

Changing Tradition and Women's Right to Equality in Marriage and Family Relations⁴⁰

As mentioned, '*chhab srei*' is a code of conduct, which outlines the behaviour expected of Cambodian women in society. It includes a set of rules addressed to unmarried women to please their future husband, and once married, they are expected to fulfil their husband's desires. *Chhab srei* is transmitted from generation to generation for centuries and has been taught in schools until 2007. It has permeated the cultural mindset of the populace and influenced the interpretation of existing laws on gender equality to the disadvantage of women.

Aside from culture, the Buddhist religion also heavily influences the prevailing practices on marriage and family relations. Arranged marriage has survived as a tradition that honours the obligation of parents to marry off their children to good families to preserve their pride and honour. Divorce is also considered a 'shameful affair,' especially for women, so it is discouraged. Rather than divorce, women are pressured to reconcile with their spouse or partner even in cases of spousal abuse. These gender discriminatory practices prevail in spite of provisions in the Cambodian Constitution that men and women are equal in all ways, especially regarding marriage and family matters.

Changes in culture, which are also reflected in changes in the law, are evident in a recent case regarding the wife's right to the conjugal home. Marina and Dara entered into a marriage arranged by their parents in a traditional ceremony in 2000. When Dara died, Marina lost her right to claim as Dara's lawful heir since their marriage was not registered. At most, she was allowed to stay in the conjugal house because she cohabited with the deceased for over 10 years and presumed to have been married to him. While she remained unemployed during the marriage, her contributions as housewife were considered equal in value to employment outside the home as decreed under the Cambodian Civil Code and the Cambodian Constitution.

40. Presentation of Vichuta Ly, Director, Legal Support for Children and Women (LSCW), Cambodia, 4 September 2013