



## Towards Intimate Geographies of Peace? Local Reconciliation of Domestic Violence in Cambodia

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#### Abstract

This paper addresses the dearth of writing in geography on domestic violence and its misplaced absenteeism in dialogues on geographies of war and peace. It challenges a preoccupation with (inter)-national landscapes of war and militarism through its focus on the (im)possibilities of (liberal) peace within the home. The paper attends to the everyday politics of efforts to reduce spousal violence via local reconciliation - a customary practice of conflict resolution that has attracted criticism from the United Nations Committee on the Elimination of Discrimination against Women. On the basis of 120 interviews and a quantitative household survey in two provinces of Cambodia (2012-2014), the paper argues that political economy considerations are crucial to understanding the path and outcome of various DV interventions. By analysing the situated beliefs and experiences of domestic violence victims, legal professionals, NGO workers, police officers and other authority leaders, it also stresses the importance of questioning what peace equates to for different stakeholders. The research shows a strong moralistic commitment to 'harmony' and the unyielding continuity of the marital unit by national and local-government machinery intent on securing its own intimate security through local reconciliation. For many women who suffer abuse, and for legal professionals in particular, local reconciliation represents, by contrast, an ambiguous departure from intimate

war to peace that can lead to the detriment rather than betterment of victims' lives. Its continued use contravenes the country's 2005 domestic violence law in 'severe' cases and belies the promise of justice. Exposing and responding to the cultural ideals and norms promulgated, as well as the political and material realities operative, geographers have a greater role and responsibility to play in producing research which examines the multi-scalar connections between these dynamics and the vested interests of their various interlocutors who have the potential to render peace putative.

**Keywords**

Violence, peace, justice, gender, intimacy, Cambodia

### Introducing Intimate Geographies of Peace

Geographical scholarship on violence has a long-standing history of focusing on war and large-scale armed conflict (Gregory 2010; Loyd 2012). Pain (2014a) identifies, for example, how geographers' focus on global rather than intimate terrorism has been disproportionate, the former generating a huge literature on the politics of security, and the latter, no more than ten articles on domestic violence (DV). These DV publications are primarily based on research in the Global North (see Cuomo 2013 and Holmes 2009 in North America; Warrington 2002 and Pain 2014a, 2014b, 2015 in the UK) but also extend to the Global South (Author 2008 in Cambodia and Meth 2003 in South Africa).

This paper part-remedies the cited dearth of writing in geography through its engagement with research data collected in Cambodia (2012-2014) on the 2005 'Law on the Prevention of Domestic Violence and the Protection of the Victims' (herein DV law). It positions DV as a 'deeply embedded political-economic-cultural phenomena' (Hearn 2012, 160) and advocates a political economy approach to the study of different intervention measures and their outcomes. With specific reference to DV, this means being attentive to (1) the prevailing familial ideology normatively promoted by the state; (2) the configuration of the polity; and (3) the organisation of the economy (Adelman 2004). As such, I emphasise the point made by Sjoberg (2015, 75) that work on everyday violence 'is incomplete without reference to the political-economic elements of the meanings, causes, and consequences of both warfare and intimate violence'.

The paper also makes five connected contributions to raising the profile of DV in the discipline and to addressing its misplaced absenteeism in dialogues on geographies of war and peace. First, if the study of war and large-scale armed conflict has been prefaced by a disciplinary responsibility to 'play a serious role in addressing the problems wracking twenty-first century humanity' (Megoran 2011, 178) then the prevalence of this type of violence, and attempts to address it, must warrant dedicated attention. I concur with Youngs (2003, 1210) that 'if we are to have a peaceful world...then the private pain of violence against women must be taken into account and addressed. There can be no peace in its full sense while violence against women continues'. Described as 'one of the starkest collective failures of the international community' (ActionAid 2010, 1), data indicate that 35 per cent of women worldwide have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence (World Health Organization 2014)(note 1). Violence against women is broadly defined in Article 1 of the Declaration on the Elimination of Violence against Women (United Nations 1993) as physical, sexual and psychological harm or threats of harm in public or private life. DV meanwhile is usually spatially delimited to interpersonal violence between household members residing 'under one roof' and spousal violence to that perpetrated by an intimate partner in the realm of marriage. The research featured in this paper works to ensure that 'war-related violence should not obscure [the study of] women's everyday insecurity' (Blanchard 2003, 1301) by moving beyond (inter-) national landscapes of conflict and militarism.

Second, by honing in on the locally grounded politics of efforts to reduce spousal violence in the home, the paper extends the (re-)scaling of a growing literature on everyday (techniques of) peace (see Gregory 2010; Koopman 2011; Loyd 2012; Megoran 2011; Williams 2013; Williams *et al.* 2014; Williams and McConnell 2011). The paper is an important addition to recent thinking 'about peace as a process that is constituted within and reproduced through the everyday, and is shaped by individual agencies and local contexts' (Williams 2014, 197). Local reconciliation - a customary mode of conflict resolution in which a third party assists the negotiation or mediation of perpetrator and victim - emerged as a key point of debate in the research on the implementation and enforcement of DV law. Inter-disciplinary scholarship in security studies, international relations and sociology is in the majority instance built around macro-level liberal peacemaking efforts after violent conflict (e.g. Rothfield *et al.* 2008 collection) and typically draws on country examples of South Africa, Rwanda, and Bosnia and Herzegovina (to name but a few). The paper's focus on mechanisms to engender everyday peace not only challenges this scalar preoccupation but also provides a more critical analysis of the state-oriented approach that liberal peace (and related literature) promotes. Richmond (2010, 668) concedes, for example, that liberal peace purposely distances itself from 'the everyday lives of post-conflict individuals (and those of in "development" settings)' through the neglect of 'entrenched practices, commonly thought of in terms of custom'. This point is borne out in recent scrutiny of twenty years since the 1992-1993 United Nations Transitional Authority in Cambodia (UNTAC) supervision of Cambodia from a war-torn society to a (notionally) peaceful multi-party democracy. With reference to the judicial sector as a major resource

recipient, Öjendal and Ou (2013, 366) argue that this liberal peacebuilding project 'did not negotiate with (or even take notice of) the local and the need for less violence and a higher degree of peace being more thoroughly...reflected in the day-to-day life'. In light of associations between liberal peace-building and rule of law, the research on DV legislation plays a role in furthering academic analyses of how 'peace' is interpreted and (un-) realised at the local level.

The third related contribution of the paper is to provide a contextualised account of how local reconciliation relates to other scales of power. To do so, it embraces a feminist geopolitical perspective which remedies how 'state and statecraft are treated as abstract forces that float above the contingencies of everyday lives and spaces' (Coleman 2009, 904). Like Koopman (2011, 194) I find the conceptual lens of peace enabling since it 'can be created at an individual, family, neighbourhood, community, and other scales, and using the term can foster seeing these scales as intertwined and mutually constitutive'. The discursive and practical terrain of DV alleviation and peace building in domestic life necessitates a focus on how measures are variously embedded in, and leveraged through intersections between transnational discourse of international human rights treaties, state-sanctioned laws and customary practices. While the former two embody tenets of liberal peace, namely rule of law and human rights, these exogenous forces interplay in the contemporary Cambodian landscape with traditional concepts for building peaceful geographies. Drawing parallels again with the (post)-UNTAC period, Richmond and Franks (2009) argue that 'the liberal peacebuilding project in Cambodia has been far from successful and has created little more than virtual peace'. In their view it is 'incompatible with the

indigenous Cambodian political, social, cultural and economic structures' (ibid.18). Given that 'universal claims for human rights are not based on what is, but on normative imaginings of what should be' (Laliberte 2014, 63), I scrutinise the prospect for 'intimate geographies of peace' in a hybrid environment. I do so by 'domesticating' the limited, but growing, scholarship on geographies of peace to the household, an intimate sphere that 'serves as a primary domain of the microphysics of power in modern societies precisely because it is a bridge to so-called larger relations of power' (Oswin and Olund 2010, 62).

Fourth, the paper bolsters feminist geopolitical efforts to move beyond the dualism commonly constructed between war and peace and to understand 'peace as more than not-war' (Koopman 2011, 193). As Boesten (2014, 8) writes, 'the sheer numbers of women who experience violence that is not related to conflict clearly blurs the lines between war and peace, and makes that distinction a heuristic exercise only'. Indeed, Pain (2015) describes DV as a form of 'intimate war' manifest through 'shock and awe' tactics adopted and justified by perpetrators wreaking 'collateral damage' against women's bodies. NGOs including Amnesty International have likewise highlighted connections between the long-term effects of repeated battering in the home and traditional definitions of torture which speak to the instilling of dread, the breaking of will, and punishment to demonstrate the power of the perpetrator(s) (see Youngs 2003 for analysis).

A focus on 'techniques of peace' (Williams *et al.* 2014, 3) also facilitates the breakdown of dualistic lines of thinking between war and peace given the



contested realm of what actually qualifies as peacemaking. Building on Williams and McConnell (2011, 930) who have encouraged 'a more expansive and critical focus around "peace-ful" concepts such as tolerance, friendship, hope, reconciliation, justice, cosmopolitanism, resistance, solidarity, hospitality and empathy', the paper explores the apparently 'peace-ful' concepts of 'reconciliation' and 'harmony'. In the context of national reconciliation, peacebuilding is usually understood as the breaking of a cycle of violence, the restoration of justice at individual and social levels, and the bringing about of personal healing to both victim and perpetrator through the overcoming of enmities (Komesaroff 2008), but drawing on empirical evidence, the paper suggests something quite different. DV reduction efforts sit at the unstable and dynamic threshold between intimate war and peace and underscores the need for scholars to explore 'the violence and injustice that arises within "putative peace"' (Ross 2011, 198). Although local reconciliation (nominally) functions as a customary device to bring about peacemaking, I explore how and why a political preference for harmony and consensus too often curtails women's agency to escape a violent marriage. Local reconciliation more accurately represents a falsely purported and potentially harmful move from violence to peace for its victims. It does little to bring about structural change, egalitarian social relations, and social justice – prerequisites for 'positive peace' (Galtung 1969). Rather, it is an example of 'negative peace' (ibid.); a peacemaking enterprise that is uncertain and commonly unfinished. In this sense, the explicit focus on local reconciliation develops current thinking on peace as a process rather than state (Loyd 2012; Megoran 2011). While I am not dismissing Williams and McConnell's (2011) more hopeful call, in tune with research by Darling (2014, 231) on the Sheffield

'City of Sanctuary' movement, the paper cautions against any potential rose-tinted analysis of 'peace-ful' concepts given 'the impurity of any conception of peaceful action'.

Fifth and finally, incorporating the situated beliefs and knowledges of DV victims, legal professionals, NGO workers, police officers and provincial, district, commune and village-level authorities, the paper cements recent recognition that 'the myriad practices of peace cannot be divorced from critical analyses of the actors who are implicated in the (re)making of peaceful geographies' (Woon 2014, 1-2). In turn, I respond to demands "To unsettle "peace" by exposing how it is both portrayed and visualized, as well as practiced and materialized' by different actors (Koopman 2011, 193). I thereby trace at the family and community level what Trimikliniotis (2013, 247) stresses in his work on ethnic/state conflict as 'the manner of and the reasons for the "praxis of reconciliation"' rather than 'abstractions around the "purity" of the concept'. The paper showcases the varying interests and agendas of those invested with responsibility for locally implementing and enforcing DV law and ties into the current trend in geographical literature 'to acknowledge the existence of active peacemaking efforts at the everyday level' (Woon 2014, 2). The paper thereby deals with the tricky issue of what peace equates to for different stakeholders in Cambodia.

The insights I provide are based on a suite of mixed-method research that explored law as a leverage tool to prevent and alleviate domestic violence. Each research element was conducted in the same eight communes divided equally

between urban and rural environs of two provinces - Pursat and Siem Reap (note 2). In early 2013, the qualitative research that forms the backbone of this paper was undertaken. It included forty interviews with female DV victims (identified by NGOs and community authorities); forty with an equal proportion of male and female householders (approached randomly); and a final forty with a range of different stakeholders (identified by the project coordinator) who had an occupational investment in DV reduction. DV victims were identified by NGO and community auth. Following World Health Organization (WHO) guidelines on the ethical conduct of research on DV, the interview team included one male and one female research assistant who carried out the research after a period of in-province training and piloting I ran in collaboration with the study's gender-oriented partner NGO. Along with presenting detailed excerpts from the stories of two DV survivors (Lida and Nakry) told to the female researcher, I offer wide-ranging viewpoints from institutional stakeholders whose personal perspectives and professional practices are too often ignored despite their significance for the (shortage of) assistance that victims receive. I additionally provide a limited number of descriptive quantitative findings from a household survey element which sought information on: the socio-demographic characteristics of respondents; attitudes on, and experiences of, prevailing gender relations, DV and help-seeking behaviour; and opinions on, and knowledge of, DV law. In mid 2012, the project's quantitative expert, Cambodian Co-Investigator Dr Bunnak Poch, used the trained help of his university students to administer this survey to 1,177 lay participants over the age of 18. A sample interval was calculated to identify households and a random start was used from the administrative boundary line of each community. After selecting a household, two adults were

targeted or interview. While primary interviewees included the household head and his/her spouse, in circumstances when one primary respondent was absent or in non-spousal households, another adult living in the selected household could be selected who was a different sex.

In sum, the paper makes a case for DV and efforts to end it, to be integrated into, and allowed to shape, theoretical debates on the complex relationship between war and peace in political geography and beyond. First, it considers the thematic and Cambodia-specific literature on tactics used to eliminate DV. Two empirical sections then follow that concentrate on the socio-politico-economic drivers for local reconciliation. The conclusion then ends by reflecting on the disciplinary significance of the paper for encouraging geographical scholarship on 'intimate geographies of peace'.

### **Redressing Domestic Violence**

In this section, I focus on debates across anthropology, criminology, law and development studies related to the relative effectiveness of formal law and customary reconciliation to resolve DV. The latter is a restorative justice approach which promotes the administering of justice where conflicts arise. In Western case studies (which comprise the vast majority of scholarship), local reconciliation is discussed as a potentially dangerous proposal for DV treatment (Kohn 2010; Lewis *et al.* 2001; Stubbs 2007). A seminal paper by Lewis *et al.* (2001) outlines a compelling set of arguments why community justice is

problematic: that an overly positive notion of consensus is adopted; that the intent, beliefs and reasons for men using violence are ignored; that most DV victims will be scared of their perpetrator(s) and the potential for retaliation; and the power asymmetries between the two remain unopposed. On this basis, they advocate for the formal accountable legal system to be used so as to relieve women of the pressure to challenge men's violence.

At the same time, some feminist scholars working in the Global North have highlighted the potential hazards of the criminal legal system for aiding DV victims. Cuomo's (2013, 856) research on the policing of intimate partner violence and mandatory arrest in the United States is a notable example. Law enforcement, she argues, is carried out within a 'discourse of masculinist security' tied to arrest and 'has the potential to create additional insecurities and fears for victims' when the wishes of victims are subordinated to state-based security interventions. A study on indigenous women in Australia (Nancarrow 2006) also highlights multiple reservations concerning a criminal justice system that is believed to be symbolically irrelevant; escalates rather than ends DV; and continues to separate indigenous families. By contrast, victim-offender reconciliation is seen to offer the promise of self-determination for indigenous women (*ibid.*). Taken together, writing by Lewis *et al.* (2001) Cuomo (2013) and Nancarrow (2006) reflect the complexity of feminist engagements with law as 'a site of oppression and an important means of social transformation' (Cornwall 2013, ix).

Global South literature on the difficulties of DV law implementation and enforcement highlights how reconciliatory modes of justice in a range of diverse geographical settings are considered a major reason for the curtailed agency of victims to seek legal justice. Lazarus-Black's (2007) book discusses this dynamic in the context of DV law in Trinidad. She shows how a culture of reconciliation is remarkably pervasive and is tied to an onus on family stability and the privacy of familial troubles. Specifically, she contends that 'cultures of reconciliation create a filtering process, exercising a powerful influence first on a woman's decision about whether to apply for a protection order and then on her ability to negotiate her case to trial' (ibid. 8). Despite specialised courts in some areas of the country, de Aquino's (2013) research in Brazil speaks to similar challenges that see women pressed by judges to make settlements with their aggressors and to change *their* behaviours so as to placate men. Corroborating this, monitoring in Brazil found that 90 percent of DV cases ended at the first stage of conciliation (UNWOMEN 2011, 70). Engle Merry (2006) connects these stresses on reconciliation to the challenges of translating international human rights on gender violence into local and national spaces of the Global South. With regard to the Fijian reconciliation custom *bulubulu*, she discusses criticisms of the practice by the United Nations Committee on the Elimination of Discrimination against Women (CEDAW) in 2002. While concern concentrated on its misplaced use in rape cases, its wholesale elimination was called for. Much like aforementioned critiques of liberal peace, the anthropologist links the legal rationality at the heart of the CEDAW process to committee members' tendency to see *bulubulu* as anything other than a violation of women's rights. Tradition is highlighted as the crux of the problem rather than identifying the economic and political conditions

that limit the effectiveness of the courts and continue to encourage this village custom.

CEDAW criticism is also evident in Cambodia. Ultimately noting 'limited progress in the prevention and elimination of violence against women' (CEDAW 2013a, 4), in advance of the country's monitoring, the working group asked for information 'on measures taken by the State party to counter the use of local reconciliation processes in dealing with violence against women' (CEDAW 2013b, 2). Such concerns are not new. While in the Global North trained mediators usually conduct reconciliation, often in dedicated community mediation centers (Ptacek 2010), in Cambodia social services provided by NGOs including psychosocial support are rare and often basic (Amnesty International 2010). It is also very unusual that conciliators have enough training, with reconciliation methods arbitrarily based on personal experience rather than dispute resolution knowledge and expertise (Author *et al.* 2014; Luco 2002; Ramage *et al.* 2008). Surtees' (2003) research on marriage reconciliation in Cambodia has pointed to an additional host of risks: that it fails to address risks specific to the abusive relationship; that it seeks a pre-determined outcome; and violates women's right to autonomy. The empirical findings that follow develop many of these criticisms by exploring the meaning and nature of the process.

The local term for reconciliation *samroh samruol* has the meaning to smooth over and seek harmony. This is ordinarily sought through a meeting orchestrated by a village leader who tries to encourage compromise between parties to reach an agreement marked verbally or by a promissory note (*liket*

*sanya*). As the official glossary to DV law reads, this meeting is meant to facilitate the 'communication process between quarrelling parties that aims at maintaining family life' (Royal Government of Cambodia (RGC) 2007, 11). The emphasis on working to uphold the marital unit ties into wider national and regional cultures. Cambodian culture encourages the Theravada Buddhist principle of forbearance (*Khanti*), the practice of exercising patience and forgiveness for the peaceful resolution of a conflict (even if the perpetrator does not deserve leniency). Local reconciliation has other long-standing historical roots given that the entire 'Cambodian legal system derives from the ancient Asian model of community-based nonadversarial dispute resolution through conciliation' (Donovan 1993, 446). It also has connections to so-called 'Asian values' prevalent until the mid-1990s which promoted collective order over personal freedom, and respect for strong leadership combined with a sustained attachment to family and conventional patterns of authority (Stivens 2006). These identifications again illustrate how notions of 'peace' manifest at the micro-level are potentially informed through, and sustain, a myriad of macro-level referents to family ideology and the ancient as well as recent history of the polity. Ending on this point, the next section takes this idea empirically forward by examining the Cambodian ideoscape on which local reconciliation is founded.

### **Ideological Logics of Local Reconciliation in Cambodia**

The logics that underpin the local reconciliation of DV are manifold. In this section, I use the term (and sub-title) 'ideological logics' to make reference to the 'mental frameworks – the language, the concepts, categories, imagery of thought,



and the systems of presentation' by which different groups make society intelligible (Hall 1986, 29). The section moves beyond law simply as a right-granting mechanism, but as a 'part of multiple intertwined discourses in which systems of meanings (and subsequently practices) about norms, rights, and identities are created, reinforced, or transformed' (Al-Sharmani 2013, 19).

This approach brings into focus the close relationship between local reconciliation and the 'peace-ful' vocabulary of 'harmony' in Cambodian culture. Evidence from the study suggests that this social more has the potential to see individual victim's needs subordinated to the perceived interests of the collective at the familial, community and national level. DV law compounds this, complicit in legislating and thus legitimating a language of harmony. Designed and ratified in a hybrid polity, formal state law integrates into it recommended recourse to local reconciliation for 'minor' cases. As MacGinty's (2010, 398) work on postwar-reconstruction and peacemaking outlines, it can be helpful to see structures commonly 'labelled as "local", "indigenous", "liberal", "exogenous" or "international" more 'as composites, or amalgamations resulting from long-term processes of social negotiation and adaptation'. Article 1 which defines the dual purpose of DV law is a good example:

'This law is in the purpose to establish a legal mechanism to prevent domestic violence, protect the victims and preserve the harmony within the households in line with the Nation's good custom and tradition...'

From an international human rights perspective, Cambodia's DV law contravenes Article 4 of the Declaration on the Elimination of Violence against Women that

prescribes how 'States should condemn violence against women and should not invoke any custom, tradition or religious consideration' (United Nations 1993, np). The aforementioned hybridity of the Cambodian political system is thus also characterised by disjuncture. Apparently to be 'expected in virtually any peacebuilding process pursuing liberal peace' (Öjendal and Ou 2013, 369), friction is identifiable between the respective rationalities of the global human rights regime and that of Cambodian government lawmakers. Friction, as I have written elsewhere, is also manifest 'between what is hallowed as a national culture and tradition of harmonious households, set against a law which has arisen conversely from the disharmonious realities that many women face' (Author 2014, 264). This tension is evident in the household survey findings which indicate that although 88 percent of women (n = 567) and 94 percent of men (n = 503) believe that Cambodia has a culture of non-violence, only 48 percent of women (n= 310) and 51 percent (n = 269) of men think that households are harmonious (*del mean sokadom*) (note 3). Just as Fulu (2013, 130) writes in a Southeast Asian context that 'to help end violence against women we need to work towards creating cultures of peace, not simply "non violence"', these statistics point to the concurrent importance of questioning 'cultures of peace' and asking whether they really equate to moves towards non-violence at the local as well as state level. In the law, harmony within the nation and its households is constructed as *a priori state* that requires *preservation* for the collective good of 'custom and tradition'. As current Minister of Women's Affairs, H.E. Dr Ing Kantha Phavi re-iterates in her preface to DV law's Explanatory Notes, 'It is my strong hope that the Cambodian legislature's key message that "victims shall be protected outside and inside the house" will assist

Cambodian families in their attempts to promote the peaceful tradition of the country' (RGC 2007). DV law is thus constructed as a conduit for wider political claims to nonviolent customs and traditions that ironically have the potential to render peace putative rather than lived for female victims. In its current form, DV law intensifies rather than relieves the pressure on Khmer women to uphold the supposed balance and integrity of family life. The household survey flags this pressure further. It was recorded that 75 percent of women (n = 482) and 55 percent of men (n = 294) believe that wives should remain silent about DV to keep the family together. Just as Koopman (2011, 194) argues that peace perhaps 'becomes so unspecified that it is open to manipulation by politicians and attached to violent pacification', governmental involvement in lawmaking in Cambodia has arguably aggravated the potential for symbolic violence through the *de facto* hushing of women (a greater proportion of whom relay the need for silence than men in the statistics). As Bourdieu (1987, 812) posits, 'Symbolic violence implies the imposition of such principles of division, and more generally of any symbolic representations (languages, conceptualizations, portrayals), on recipients who have little choice about whether to accept or reject them'. Indeed, legal professionals working in the field of DV repeatedly highlight the strong impetus on women to follow tradition and the resultant need for institutional responses to support women's public calls for justice. Some religious leaders on the other hand, re-affirm the need for victims' to adjust their own behaviour and remain within the marital relationship.

'She came and told me that she wanted a divorce because he hit her and she didn't want to live with him anymore. Then, I explained...it is bad to get

divorced because you have children. Sometimes, when he hits you, maybe its because of your character, it does not mean he wants to hit you that much. You have to learn how to control your words.’ (Kolab, 46-year old female Buddhist nun, Siem Reap Province)

As Kolab emphasises, stoicism and endurance are ideals Khmer women should be socialised to follow, even in situations of acute violence. It is to women that the responsibility of peacemaking is directed, if not for their personal happiness, then for others. While the swath of literature on women as natural peacemakers tends to focus on the construction of femininity in war (Mason 2005; Skjelsbaek 2001), their affinity with peace is also legitimated outside of formal hostilities. Holding the ‘comfortable view of women – and especially mothers – as embedded in particular ways of being-in-the-world’ (Scheper-Hughes 1996, 353), Kolab mobilises the idea of a mother’s altruism to impress the importance of remaining within a relationship ‘because you have children’. The nun’s belief that DV is normal (*tomodah*) supports local reconciliation as the only morally acceptable path for sacrificial mothers to follow. More generally, in cases where women wish to end a violent marriage, they face a range of barriers to expressing agency over their conjugal lives. Briefing information from a Legal Aid of Cambodia workshop on access to divorce portrays the likely discourse: ‘Had enough of an abusive husband? Get a divorce! So goes conventional wisdom, but for many Cambodian women, the challenges and social stigma attached to divorce means they would often prefer to suffer in silence than go through the process’ (UNDP 2010, np). Consistent with this sentiment, the project found that local authorities are reticent to preside over marital dissolution, and perceiving

DV law as a danger and expression of disrespect towards the sanctity of the family unit, show a preference for local reconciliation. In such instances, the hegemony of local reconciliation indicates how 'The pursuit of "peace" does not necessarily embody the realization of equality and justice' (Megoran *et al.* 2014, 254). Legal professionals commonly argue that the positionality of commune officials is to blame for their reluctance to facilitate women's exit out of marriage.

'They act as if they are the actual parents of these people... never wanting to see their children living in separation...they tend to use their power to push these people to stay together... they will never report the case, thinking that it is normal for a man to abuse his wife occasionally.'  
(Pheakdei, 31-year old male lawyer, Pursat Province)

As Pheakdei suggests, a coercive paternalism can emotively work against women's interests as local authority figures effectively remove options open to victims. Disrespecting women's ability to choose, other stakeholders contemplated the association between legal recourse and marital breakdown.

'There is a wrong understanding that this law is only created to divide the family, which is true when reconciliation is not possible. Some people look down on this law...if they believe that authorities only push for a separation, then they will lose respect for that law.' (Chantou, 48-year old male provincial police officer, Siem Reap Province)

'Traditionally speaking, the authority at the local level views itself with some sort of paternal authority. Its goal is to make sure there is no divorce or separation at home since our culture seems to view these types of

families with a lot of negative tendencies. However, in order to effectively tackle this problem, people who break the DV law must be brought to justice. They need to be reminded that the law is always on the victims' side'. (Munny, 42-year old male court judge, Siem Reap Province)

Although on the surface appearing quite similar, the viewpoints of Chantou and Munny indicate an inconsistency. While Chantou highlights the fallacy of DV law as a contagion created only to divide families, in the same breath he also suggests that in situations where local reconciliation is not possible, then this accusation still stands. Munny by comparison is less ambiguous in his response, privileging the rights of the victim despite a climate disingenuous to the dissolution of marriage.

That DV law is perceived in some quarters as a precursor to marital (and wider societal) breakdown is felt at higher government echelons. DV law itself took over eleven years (from 1996) to be ratified and during this protracted gestation period was subject to criticism (and subsequent revisions) from mainly male parliamentarians. Perhaps for this reason, the Explanatory Notes (RGC 2007, 41) directly read, 'the domestic violence law acknowledges and tries to limit the number of divorces'. In a rapidly globalising country embracing market-driven capitalist growth, the timing of these governmental interventions and clarifications is not incidental. Kent (2011, 412) argues that gender-based violence in Cambodia should 'be understood in the light of continuing moral uncertainty and mistrust that recent historical developments seem to fuel...' 'Cambodian values' are felt to be disintegrating under the pressures of recent politico-

economic change'. Against this macro-level backdrop, local authority staff (both male and female) showed a strong moral preference for the reconciliation of DV cases.

'I do agree with reconciliation because it is better to have a family intact. It helps to preserve more than just the husband and wife otherwise it will effect our culture.' (Maly, 43-year old female district council member, Pursat Province)

'Normally, the law is the last resort for us. It's true that we try to reconcile between the victims and the perpetrators for the sake of maintaining the family structure...it seems too harsh to just implement law right away. You see...it is not easy to build a family up. It takes time and effort.' (Sovann, 53-year old male commune representative, Pursat Province)

The above perspectives reference the importance placed on the inviolability of familial structure. While Maly nods to the role of reconciliation in cultural preservation, Sovann describes DV law as a 'harsh' 'last resort' mechanism. They illustrate how 'peace' is defined as the protection and longevity of the family unit, even though lived peace for a DV victim may only arise from its shattering and subsequent re-building. This criticism has been made elsewhere, including Peru, where Boesten (2014, 141) argues 'The Ministry of Women claims to be championing women's rights but, in practice, it champions the family'. The situation in Peru, and certainly Cambodia, highlights how visions of rights and justice are not necessarily synchronous with peacebuilding. As Sriram (2007, 590) aptly observes, the Western liberal 'emphasis upon individual rights,

obligations and accountability...may not be appropriate to cultures that emphasise group or community identity, the family'.

Such local cultural framework considerations feed strongly into the practice of local reconciliation itself. A lot of effort is invested in avoiding open, public disputes that would damage pride and bring shame, not only for the family, but also for the community. As Ramage *et al.* (2008, 2) explain, '*Somroh somruei* mediation and the value it places on balancing the needs of the individual with those of the collective'. Gellman (2008) notes too that in contrast to more forthright Western practice, mediation techniques addressing DV in Cambodia must ensure that none of the parties 'lose face'. As a no-fault system however, women risk being undeservedly blamed (Surtees 2003) with their needs subordinated to the privileging of others'. The imperative placed on harmony, consensus and the collective is so pervasive that many who have experienced particularly 'severe' forms of DV are still pressured into reconciliation with the same husband, often on a repeated basis. The attempted reconciliation of victim and perpetrator in these instances directly contravenes Article 17 which states that 'authorities in charge cannot intervene to reconcile or mediate the criminal offenses that are characterized as felonies or severe misdemeanors'. In 'severe' cases, the Penal Code should be used instead of DV law (Article 35) as a civil and administrative dictate without criminal punishment provisions. Yet as the Explanatory Notes (RGC 2007, 196) concede, the terms 'minor' and 'severe' are not defined in either and are therefore open to interpretation. It is left to these supplementary guidelines (*ibid.* 197) to set out the cursory idea that 'Repeated commission of domestic violence, special vulnerability of the victim, combined



domestic violence such as physical and economic violence, or the involvement of more than one perpetrator or victim should be regarded as circumstances that leads to characterizing any misdemeanour as “severe”.

The brutality that Lida faces can be described under this rubric. Lida was informally married (via a customary ceremony) two years ago to her second husband called Nhean. Whilst initially unaware of his violent past, she soon discovered that his previous wife ran away after years of abuse. Although caring at the start of their marriage, his behaviour soon changed. Casualty to marital rape on an almost daily basis, she describes her marriage as a ‘joke’.

‘The last time he hit me so hard that I cracked my skull... he swung a samurai sword over my head... when I came back from hospital, my intention was to just collect my stuff and go. I told the commune I needed a divorce, but the authority told me to go home first. They wanted us to reconcile...I thought long and hard about it and realised that I didn’t want to have too many husbands. It’s not a good thing. So I decided to forgive him and we got back together. Not even a week after that, he did it to me again. He punched me as if he was a boxer...the community won’t intervene. I can get beaten to death, and they won’t care. It’s like I have no rights at all.’ (Lida, 38-year old female domestic violence victim, Siem Reap Province)

Orphaned and with few familial networks to draw on beyond her sister (whose house she regularly flees to), Lida’s experiences highlight local reconciliation as

the ruling mode of dispute resolution. She emphasises the intractability of her predicament living within an environment of impunity in which her imagined death would be met with disinterest and inaction. Lida's decision-making to remain within the marriage reflects how 'choice' is conditioned by a perceived lack of alternatives. Attempts to pursue a criminal case against Nhean were (incorrectly) rebuffed by commune authorities. Not only this but the potential source of disadvantage and decreased status that Lida would face by leaving Nhean encouraged her to follow an aunt's advice to remain. As Ledgerwood (1990, 181) explains, censure from the community in Cambodia acts 'as an extremely strong deterrent to divorce...a woman is marked for life, as a disgrace to her family, as an unfit marriage partner, as "used goods"' (see Author and Co-Author 2014 for further information regarding trends and experiences of marital dissolution in Cambodia).

Victims' call for legal redress or the ending of marriage then are too often stifled by a governmental and societal concern for the intimate peace of the family and nation which is not always coterminous with that of the DV survivor herself. For too many women 'peace' remains a virtual concept at the hands of a reconciliatory peace that camouflages deeper pathologies of injustice and inequality. The importance of recognising, and dealing with how 'peace narratives, processes, and strategies are shot through with power relations' (Megoran *et al.* 2014, 254) is thereby vividly evidenced.

### **Politico-Economic Logics of Local Reconciliation in Cambodia**

Lida's unyielding circumstances described in the previous section are compounded by her economic dependence on Nhean whose construction labour is the only source of family income. Her situation brings into view gendered structures of economic impoverishment which entrap women further. As Elias and Gunawardana (2011) identify in an Asian context, there is a need for greater attention to be paid to systems of gender violence which operate alongside the political economy of the household. In this second section therefore, I look to the politico-economic rationalities influencing the onus on local reconciliation. Taking this approach 'highlights the patterns of material power and relationships that profoundly affect both the prevalence of violence and insecurity and the efforts to eliminate them' (True 2012, 7). It also builds on assertions within emerging reconciliation literature that 'enduring peace depends on structural changes that address inequalities and injustices, as well as on individual- and community-level change to beliefs and perceptions' (Shimada 2014, 155 in relation to Northern Ireland).

As Lida's 'severe' case intimates, legal recourse is often (reluctantly) foregone by victims in place of local reconciliation given a range of financial considerations, and perceived dangers, of DV law. The first issue paints reconciliation as the only sensible option given women's economic dependence on spouses. Ramage *et al.* (2008) argue, for example, that in comparison to formal dispute resolution, local reconciliation is preferred because it is inexpensive, fast and accessible with conciliators in the same village. Yet the report's authors later concede that victims' reviews are 'less favourable from those who continue to be abused even

after *somroh somruei* has taken place' (ibid. 34). In part measure, the dominance of local reconciliation arises from structural gender inequalities in concert with underlying deficiencies in the Cambodian justice system. Bourey's analysis, and Leakthina's admission are representative of the majority experience on this matter,

'Khmer women are mostly dependent on their spouses for financial support...while I applaud the creation of such laws, I am having a hard time embracing it wholeheartedly because it lacks so much in terms of providing options for the victims and their families. Let's say that I sentence the perpetrator to jail. What I do is essentially take away the only provider of that family.' (Bourey, 50-year-old male court judge, Pursat Province)

'We discussed the issue with the court and came to the unanimous decision that he should be released due to the simple fact that his family needed him to provide for them...sometimes it is hard to do our job because we have to grapple between right and wrong and the ever-grey area. Keeping her husband in jail is the socially right thing to do. But it would inevitably hurt the whole family.' (Leakthina, 53-year old female deputy head police, Pursat Province)

As Bourey and Leakthina note, although DV law is a positive step forward, its application in their professional practice is hampered by a complex set of pragmatic factors at play. Working in a country devoid of a welfare or legal aid system, the perceived options open to Bourey and Leakthina are minimised by women's reliance on men. Again mobilising women's altruistic burden, a victim's needs are balanced against those of the household as an economic unit that must

remain viable and sustainable for the wellbeing of its younger members. A long-term specialist in the policing of DV and trafficking, Leakthina highlights the ethical quandaries faced on a regular basis as she struggles to calibrate 'right and wrong and the ever-grey area'. As the two provincial-level experts insinuate, the meaning of 'justice' and the everyday politics of who benefits, is a thorny terrain. In the Cambodian context, Kent (2011, 406) comments likewise that 'The international rhetoric about empowering women and raising their awareness of their rights therefore needs to be scrutinized in light of the fact that real economic pressures in interplay with cultural factors may increase of the vulnerability of many women'.

On the ground in the case study communes (where training and knowledge of DV Law is limited), sensitivity to the structural constraints encountered by women is far less pronounced. Rather, local reconciliation is justified through discriminatory attitudes about women.

'Truthfully, it is always the women themselves who cloud the judgment of the law. Initially, when they are angry because of the abuse, they would come over and were adamant about getting their spouses arrested. Later, as we tried to do our jobs to bring them justice, they changed their minds. The victim breaks this line of justice by demanding the court to release him and strip him of all personal responsibility.' (Sakngea, 48-year old male village police officer, Pursat Province)

Sakngea represents women as irrational and overly emotional. The actor also expresses professional fatigue at the renege use of DV law. While women are chastised as primary barriers to justice, the actor fundamentally fails to

understand that it may be a rational decision for a victim to change her mind. As Engle Merry (2006, 189-190) comments, 'It is not surprising that women would adopt a tentative stance towards this transformation – try it on, dropping it, trying it again...Women's ability and willingness to move into this subjectivity depends, of course, on how the law treats them'. Such oscillation is often influenced by the corruption that women meet. The study found that authorities commonly venerate local reconciliation as a way to avoid this *de facto* economic violence.

'You have to look at a bigger picture here. Let's say that we arrest her husband when he beats her and send him to jail for his crime...when she needs to bail him out, the police officer responsible for the arrest will hit her with some bogus fine and she will have to pay him in order to get her husband out. You see, either way, she will be the only losing out in this whole deal.' (Pheakkley, 65-year old female deputy district leader, Pursat Province)

Pheakkley highlights the weak rule of law environment in Cambodia and the further suffering this can cause for women - her excerpt exuding pessimism towards DV law implementation. In a study on rape in the country, Amnesty International (2010) links the habitual use of bribes to the lack of budget which police officers are allocated and ultimately provided with. My research also identified severe resource and expertise constraints on the ability for police to carry out (forensic) investigations. On such grounds, local reconciliation is commonly championed as a safer, and cheaper, avenue for DV to be addressed.

Just as economic exploitation is rife, the research identified multiple cases of political corruption operating alongside. Nakry is uneducated and has been married twice; informally and then through a legally registered marriage. In her most recent marriage to Akra she was exposed to 'severe' DV during her pregnancy.

'I went to complain to the village and police office again but they asked how much I was willing to pay them. Also, a long time ago, my father voted for a political party, a different party from the village office here, which was against them...our party was the Sam Rainsy party, so they said they wouldn't file a complaint. I asked them to arrest my husband but they told me to reconcile with him.' (Nakry, 32-year old female DV survivor, Siem Reap Province)

Commune authorities and the police ignored her expressed wishes for arrest and recommended local reconciliation only. Their misconduct not only reflects the politicisation of their respective positions but also the hierarchies of power, connections and status that operate. As Luco (2002, 18) explains, 'The village chief is now the local representative of the main political party, a situation that creates suspicion and divides villagers' (note 4). The police force has also met criticism with officers and lower-rank personnel reported to have strong loyalties to the political party they are affiliated to.

Post-reconciliation, the physical violence continued unabated. Returning from her mother's one night, Nakry was electrocuted as she entered their home. Akra

had intentionally rigged up an exposed wire against the metal door. Yet he was told by the police only to change his behaviour and reconcile. Seeking a life free from violence, Nakry negotiated a divorce (secretly 'paying-off' the court to expedite it) but five months on decided to reunite with him under financial duress. Again, the violence re-ignited. Beating her and pushing her into a fire, she showed her scars in the interview before explaining how the police again refused to arrest her husband without payment. The prevailing situation in Cambodia bears resemblance to Engle Merry's (2006, 188) more general observation that the relationship between legal reform and the transformation of women's lives is ambiguous, 'offering a new legal self protected from violence by men but providing in practice a protection never fully guaranteed or experienced'. Again evoking the idea of a 'virtual liberal peace hybrid', such examples of political and economic corruption relate to what Richmond and Franks (2007, 46) explain as a 'superficial overlay of the liberal governance of politics, economy and society' that allows for the coexistence of democracy and corruption, the establishment and denial of rule of law. From evidence of economic and political corruption to the insistence on putative restoration of the marital unit, it is clear that the meaning (and illusion) of 'peace' to local authorities has a profound (yet under acknowledged) influence over DV victims. Bring into the mix the structural constraints that women face as economic dependents on their abusers and the recipe is written for local reconciliation to remain *modus operandi*.



### **Conclusion: Bringing Peace Home**

This paper has responded to calls in geography for more research first, on DV and second, on situated meanings and manifestations of peace that stretch across research agendas in the discipline. Synthesising both concerns I focused on local reconciliation as a customary peacemaking mechanism commonly adopted to redress DV in contemporary Cambodia.

For many women who suffer abuse, and for legal professionals (and CEDAW representatives) in particular, local reconciliation represents an ambiguous departure from intimate war and to illiberal peace that compromises the agency of DV victims as rights-bearing actors. The restorative peace that local reconciliation nominally offers is selective. Local authorities typically champion its use on moral grounds to maintain a pre-existing state of harmony, and by extension peace, within their communities. Blinded by the fallacy of harmony, too few 'severe' cases that should fall under the Penal Code escape the re-trauma of reconciliation at the hands of such putative peacemakers. Lida and Nakry's experiences, like those of many others interviewed, demonstrate how the eschewing of DV law and the privileging of local reconciliation belie the promise of justice. DV law is frequently framed as a nominal threat rather than actionable mechanism to broker anything other than virtual geographies of peace.

Geographers who take up the more specific challenge of researching with, and advocating for, DV victims' rights must also look to the political economy dimensions of the human rights violation and attempts to eliminate it.

Cambodia's hybrid and fractious political economy has contributed to the divergent characterisation of local reconciliation as a process pursued out of

genuine preference or necessary ill. Following Adelman's (2004) typology, the ideological logics that underpin local reconciliation highlight first, a strong moralistic commitment to harmony and the unyielding continuity of the marital unit by national as well as local-government machinery intent on securing its own intimate peace. Harnessing local reconciliation, they are shown to be complicit in undermining the needs of DV victims like Lida and Nakry by providing assistance that is at best a temporary fix, and at worst the precursor to retaliation and a continued cycle of abuse. Evidence, second, of a polity conducive to corruption that threatens women's fair access to DV law, and power brokers willingness to engage with it, also has a role to play in stifling women's rights-claiming. The make-up of the economy and structural gender inequalities within it, third, sees the material basis for women's ability to negotiate their life-decisions diminished by an economic dependency on spouses that was pervasive within the case study communities. The process of moving towards intimate geographies of peace thus requires not only micro but also macro-level change in Cambodian society today.

Exposing and responding to the cultural ideals and norms promulgated, as well as the political and material realities operative, geographers have a greater role and responsibility to play in producing research which explores the multi-scalar connections between these dynamics and the vested interests of their various interlocutors. Ultimately, bringing peace home in Cambodia means attending to all of these considerations in concert, and taking a feminist approach that does not forget 'peace as women's achievement of control over their own lives' (Enloe 1993, 65).

## Notes

- (1) In Cambodia 25 percent of ever-partnered women report having experienced physical violence or sexual violence (or both) by an intimate partner (Partners for Prevention 2013).
- (2) To protect the identity of interviewees, all the names have been changed and the level of geographical specificity limited to the province.
- (3) While in Khmer 'peace' (*santepheap*) is defined as calmness and conciliation with respect to national-level affairs, 'harmony' (*sokadom*) is more likely to be used in everyday speech to reference living together happily.
- (4) At the current time, the Cambodian People's Party (CPP) is the ruling party. In 2012 the Sam Rainsy party merged with the Human Rights Party to become the Cambodian National Rescue Party (CNRP) - the CPP's now main opposition.

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