Cambodia and is causing domestic violence within multiple Cambodian households. Furthermore it is causing the ignorance of acts concerning the reduction of domestic violence by the Cambodian government and NGOs. In order to decrease this ignorance, the hegemonic meaning of domestic violence in Cambodia needs to be challenged and decreased.

## 6.2 Analysis of the perpetuation of domestic violence in Cambodia

As discussed above, the violent Cambodian history can be used to explain the legitimization as well as the hegemonic meaning of the current perception of Cambodian inhabitants regarding domestic violence. By making laws and signing agreements, the Cambodian government is challenging the hegemonic meaning of domestic violence as normal, since their acts are raising awareness regarding the wrongdoings of domestic violence. An example of a policy which is challenging the hegemonic meaning is the Cambodian DV-law. The process of putting the policies of the Cambodian government into practice appears to be difficult. Various occurring difficulties counter the acts of the Cambodian government regarding the reduction of domestic violence.

Difficulties concerning putting policies, like the DV-law, into practice can be explained in many different ways. Multiple authors perform a top-down analysis regarding the continuation of domestic violence in Cambodia, and the relation between domestic violence and the efforts of the Cambodian government. Those actors state that the continuation of domestic violence can be reduced when the Cambodian DV-law will be better put in practice (CAMBOW 2007, Palk 2007, Walsh 2007, Menzel

2012). Thereafter I will criticize this approach and create another analyse concerning the continuation of domestic violence in Cambodia and the relation between domestic violence and the efforts of the Cambodian government. This second analysis will be based on the approach provided in chapter two.

### 6.2.1 Improving the DV-law

According to a report of the *Cambodian Committee of Women* (CAMBOW 2007), significant changes have to be made within the DV-law in order to make it more effective. The *Cambodian Committee of Women* is a coalition of women in Cambodia which consists of 34 local organizations who are collaborating in order to improve the situation of Cambodian women in society (CAMBOW 2007). They explain in literature: "in its current form, the law contains ambiguous meanings in key provisions such as the definition of domestic violence, marital rape and the authorities responsible for protecting victims of domestic violence" (CAMBOW 2007). Palk explains in his article that the definitions and guidelines used in the DV-law can be very useful, but they will not reach their goal when the law is not properly implemented in society (Palk 2007). The implementation process of the DV-law is difficult because the concerned authorities are often not aware of the tasks they have to perform regarding the reduction of domestic violence. For them, it is not clear what they can and cannot do when they encounter a situation of domestic violence (Menzel 2012). There appears to be a mismatch between different policy levels. The creators of the laws, the national policy actors, are aware of the laws regarding domestic violence and can converse on national level policies. However, their knowledge has not been passed on to the mid and lower levels of governance, because the creators of the DV-law did mainly focus on drafting texts and laws and on the endorsement of their laws and not on the spreading and implementation of their law within the Cambodian society (Sokbunthoeun, Sedara et al. 2013).

The DV-law is not yet recognized within the Cambodian society. Many law enforcement offices and also a large part of the Cambodian inhabitants are not aware of the existence of this law (CAMBOW 2007, Sokbunthoeun, Sedara et al. 2013), which results into a law which is not being enforced by the juridical system. In order to make the DV-law easier to put into practice, more awareness should be raised by the Cambodian inhabitants about this law. Increasing the awareness might ensure the utilization of the law to protect women who became victims of domestic violence and to empower those women at the same time (Walsh 2007). As a victim of domestic violence explains: "women need to understand their rights, but it is more than that, they need to be aware of the situation and their surroundings and about men's intentions and keep themselves safe" (Henderson 2013). Not only women need to be more aware, also men need to realize they are responsible for their own deeds, and that they might be prosecuted because of them (CAMBOW 2007).

Trying to reduce domestic violence by improving the DV-law is a very top-down solution for the problem. This analysis lacks the perspective of the Cambodian inhabitants and their hegemonic meaning towards domestic violence. However, the efforts to raise awareness can indeed contribute to the reduction of domestic violence, because an increased awareness will challenge the current hegemonic meaning of domestic violence, as explained in the previous section. Even though this analysis includes the challenging of the hegemonic meaning of domestic violence, it lacks extensiveness and ignores multiple other aspects involved with the perpetuation of domestic violence.

## 6.2.2 Conflicting frameworks and mobilization of principles, laws and norms

In my opinion, the above analysis of the perpetuation of domestic violence in Cambodia is too short-sighted and not thorough enough to provide in a proper explanation of the problem. This section will provide into a well suited and extensive analysis regarding the perpetuation of domestic violence in Cambodia. Multiple bottom-up aspects, concerning domestic violence, will be taken into account while performing this analysis. An important aspect concerning the perpetuation of domestic violence in Cambodia is the unchanged view of the Cambodian inhabitants and officials regarding domestic violence (Palk 2007). This perception is already discussed in the fourth chapter of this thesis and it is explained further in section 6.1, in which the hegemonic meaning of this perception is introduced. In this section, the Cambodian perception and hegemonic meaning will be analysed while applying the approach introduced in chapter two. Together, the hegemonic meaning and the legal pluralism, will lead to an explanation of the process of domestic violence in Cambodia.

### 6.2.2.1 *Conflicting frameworks*

As explained in the second chapter, people can base their acts and statement upon principles, laws and norms coming from multiple different frameworks. In situations regarding domestic violence, Cambodian inhabitants often apply principles, laws and norms based upon their customary-household framework or their religious frameworks. The principles, laws and rules formulated within those two frameworks are often strengthening to each other, which makes the decision making process of Cambodian inhabitants regarding acts of domestic violence relatively easy. The Cambodian officials however, have another framework on which they are able to base their decisions regarding this subject: the customary-political framework. Since Cambodian officials are the ones who must put the policies of the Cambodian government against domestic violence into practice, they are expected to apply principles, laws and norms based upon this framework. The officials have to reduce domestic violence in Cambodia by increasing people's knowledge about the DV-law and by interfering in households in which domestic violence occurs. In reality however, Cambodian officials do not always apply the principles, laws and norms based on the customary-political frameworks. Instead, they have to choose between different frameworks (as explained above) upon which they can base their decisions and actions concerning domestic violent situations. I will elaborate on the different frameworks below.

First, there is the customary-political framework. This is a top-down framework affected by the Cambodian government and their external donors. This framework states that domestic violence is wrong and has to be reduced. The decrease of domestic violence incidents can be achieved, according to the actors intertwined with this framework, by complying with the Cambodian DV-law. This means Cambodian officials have to make an effort to reduce domestic violence in Cambodia. When the Cambodian officials would base their acts and statements upon this framework, they would agree with what is stated in section 6.2.1: the DV-law has to be clearer and there has to be more awareness regarding the existence and meaning of the DV-law. Combined, this would improve the implementation process of the DV-law and contribute to the reduction of domestic violence in Cambodia.

Secondly, there are the customary-household and religious frameworks upon which most Cambodian inhabitants base their actions and statements regarding domestic violence. The Cambodian social networks and organizations are intertwined with those two frameworks since they are mainly based upon specific social structures in life. Examples are religion, households, or families. It has to be

emphasized that the Cambodian officials are also part of the Cambodian social structures and organizations. This means their daily norms, rules, customs and symbols are also defined by the customary-household and religious frameworks. This causes a difference between their personal vision on domestic violence and their professional vision. The personal vision of Cambodian officials regarding domestic violence is often affected by the customary-household and religious framework. As explained before, those two frameworks are normalizing and justifying domestic violence. In accordance to their professional vision however, the officials have to let their acts and statements be affected by the customary-political framework. In accordance to this framework, the Cambodian officials have to intervene in domestic violence. Furthermore, the customary-household and religious framework are defining domestic violence as a private issue, which means the government should not intervene in violent situations. Due to the contradicting frameworks and the conflicting principles, laws and norms provided in those three frameworks, it is not possible for Cambodian officials to base their acts and statements upon all three frameworks. This means Cambodian officials have to choose.

This required choice, causes a dilemma for the Cambodian officials concerning the framework which they will use to base their further decisions regarding domestic violence upon. It seems, Cambodian officials often decide to base their actions regarding domestic violence upon the customary-household and religious frameworks (Comaroff and Comaroff 2009). This assumption is confirmed by looking at the outcome of a police survey which shows that 48 per cent of the Cambodian local policemen does not consider domestic violence as a crime (Surtees 2003), even though the DV-law and thereby also the customary-political framework, defines domestic violence as an official crime (Hardenbrook 2003).

#### *6.2.2.2 Mobilization*

The reason for Cambodian inhabitants, including its officials, to base their actions and statements upon the customary-household and religious framework can be explained by an analysis of the mobilization of the principles, laws and norms based upon those frameworks. Which principles, laws and norms are put into practice depends on which of them are mobilized within the society (Black 1973, Mosse 2004). Mobilization is the key in explaining the continuation of domestic violence in Cambodia, the mobilized principles, laws and norms normalize and justify domestic violence in Cambodia. The roles of the different actor's involved -male, female and politicians- are important concerning the mobilization of specific principles, laws and norms. The actors involved are able to decide upon which framework they will base their actions and statements, and which principles, laws and norms come together with that decision. However, their choice of frameworks is restricted by the specific situation they are in. Regarding domestic violence, for example, Cambodian actors often identify with the principles, laws and norms provided in the customary-household and religious framework (Comaroff and Comaroff 2009). An explanation for this is that they already live by these frameworks for a long time.

Domestic violence is accepted within the Cambodian society since the rule of the Khmer Rouge. It is defined as a private and family issue which causes the Cambodian inhabitants and officials to see no need for intervention regarding domestic violence situations. This perception is caused by the hegemonic meaning of domestic violence within the Cambodian society. Due to this hegemonic meaning, the Cambodian inhabitants do not see any wrongdoing within their violent acts and do not recognize any problems caused by acts of domestic violence. This lack of recognition

means there is no need for the Cambodian inhabitants to change their behaviour and to mobilize other principles, laws and norms regarding domestic violence. This means that the lack of intervention on domestic violence and the hegemonic meaning of domestic violence are derived from the customary-household and religious frameworks. Those two frameworks are dominant within the Cambodian society and their principles, laws and norms concerning domestic violence became part of the current Cambodian livelihoods. The terms and conditions to mobilize principles, laws and norms, derived from another framework, are not being met. Currently, the Cambodian inhabitants see no need to mobilize other principles, laws and norms, which means that the interest and support for those possible new principles, laws and norms, is lacking.

Due to the hegemonic meaning of domestic violence, actors whom are performing acts, concerning the reduction of domestic violence, based on the customary-political framework are not effective. The same applies to the agreements the Cambodian government signed and the policies they constructed, both regarding the reduction of domestic violence. Even though these efforts appear to be unable to reduce domestic violence, they are useful since they are challenging the current hegemonic meaning of domestic violence. This causes awareness and openness of discussion regarding domestic violence. This might reduce the normalization and justification as well as the hegemonic meaning of domestic violence. When the current hegemonic meaning of domestic violence is decreased, new principles, laws and norms concerning domestic violence can be mobilized.

The hegemonic meaning of domestic violence is still present in Cambodia. However, this does not mean every Cambodian inhabitant bases his acts upon the corresponding customary-household or religious framework. Even though Cambodian officials might want to base their actions regarding domestic violence upon the customary-household and religion framework, this is not possible because of their profession. A duality arises which leads to the actions of the Cambodian government being affected by all three frameworks, even though they are contradictory. The current hegemonic meaning of domestic violence and the compliance of the principles, laws and norms based upon the customary-household and religious framework are affecting the actions of Cambodian officials, who have to base their actions upon the customary-political framework. An example can be derived from the vision of Cambodian officials towards perpetrators of domestic violence who are Cambodian soldiers. In Cambodia, soldiers are men with high status who are greatly respected in the society. Whenever a Cambodian official acts in correspondence with the customary-political framework, the perpetrator would be prosecuted. However, reluctance rises with the Cambodian official regarding the prosecution of an abuser whenever he is known to be a soldier. This reluctance often results into a lack of prosecution of the soldier (Walsh 2007). In such situations the acts based upon the customary-political framework are affected by the principles, laws and norms affected by the customary-household and religious frameworks.

In the above example the different frameworks are interacting and influencing each other. This is caused because the different frameworks, or semi-autonomous social fields for that matter, do not exist next to each other: instead they are overlapping (Moore 1973, Griffiths 1986). This interaction might cause a shift in the mobilization of principles, laws and norms. In Cambodia the principles, laws and norms affected by the customary-household and religious framework concerning domestic violence, are mobilized within the society. This causes them to affect the actions of the Cambodian officials which are officially based on the customary-political framework. The influence of the

customary-household and religious frameworks might cause the Cambodian officials to switch to from the customary-political framework to the customary-household and religious frameworks. The shifting between frameworks is made possible by the mobilization of principles, laws and norms of a specific framework. In Cambodia, the principles, laws and norms based on the customary-household and religious framework are mobilized. This makes it is possible for Cambodian officials to decide shift between frameworks, and to base their acts and statements upon the customary-household and religious frameworks instead of upon the customary-political framework. When the mobilized principles, laws and norms change or others get mobilized, actors can switch to a framework which is more correspondingly to the newly mobilized principles, laws and norms.

An example of actors shifting between frameworks can be given by a study of the bribing activities, arising whenever Cambodian officials intervene in domestic violence situations. Perpetrators are often trying to bribe Cambodian officials to ignore the DV-law and to stop their intervention. Those bribing activities are challenging the loyalty of Cambodian officials towards the customary-political framework. The principles, laws and norms of this framework are causing the decision of Cambodian officials to intervene in situations concerning domestic violence. Because Cambodian officials are often torn between the different frameworks concerning domestic violence, they are an easy target for bribers. This often causes Cambodian officials to accept the compensation offered to them, which leads to the ignorance of the law they officially have to put into practice. When this happens, the Cambodian officials act in accordance to the customary-household and religious instead of on the customary-political framework. This shift in framework can be explained by the mobilization of the principles, laws and norms affected by the customary-household- and the religious framework. Since the principles, laws and norms affected by those two frameworks are mobilized, they have more influence on the actions of the Cambodian officials than the principles, laws and norms affected by the customary-political framework. Abusers are often aware of the easily persuaded Cambodian officials and of the lack of investigation and prosecution of complaints regarding domestic violence. They know they can use domestic violence without any negative consequences for themselves (Palk 2007). This knowledge lowers their threshold to commit violent acts, which also causes domestic violence to perpetuate.

The influence of multiple contradicting frameworks on the decision-making process of involved actors also becomes visible in other situations concerning domestic violence. For example, it appears as if domestic violence cases are often not investigated nor prosecuted by Cambodian officials, even though they should be investigated according to the DV-law. Due to the mobilization of the customary-household and religious norms in Cambodia and the hegemonic meaning of domestic violence, the requirements, which a complaint has to meet before it is taken seriously by Cambodian officials are very stringent. An example of such a requirement is that a victim of domestic violence should have multiple severe and visible injuries or she has to be killed. Whenever a women reports domestic violence, she might be told she cannot be helped because of the lack of real injuries (Hardenbrook 2003). By making it so hard to file a complaint, a lot of domestic violence will go without any prosecution. The requirement for an official declaration could be tightened by Cambodian officials in order to prevent their interference in situations in which they do not wish to intervene. This shows the interaction of norms coming from the Cambodian customary-household and religious frameworks, which state that Cambodian officials should not intervene in domestic violence because it is a private matter, and norms coming from the customary-political framework, which state Cambodian officials should intervene in domestic violence because it is their duty to stop

domestic violence. Finally, all three frameworks influence the decision making process of the Cambodian official, despite of their contradictions. This means that, even though the different frameworks involved will try to suppress each other's influence, it is possible for them to affect the decision making process of an actor, all at the same time. However, the actors are choosing the most influential frameworks, since they are the ones mobilising the principles, laws and norms based upon this specific framework.

### 6.3 Conclusion

Within this chapter, the perpetuation of domestic violence is explained. First I gave an explanation based on the influence of the Cambodian history. This history caused the current acceptance, normalization and finally the hegemonic meaning of domestic violence. This hegemonic meaning causes difficulties to change the dominant perspective on domestic violence due to the current normality. The lack of need to change the current view towards domestic violence is counteracting the mobilization of new principles, laws and norms on domestic violence.

Thereafter, the analysis on the perpetuation of domestic violence derived from multiple authors was discussed. They state that domestic violence in Cambodia will be reduced if the DV-law is clearer and when more awareness is being raised among Cambodian inhabitants and officials regarding the existence and meaning of this law (CAMBOW 2007, Palk 2007, Walsh 2007, Menzel 2012).

I, however, think that even if the DV-law would be less indistinct and authorities would know what to do, it is not that likely they will actually perform the actions they are supposed to perform in order to reduce domestic violence in Cambodia. The dominant framework - regarding the Cambodian customary-household and religion and the hegemonic meaning of the principles, laws and norms it constructs - will continue to complicate the implementation process of the DV-law as well as any other similar policy which is in contradiction to the principles, laws and norms stated within those frameworks.

Even though the Cambodian government is striving to influence and change the principles, laws and norms based on the customary-household and religious framework regarding domestic violence, it appears to be happening the other way around. This chapter showed that, even though Cambodian officials officially have to base their actions and statements upon the customary-political framework, they often let their actions be affected and changed by the principles, laws and norms coming from the customary-household and religious frameworks. This dominance of the principles, laws and norms regarding domestic violence derived from the customary-household and religious frameworks is caused by the mobilization of those principles, laws and norms within the Cambodian society. As long as they stay mobilized, it will not be possible to stop the perpetuation of domestic violence in Cambodia. It should be noted however that even though the actions of the Cambodian government are not directly contributing to the reduction of domestic violence in the country, they are challenging the hegemonic meaning of domestic violence. This challenging might lead to the mobilization of new principles, laws and norms regarding domestic violence and thereby, to the reduction of domestic violence in Cambodia.

## 7 Conclusion

Within this thesis I studied the reasons why domestic violence in Cambodia is still existing and perpetuating despite the effort of the Cambodian government to eliminate it. I examined multiple features of domestic violence in Cambodia, the Cambodian history, their dominant non-legal norms, as well as the efforts of the government and NGOs meant to reduce domestic violence in Cambodia. Following this research, I did an analysis on different causes of the perpetuation of domestic violence in Cambodia.

The first cause for the perpetuation of domestic violence was found while examining the aspects of domestic violence in Cambodian and the influence of the Cambodian history on the occurrence of domestic violence today. During the Rule of the Khmer Rouge, violence was a frequently occurring event which finally caused the acceptance and normalization of domestic violence. This acceptance and normalization led to the legitimization and the hegemonic meaning of domestic violence. This hegemonic meaning is originally caused by the mobilization of the principles, laws and norms derived from the customary-household and religious framework. However, there is another framework which provides into different principles, laws and norms regarding domestic violence. Aside from the customary-household and religious frameworks, derived from the Cambodian social networks and organizations, there is also the customary-political framework. This framework is derived from the Cambodia legal norms and the Cambodian government. The principles, laws and norms based upon this framework, are contradicting to the ones of the customary-household and religious frameworks. The three frameworks are interacting which causes them to influence each other's principles, laws and norms. However, since the principles, laws and norms based upon the customary-household and religious frameworks are mobilized, they appear to be more decisive in the actors' decision-making process. Because some principles, laws and norms are mobilized and others are not, a shift in framework can occur. This shift often arises with Cambodian officials, who originally based their acts and statements upon the customary-political framework. In specific circumstances or due to activities of bribers, the mobilized principles, laws and norms can gain influence, which, in the Cambodian case, cause the Cambodian officials to shift from using the customary-political framework, to using the customary-household- or religious framework. Due to the normalization, justification and hegemonic meaning of domestic violence - within the mobilized principles, laws and norms of the customary-household- and religious framework - the Cambodian inhabitants see no need to intervene in violent domestic situations. This perception is counterworking the possible mobilization of principles, laws and norms based upon the customary-political framework which does strive to the interference in- and reduce of domestic violence in Cambodia.

It can be concluded that the customary-household and religious frameworks are decreasing the effectiveness of the attempts of various organisations in order to reduce domestic violence. Due to the hegemonic meaning of domestic violence there is a lack of awareness regarding the wrongdoings of domestic violence as well as the lack of interest regarding the reduction of domestic violence in Cambodia. These shortcomings cause the efforts of the Cambodian government and NGOs to be often not put into practice properly. Furthermore, it causes the policies of the Cambodian government regarding domestic violence to be often not taken seriously by the Cambodian inhabitants or by the Cambodian police and officials. However, despite of their lack of implementation, the efforts are important within the process towards the

reduction of domestic violence in Cambodia. The efforts of the NGOs, the Cambodian government and the external donors of the Cambodian government are raising awareness regarding the wrongdoings of domestic violence. This increased awareness causes the decrease of the hegemonic meaning of domestic violence in Cambodia. This way, the efforts of the Cambodian government are indirectly contributing to the decrease of domestic violence in Cambodia, even though they appear to be ineffective at first sight.

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