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**Mobilising Without the Masses and Mainstreaming Women's Rights:
A Case Study of the Local Women's Movement in Malaysia**

Xia Shuen Quek

Advisor: Kristy Kelly

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ABSTRACT

This thesis offers a critical evaluation of the women's movement in relation to the problem of violence against women in the local context of Malaysia. It provides an analysis of the key strategies employed by local women's organisations to address various forms of violence against women, including coalition building, engagement with UN mechanisms and the use of the media. This thesis also discusses the challenges of patriarchal cultures and mind-sets facing the local women's movement, as well as the culture of fear that is prevalent in the Malaysian society and highlights the ways in which local women's organisations work within the constraints of a semi-authoritarian state. In addition, this thesis offers a critical analysis of the language and frameworks adopted by the local women's movement in order to address the issue of violence against women. More precisely, it examines the ways and extent in which local women's organisations engage in the framework of feminism and the talk of rights. Overall, this thesis seeks to account for the nuances and complexities involved in local women organising and provide a better understanding of the dynamics of the women's movement in Malaysia.

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Chapter One: Introduction

1.1 Purpose of the Study

The Malaysian women's movement makes for an interesting and important case study for understanding the various key challenges and opportunities that are faced by contemporary social movements in the advancement of women's rights. The strategies employed by the local women's movement to address the issue of violence against women are worth critical examination given the specific historical, political, economic and social conditions of Malaysia. This includes, but is not limited to, the country's position as a developing nation and a former colony of the British Empire, the presence of a multi-ethnic and multi-cultural population, the existence of a judiciary in which its independence and efficacy in securing rights is highly questionable, the diminishing and limited space for civil society activism, and the presence of a semi-authoritarian government that has shown to be harshly intolerant of public protests and critical dissent in numerous occasions.

The purpose of this research study is to provide a critical analysis of the local women's movement in Malaysia in relation to the issue of violence against women. The primary research question of this thesis includes: What strategies are being employed by local women's rights organisations to address the problem of violence against women in Malaysia? In addition, this thesis also seeks to answer the following sub-questions: What are the main challenges faced by the local women's movement in their campaign to end violence against women? What particular forms of violence against women are prioritised and made salient, and why? How do local women's organisations frame the issue of violence against women, and what are the implications of using such frames? Do all local women's organisations engage in the talk of 'women's rights'? What are the limitations of the international human rights framework in addressing the problem of violence against women locally, if any?

In the following section of this first chapter, I will offer an account of my research methodology. I will then provide a literature review which includes three different subject areas that my research topic is related to. Specifically, my research is situated at the intersections of the study on women's movements in Asia, the problem of violence against women, as well as religious traditions and cultural norms in relation to women's rights. In chapter two, I will introduce some key background information on Malaysia, which will serve as an important backdrop for the subsequent data analysis. Thereafter, I will present and discuss the main findings of my research, beginning with the key strategies employed by the local women's movement to address the problem of violence against women. I contend that coalition building, strategic engagement with United Nations mechanisms, and the use of media for public agenda-setting are crucial strategies that have enabled the local women's movement to be reasonably effectual and to develop into the robust movement that it is today.

In chapter three, I will analyse the main challenges faced by local women's organisations, including the difficulty of overcoming patriarchal cultures and mind-sets that are not just prevalent in local society, but also in key institutional structures. Furthermore, I will give an account of the culture of fear and the challenge faced by the women's movement of having to work within the constraints of a repressive state. Next, in chapter four, I will critically evaluate the language and frameworks adopted by local women's organisations. I will examine the use and relevance of feminism as a framework of analysis, both at the individual level and organisational level, in the context of women organising in Malaysia. Following that, I will discuss the talk of rights and demonstrate how local women's organisations play a crucial role in translating the international human rights framework into the local context. Lastly, I will offer a concise macro-analysis of the research data and conclude my findings in chapter five.

By conducting a case study on Malaysia, this thesis hopes to fill the gap in the existing literature on women's movements in Asia and elucidate key strategies that could be helpful in combating violence against women in other countries that share certain similarities to Malaysia. This thesis also seeks to provide some insights on the main challenges faced by the local women's movement, and a critical evaluation of the international human rights framework in ending violence against women in the local context. This thesis brings together works on social movement strategies, the international human rights framework, challenges of culture, religion and tradition in relation to women's rights, and transnational feminism.

1.2 Methodology

The methodology of this research is primarily focused on obtaining qualitative data through content analysis and conducting interviews. In regards to the subject of analysis, the main subject of my research includes individual women's rights activists, non-governmental organisations and women's groups that are a part of the local women's movement, and are involved in addressing issues of violence against women. Firstly, an analysis of the relevant scholarly literature on the historical development of women's movements in Asia, the emergence of violence against women as a violation of human rights and women's rights, and the role of religious traditions and cultural norms related to women's rights is carried out.

To analyse the ways in which the problem of violence against women is discussed and framed within the public discourse, a preliminary search was conducted online for violence-against-women-related news articles and official statements given by state actors and non-state actors pertinent to Malaysia. This method was also used to screen and identify which forms of violence against women are most salient in the national public discourse and the corresponding

state agencies, civil society organisations and other stakeholders that are involved. Furthermore, a content analysis of a wide range of violence-against-women-related archives, including letters to editors, policy documents, press statements, social media campaigns, research outputs, reports and publications produced by local women's organisations, was conducted.

In addition, I interviewed a total of 10 individuals. All participants are Malaysian and identified themselves either as a women's rights activist or an LGBTQ rights activist. They were also either a member, a volunteer or a staff working at a local women's rights organisation or non-governmental organisation, and are in many ways the principal drivers of the women's movement in Malaysia. All interviews were conducted in-person and on a one-to-one basis during a field visit to Kuala Lumpur, Malaysia in October 2017, except for one interview which was conducted via skype-call. A preliminary online search was carried out to identify the main local civil society organisations and women's rights activists who are actively working on issues relating to violence against women. These individuals and local organisations were then contacted via email and invited to participate in this research study.

The subjects of my interviews were determined based on who was willing to be interviewed. Individuals who agreed to participate in this research study were and are involved in a range of local women's organisations and non-governmental organisations including: All Women's Action Society (AWAM), Women's Aid Organisation (WAO), Justice for Sisters, *Persatuan Kesedaran Komuniti Selangor* (EMPOWER), Sisters in Islam, National Council of Women's Organisation Malaysia (NCWO), *Gabungan Bertindak Malaysia* (Coalition on Plan of Action for Malaysia, GBM), the Coalition for Clean and Fair Elections (BERSIH) and the Joint Action Group for Gender Equality (JAG). With the aim of including a broad range of perspectives, the diversity of the participants in terms of their activism, type of involvement in the women's movement, their

experience and professional position within local civil society groups and women's organisations were also taken into account for this study. Throughout all chapters of this thesis, the real names of the participants of this study are replaced with fictitious names in order to protect confidentiality.

For the purposes of data collection, the interviews were conducted in a semi-formal manner in that the participants of this study were given the opportunity and flexibility to answer and discuss the interview questions in their own capacity as an individual. This allowed for a more candid discussion as participants could share their opinions on the topic without necessarily having to represent the official stance of the organisation that they are from. A list of interview questions was prepared to guide the conversation, but the structure of the interview remained mostly as an informal dialogue. The participants were asked to share what they thought were the key challenges facing local women's organisations in addressing the problem of violence against women in Malaysia. They were also asked about the main strategies adopted by the local women's movement or their respective organisations to overcome those challenges, and to elaborate on whether those strategies were effective or ineffective as well as the political, socio-economic conditions in which those outcomes occurred. A full list of the interview questions can be found in the Appendix.

While acknowledging the value and importance of the perspectives from state actors who are involved in addressing the problem of violence against women in Malaysia, the scope of the data collected for this research is limited to civil society actors. Local women's organisations that are based in other states of Malaysia and outside the urban areas of Klang Valley were also contacted, however these organisations did not respond or consent to being part of this research. This could thus serve as a limitation to this study. Moreover, with regards to the strengths and limitations of this research study, my position as a Malaysian researcher is perhaps worth mentioning. While this may serve as an advantage in terms of being able to better understand the

contextual nuances in conversations with local women's rights activists, it also renders absolute impartiality and objectivity in my writing improbable. As a Malaysian woman who has been involved in the local women's movement in an individual capacity, my account and analysis of the subject is thus, in some parts, inevitably influenced by my own personal experiences and perspectives.

1.3 Literature Review

'The Women's Movement': A Note on Terminology

First and foremost, it is important to note that 'the women's movement' or 'women's movements' as a concept is not clearly defined; its role is contested and its meaning is contingent upon the context in which it is used. Within the literature, the notion of women's movements has generally been used to refer to organised feminist movements in which women are organising to challenge and change existing gender relations which subordinates women to men. In other cases, a broader conception of women's movements has been used to refer to women organising as women, understood as a distinct and specific constituency, to bring about changes in the political and economic status quo that may not necessarily focus on unequal gender relations in society (Ferree and Mueller 2004, p.578).

For the purposes of this study, I adopt a dynamic conception of the women's movement which can be broadly understood as women organising, mobilising and taking collective action with the objective of achieving social change in relation to women's interests and gender equality. The women's movement is not homogenous as it tends to be comprised of various plural actors, which also means that there is likely to be animosities, incoherence and contradictions in actions and goals within the women's movement itself. While 'the' women's movement is in some ways

a misnomer (Derichs and Fennert 2014, p.152), the organising of women and effective concerted action by the women's movement is possible based on mutually shared concerns like ending forms of violence against women. Also, I conceive the women's movement as not limited to formal organisational structures such as women's rights organisations or women's sections within government institutions, and includes informal groups and individuals who are mobilising as social activists concerned with gender and women's issues.

Women's movements in Asia

The histories of women organising and women's movements in Asia has been a prominent area of scholarly interest. This is exemplified by the abundance of literature that can be found on the subject including various historical, comparative and transnational accounts of women mobilising within and across Asia. As the largest continent in the world, Asia is unsurprisingly very diverse. But even within the regional subsets like East Asia or Southeast Asia, each individual country and its population demographics differ quite substantially in terms of language, culture, religion, race, ethnicity, political regimes, economic development and the nation's history. Nevertheless, there are some similarities in the way in which women's movements have emerged in the local context of different Southeast Asian countries.

When thinking about contemporary women's movements of a specific country, several local women's organisations or a national coalition of women's groups would usually come to mind. Debatably, these prominent women's organisations and coalitions would often be the face of the local women's movement of that specific country. For example, in relation to women organising around issues of violence against women, there is the Association of Women for Action and Research (AWARE) in Singapore, National Commission on Violence Against Women

(Komnas Perempuan) in Indonesia, Joint Action Group for Gender Equality (JAG) in Malaysia, Women's League of Burma (WLB) in Myanmar and *Bantaey Srei* in Cambodia, to name a few. The majority of these well-known local women's organisations were established in the 1970s and 1980s which is a period of time where there was a proliferation of women's rights organisations all across Asia.

However, it would be a mistake to think of local women's movements in Asia as a new phenomenon that had only started to appear in the 1970s. A review of the literature shows that in many Southeast Asian countries, there is a nascent local women's movement prior to the 1970s; women have begun mobilising even before the official formation of their country as an independent nation state (Roces and Edwards, 2010). All countries in Southeast Asia, except Thailand, have experienced colonial rule by Western forces such as Portugal, Great Britain, Spain, France, The Netherlands and the United States. In fact, the Philippines, Indonesia and Malaysia were ruled by more than one colonial power. During the colonial period, nationalist movements were arguably the most dominant political process of each colonised country (Roces and Edwards, 2010). Consequently, nationalism and the anti-colonial struggle not only played a role in fostering and shaping the local discourse on women's rights, but it also influenced the structure of the nascent local women's movement in Southeast Asian countries.

Based on historical accounts of women's movements in Southeast Asia, the emergence of women organising is closely intertwined with nationalist movements in the local context (Roces and Edwards, 2010). For example, the first Indonesian women's organisation, namely *Poetri Mardika*, was established during the 1910s under the first Indonesian nationalist association known as *Boedi Oetomo* (Martyn 2005, p.37). In Singapore, women first mobilised against the problem of polygamy and formed the Singapore Council of Women (SCW) in the 1950s; the advent of the

Singaporean women's movement coincided with the nationalist movement as women leaders saw the struggle for women's rights as part of the larger nationalist struggle for independence and democracy (Lyons 2004, Ch.1). Moreover, the first few women's organisations in Myanmar were formed in 1919, including the Burmese Women's Association (BWA) and two women's organisations that were explicitly linked to the anti-colonial struggle known as the Young Women's Buddhist Association (YWBA) and *Wunthanu Konmaryi Athin* (Patriotic Women's Association) (Ikeya 2011, Ch.3). Similarly, local women organising first took place from within the Cambodian nationalist movement during the 1940s (Jacobsen, 2010).

In most accounts, the initial mobilisation of women was primarily intended as a secondary and supplementary role to enhance the legitimacy of the anti-colonial struggle. Women's rights and interests were acknowledged as an important agenda by the nationalist movements, but were nonetheless subsumed by the nationalist agenda of gaining independence from the Western colonial powers (Roces and Edwards, 2010; Derichs and Fennert, 2014; Ferree and Mueller, 2004). Moreover, women organising from within the mainstream nationalist movement had limited power. Women's concerns were commonly side-lined and its relevance had to be articulated within the boundaries and terms of reference set by the nationalist discourse. The development of local women's organisations within the nationalist framework were nonetheless an important strategy to advance the social position of women. This is because as nationalists, women then gained the opportunity to legitimately enter the male-dominated political space and publicly discuss women's interests (Martyn, 2005; Roces and Edwards, 2010).

Another observation about the various nascent women's movements in Asia is that the leaders and members of these newly-formed women's organisations are predominantly middle-class or elite women. In other words, women who come from a privileged social and economic

background, are well-educated, have strong networks and political connections that are often gained through familial ties to a prominent male political figure. As detailed in the chapters of the book edited by Roces and Edwards (2010), this holds true in most of the nascent local women's movements of Asia. In fact, the contemporary local women's movement in Cambodia, Pakistan, Singapore and Malaysia still mirrors its past in that its membership and leadership have not substantively moved beyond middle-class or elite women (Jacobsen, 2010; Shaheed, 2010; Roces and Edwards, 2010; Ng, Mohammad and Tan, 2006).

The nascent women's movements in Asia mobilised on a variety of local issues at different periods of time, ranging from women's voting rights and political citizenship in the Philippines to educational opportunities and equality for women in Thailand (Roces, 2010; Lindberg Falk, 2010). As of recent times, contemporary local women's movements all over Asia have developed further and achieved notable success in the campaign against violence against women in the local context of their respective countries (Roces and Edwards, 2010).

The Problem of Violence against Women

Before the 1980s, violence against women was not acknowledged as an issue by the international human rights movement and was largely absent from the global discourse. It was only in 1985 that transnational networks of human rights and women's rights movements began to converge and collectively mobilised on problematizing violence against women (Keck and Sikkink 1998, p.166). As a result of numerous transnational advocacy campaigns, violence against women started to gain visibility as a human rights problem of international concern and it eventually became an integral part of the United Nations' (UN) agenda in the 1990s. The key international document that formalised and legitimised the problem of violence against woman

includes the Vienna Declaration and Programme of Action that was adopted during the World Conference on Human Rights in 1993 (Merry 2009, p.79). The main actors involved in this process of transnational consensus-building and the global production of violence against women as a human rights violation include the UN and its relevant agencies, representatives of member-states, transnational women's movements and human rights organisations (Merry 2006a, p.19).

As opposed to frames of development or discrimination, the UN frames violence against women predominantly as a women's rights issue. The Declaration on the Elimination of Violence against Women (DEVAW) defines violence against women as an act of gender-based violence and it is a comprehensive framework that accounts for various forms of violence against women occurring in public or private life (UN General Assembly, 1993). Under international human rights law, violence against women is understood to be strongly linked to discriminatory practices against women, and the legally binding Convention on the Elimination of all forms of Discrimination against Women (CEDAW) is meant to be read in supplement to DEVAW.

It is worth noting that while 'violence against women' and 'gender-based violence' are often used interchangeably, each term is inclusive and exclusive in different ways. 'Violence against women' is often employed to draw attention to the gendered dimensions of violence and the fact that women and girls are disproportionately affected by violence. However, as research on the issue developed, there has been a gradual shift in terms of the language used in international discourse and the focus has moved to the underlying structural causes of violence against women. Thus, gender-based violence is more broadly used to emphasise the significance of gendered identities to violence and to highlight how inequitable gender power relations that causes violence against women also causes violence to other groups, including non-heterosexual persons and gender non-conforming persons (UN Discussion Paper 2014, p.12).

As violence against women was getting mainstreamed and publicly recognised as a human rights issue within the international community, violence against women had also similarly began to emerge as an increasing concern within the local public discourses of Asian countries during the 1970s and 1980s. To recap, this is the same period in which there was a huge increase in the number of women's rights organisations all over Asia. This is partly owing to the impacts of the UN global conferences on women and the funding opportunities for women's rights initiatives and NGOs in developing countries in Asia. According to Roces and Edwards (2010), lobbying for legislative change and consciousness-raising are two main strategies that was adopted by women's rights activists and women's organisations in Asia to campaign against violence against women.

Local women's movements in Asia have been actively engaging with the state in terms of lobbying for legislative changes that would codify women's rights to be free from violence into the domestic legal system. This strategy allows for feminist agendas to enter the formal political discourse, and the effectiveness of this strategy is arguably evident in the numerous successful campaigns to enact laws against violence against women in Southeast Asia (Roces and Edwards, 2010; UN Women, 2010). Furthermore, the role of the media was crucial not just in making visible and intelligible the problem of violence against women, disseminating new feminist ideologies in the local context, but also in eliminating the existing cultural taboos about the public discussion of critical women's issues (Roces and Edwards 2010, p.15). For instance, tri-media which includes radio, television and print were especially important mediums for the Philippines women's movement, just as it was elsewhere in Asia, to explain new feminist vocabulary like 'rape' and 'domestic violence' (Roces, 2010). In the last decade, the use of international human rights mechanisms has also become an increasingly common strategy used by local women's movements

to hold their governments accountable in securing women's rights to be free from violence (UN Development Fund for Women, 2009).

Women's Rights as Human Rights; Religion and Culture

There is a considerable sense of scepticism and hostility towards the notion of women's rights and the overall concept of human rights within local societies of Southeast Asia, given that nearly all countries have experienced the chilling effects of Western colonisation. In addition, as highlighted in various chapters of the book 'Women's Movements in Asia' (Roces and Edwards, 2010), there is a general lack of an equivalent term for 'feminism' or 'women's rights' within the local vernacular languages in many of the Asian countries. As the human rights framework is getting mainstreamed in Asia, opponents of women's movements have been positing 'feminism', 'human rights' and 'women's rights' as a western neo-imperialist concept in order to discredit and delegitimise the demands of women's rights in the local context of Asia.

In terms of women's rights advocacy in relation to religious and cultural traditions in Asia, there are accounts of women's groups in China employing an indigenous cultural framework as part of their advocacy strategy, such as organising Chinese folk performances as a means of public education to address problems of domestic violence, because it is deemed more effective than the talk of women's rights (Edwards, 2010; Zhang and Hsiung, 2010). In Pakistan and Indonesia, women's organisations have used Islam as a framework for countering the subordination of women to men proposed in the name of Islam (Shaheed, 2010; Blackburn, 2010). There are also several accounts within the literature on women's rights in Malaysia which features the adoption of an Islamic framework by a local faith-based women's organisation, known as Sisters in Islam, as part of its integrated advocacy strategy to advance Muslim women's equality vis-à-vis Muslim men

(Basarudin, 2016; Hessini, 2016; Othman, 2006). Nevertheless, less attention has been paid to how violence against women is being addressed within non-Muslim communities in Malaysia and to the advocacy strategies of local secular women's organisations.

Furthermore, there was a contentious political debate about 'Asian values' in the 1990s, a term popularised by several leading political figures in Asia; most notably, Singapore's late former prime minister – Lee Kuan Yew, and Malaysia's former prime minister – Mahathir Mohamad. The debate was at its peak during the Vienna Conference on Human Rights in 1993, shortly after a pre-conference regional document, known as the ASEAN Declaration, was adopted by the governments of 40 Asian countries (Engle 2000, p.311). The 'Asian values' debate is multifaceted and essentially centred on the need to account for cultural, religious and value differences between Asia and the West within the international human rights regime (Engle 2000, p.331). At the crux of the debate is the argument that human rights are somewhat incompatible and in opposition to traditional, cultural and religious norms specific to societies in Asia. Hence, it is argued that interpretations and implementations of international human rights needs to be adequately adjusted to local cultural norms, practices and values of Asia.

Most of the literature has been focused on analysing the 'Asian values' debate in relation to power politics and its role in producing the 'economic miracles of Asia', as well as theoretical analyses of the concept of human rights within the larger debate of universalism and relativism (Hoon, 2004; Peerenboom, 2003; Sen, 1997; Zakaria, 1994; Kausikan, 1993). However, there is a gap within the literature in that not much, if any, has been written about 'Asian values' in the context of women's rights and gender equality even though there are remnants of the debate in the mainstream political discourses of Asia. 'Asian Values' is still presently used to undermine claims of women's rights and gender equality, though implicitly, by positing that there is indeed a separate

set of cultural beliefs and value system that is unique to Asian societies. In short, a review of the existing literature shows that arguments concerning cultural specificity and religious traditions are popular within the discourse of women's rights, and have been invoked both in favour of and in opposition to the advancement of women's rights in Asia.

To reiterate, my research study is situated within the intersections of the three different areas of literature mentioned above. By adopting a qualitative approach in analysing the local women's movement, I hope to contribute to the scholarship on women's movements in Asia with a case study of Malaysia and elucidate some key insights on feminist strategies to advance gender equality and end violence against women in the local context.

Chapter Two: The Malaysian Women's Movement

2.1 Country Background

Malaysia came to be an independent state in August 31, 1957. Before that, Malaysia was ruled by Great Britain and was one of the many British colonies in the region of Asia. Since gaining independence, Malaysia has been governed by the same coalition political party known as *Barisan Nasional*, and it has been ruled by six prime ministers who are all from the United Malays National Organisation (UMNO) that forms one-third of *Barisan Nasional*. In terms of population demographics, contemporary Malaysia is a multi-cultural and multi-ethnic nation with a Muslim-majority. The country has a population size of roughly 32 million people, out of which 68.8% are *bumiputera* citizens comprising of Malay people and indigenous people, otherwise known as 'sons of the soil'; 23.2% are ethnically Chinese, 7% are ethnically Indians, and the remaining 1% are of other ethnicities (Department of Statistics Malaysia, 2017). It is important to note that the term 'Malay' conflates race and religion in that, at least legally speaking, a Malay person is necessarily Muslim, but a Muslim person is not necessarily of the Malay race.

While Malaysia is generally considered as a secular state, the religion of Islam is afforded a special status vis-à-vis other religions practiced in the country. To be precise, Islam is declared to be the official religion of the country under the national constitution, though it remains rather ambiguous as to what that actually entails (Federal Constitution of Malaysia 2010, Article 3.1). Furthermore, Islam is institutionalised in the country to some extent. This is evident in the establishment of various Islamic institutions, including Islamic religious councils such as *zakat*, *baitulmal*, *fatwa*, *wakaf* which functions at the state level, and the Department of Islamic Development Malaysia (JAKIM) which was created in 1997 and functions at the national level. In addition, Malaysia practices a dual-track legal system in which there are civil courts operating at

the federal level and are applicable to all Malaysian citizens, and at the same time, there are also *Syariah* courts operating at the state level in all 14 states of Malaysia. *Syariah* courts are religious courts that have limited jurisdiction over Islamic law, mostly focusing on Islamic Family Law, and are only applicable to Muslim persons in Malaysia.

2.2 Key Strategies

i. Coalition Building

Some of the earliest signs of women's mobilisation in Malaysia occurred prior to the country's attainment of independence. This includes The Malay Women Teachers' Union that was founded in 1929 which promoted formal schooling for Malay women, as well as women organising against sexual harassment within the local labour movement during the late 1930s, particularly among farmers and estate workers (Ng, Mohamad and Tan 2006, p.3). The creation of women's wings within leading political parties and unions also started to emerge during the late 1940s and in the 1950s. Most notably, a women's wing known as *Pergerakan Kaum Ibu* or Mothers' Movement was officially established within the dominant political party that is UMNO in 1949.

There were also several local groups which started to mobilise on different forms of violence against women post-independence. In 1963, eight women from different backgrounds came together to form the National Council of Women's Organisation (NCWO) and took lead on advocating for equal pay for women. This idea of creating a national umbrella organisation for local women's groups was, in fact, primarily mooted by the Young Women's Christian Association of Malaya (YWCA) (National Council of Women's Organisation 2013, p.13). Later in 1965, the Malaysian Trades Union Congress (MTUC) Women's Committee was formed and were known for fervently championing women's rights against sexual harassment at the workplace.

By the 1980s, women organising and women's rights activism in Malaysia began to become professionalised not only in that there was a marked increase in the number of local women's groups and women's rights organisations, but women's rights work was also gradually formalised within these organisations where full-time paid positions started to exist. Put differently, the women's movement was becoming institutionalised in a way. There was arguably a shift as advocating for women's interests was no longer merely a personal side-interest or seen as a form of ad hoc voluntary work that people do, instead it became a type of formal waged work and was understood as a form of deliberate collective organising. The notion of women's rights was then getting mainstreamed in local society and the Malaysian women's movement has since developed into a robust and sophisticated transnational network of women organising to address various issues facing women in the country.

On the main agenda of the local women's movement of the 1980s was the problem of violence against women. In 1985, several individuals and women's groups came together to form the Joint Action Group against Violence Against Women (JAG-VAW), which is now known as the Joint Action Group for Gender Equality (JAG) and happens to be the longest existing civil society coalition in modern Malaysia. The founders of JAG included Malaysian women who, at that time, had just returned from their studies abroad and was exposed to different social movements and civil society activism in countries like the United Kingdom and the United States (Interview with Sofia, 2017). In the same year, a two-day workshop themed 'Break the Silence' which focused on five key areas of violence against women including rape, battery, sexual harassment, prostitution and negative portrayal of women in the media was organised by JAG in Petaling Jaya (Interview with Barbara, 2017).

The workshop is often lauded as a significant event in the history of the Malaysian women's movement as it had successfully attracted an unprecedented sizable crowd of 2000 people, and allowed for issues of violence against women to be publicly and openly discussed for the first time. Veteran women's rights activists who were interviewed for this study explained that local women organising was already set in motion prior to the formation of JAG, but the two-day workshop had offered the impetus that was needed in order for the local women's movement to take shape and develop into a full-fledged movement. In other words, the workshop effectively created a critical space for women activists to meet and discuss previously private and taboo issues of violence against women, which in turn, allowed for the exchange of ideas and the opportunity for local women to take collaborative action on implementing social change. Arguably, the formation of JAG and the workshop played an imperative role in facilitating the collaboration and networks which led to the creation of many local and regional women's organisations today. For example, this includes the All Women's Action Society (AWAM), Asian-Pacific Resource and Research Centre for Women (ARROW), and International Women's Rights Action Watch Asia Pacific (IWRAW-AP) (Interview with Lily, 2017).

In the case of Malaysia, collaboration at the individual level and coalition building at the organisational level have both shown to be an important advocacy tool for lobbying the government and building the women's movement. Nearly all local women's organisations came to form as a result of the collaborative efforts of a group of women, and as demonstrated in the case of JAG, coalition building has shown to be an especially effective advocacy strategy. As a veteran women's rights activist recalls, "we formed JAG because the women's groups learned very quickly that a lone voice was not going to work. JAG has 12 permanent members today, but it was

more fluid in the earlier years with different groups joining in on different issues” (Interview with Lily, 2017).

One of the principal achievements of JAG in addressing the problem of violence against women includes its successful lobbying of the Malaysian government to enact a Domestic Violence Act in 1994. JAG, then comprising of five women’s organisations including the Women’s Aid Organisation (WAO) which is at the forefront of addressing the longstanding problem of domestic violence, first submitted its proposal bill nine years before the Domestic Violence Act was officially passed, rendering Malaysia as the first country in Asia Pacific to codify the right to be free from domestic violence in its national law (Endut 2011, p.155). Recently, the collaboration between JAG, NCWO, other non-governmental organisations and pertinent government agencies have enabled the Domestic Violence (Amendment) Bill 2017 to be unanimously passed in parliament, which ultimately results in the provision of better legal protections for all survivors of domestic violence in Malaysia (Press Statement by Joint Action Group for Gender Equality, 2017).

Apart from being a useful strategy for lobbying the government for legislative changes, coalition building is also important for growing the women’s movement in terms of expanding its collective capacity to take on multiple issues of violence against women at once. All interviewees of this study are generally cognisant of the need to address the multifaceted ways in which violence against women manifests and the need to approach women’s rights holistically, but the lack of coordination across the different NGOs was limiting the potential of the women’s movement. At the level of individual organisations, the lack of resources and funding served as a real constraint to the organisations’ capacity to tackle problems of violence against women. “We realised that civil society NGOs were in a way replicating each other's work with multiple resources. Everyone

was going for the same funding, trying to do the same thing. Shouldn't we be working together so that we can share the resources and make better use of it? So, we decided to form a coalition. It really seemed like common sense" – Leena, women's rights activist.

By collaborating and forming coalitions with one another, local women's organisations are also able to respectively build on their expertise in different areas of women's rights and act more cohesively as a movement. For instance, within the coalition of JAG, every member organisation plays an equally important role as they have their own niche areas of expertise, so they each offer different skills, insights and raise different questions to a problem. "Every JAG member organisation has their own strengths. WAO is the domestic violence expert and is very good at public advocacy and documenting women's rights violations. WCC Penang has members who are well-versed with the legal framework which helps when it comes to drafting bills. Sisters in Islam is the expert when it comes to matters regarding Islam and women. AWAM is the expert when it comes to trainings on gender and women's rights" – Barbara, women's rights activist.

In summary, coalition building is one of the main strategies adopted by the Malaysian women's movement for lobbying the government and building the movement. It is an effective strategy that enables local women's organisations to collectively overcome the challenges of fragmentation within the movement, and diminish the corresponding problem of limited resources and funding.

ii. Engagement with UN Mechanisms: *CEDAW Reporting, UPR Process, SDG Framework*

Another key strategy that is employed by local women's organisations includes engaging in transnational advocacy and various United Nations (UN) mechanisms. All interviewees of this study considered engagement with the United Nations, specifically with the Committee on the

Elimination of Discrimination against Women (CEDAW Committee), as an indispensable opportunity and a relatively effective strategy to shame the government into action. Malaysia is a state party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) since 1995. In 2006, the Malaysian government sent 23 delegates to present their first and second CEDAW periodic report at the UN New York Headquarters. As one of the women's rights activists who was there to observe the government's CEDAW report submission, Lily notes that "the Malaysian government cares about their global reputation, and CEDAW works as a moral force. UNDP was willing to sponsor the women's groups to New York, but the government blocked the funding because they didn't want us there. 6 of us from the women's groups eventually found a way to fund ourselves and was there to observe and hold the government accountable, and it bothered them. They were very irritated with us and that sort of activism. The government has not returned to the CEDAW Committee since."

Various local women's groups and NGOs are actively involved in the preparation of the CEDAW alternative shadow report, which serves to provide the CEDAW Committee with an assessment of the Malaysian government's performance in meeting their obligations to end violence against women. Thus far, two alternative shadow reports have been submitted to the CEDAW Committee (NGO Shadow Report Group, 2005; Malaysian NGO CEDAW Alternative Report Group, 2012). A third alternative report is currently being prepared as the Malaysian government is expected to be submitting their heavily delayed third, fourth and fifth CEDAW reports in 2018 (Interview with Suet Li, 2017). Moreover, several interviewees have claimed that their respective organisation's engagement with CEDAW-related mechanisms came about organically as their organisation's work is very much informed by the principles upheld in CEDAW. By leveraging on international human rights instruments and the CEDAW Committee

recommendations, the local women's movement has been able to lobby the government more effectively to improve protections for women. The value and efficacy of this particular strategy is perhaps demonstrable by the fact that a Malaysian women's rights activist actually went on to establish a regional organisation, known as the International Women's Rights Action Watch Asia Pacific, in order to continue conducting trainings on CEDAW for local women's rights activists in the region and to build on existing networks of women organising across the region.

Besides that, strategic engagement with the UN is crucial in time periods where domestic options have been exhausted, i.e. when the government refuses to respond to the demands of local women's groups or when the independence of the judiciary is compromised, and when domestic channels are blocked, i.e. when funding for women's organisations are withheld or when the government tightens its control over the media and civil society. Through strategic engagements with various UN mechanisms, the local women's movement is then able to engage in transnational advocacy and overcome domestic challenges as it uses 'the boomerang effect' to exert political pressure from the global community outside onto the government (Keck and Sikkink 1998, p.12).

The option to engage with UN mechanisms is also especially important for groups that are at the margins of the local women's movement. This might include groups that are working to problematize and address violence against the LGBTQ community, where such violence disproportionately affects transwomen due to their increased visibility, and other peripheral groups such as those working to protect the rights of indigenous women and migrant women in the country. As a local LGBTQ rights activist explains, "our engagement with UN Special Rapporteurs and the UN processes is strategic and quite necessary. We believe in multi-level collaborations because one, we don't have the money; and two, we can then reach out to different experts and groups" (Interview with Shruti, 2017). Therefore, UN mechanisms such as CEDAW shadow reporting, the

Universal Periodic Review (UPR) process and the Sustainable Development Goals (SDG) framework on Gender Equality provide an alternative mean for the local women's movement to further advance its agenda to end violence against women.

iii. Media and Agenda-Setting

The media is not only a medium to raise public awareness and bring light to the violence that women face, but it is also a great leverage that local women's organisations have made use to put pressure on the government and demand state accountability for problems of violence against women. In regards to local women organising in the 1970s, veteran women's rights activist - Sofia says that "the state wouldn't even want to engage with the women's groups if we had not pushed them and eventually left them with no option. We did it through the media and by showing up at their offices, and when they fail to deliver, we demonstrate." The media often works hand in hand with local women's organisations to help galvanise public support for various campaigns against violence against women, and it does so by providing women's organisations with a platform to publish press statements, research findings and op-eds highlighting pertinent women's issues.

When there is public knowledge and conversations surrounding issues of violence against women, policymakers are then inclined to take these problems more seriously and act on them. An example which illustrates the effectiveness of the media as an advocacy instrument includes the case of gender-based discrimination against pregnant women at the workplace. Last year, WAO carried out a workplace discrimination survey which polled 222 women and found that more than 40% of women have experienced job discrimination because of their pregnancy (Women's Aid Organisation, 2016). "There were about 56 articles and interviews in the media which covered the findings of the survey, and the problem of discrimination against pregnant women managed to

gain enough media traction such that it then sparked a conversation about the subject in parliament” – Suet Li, women’s rights activist.

Besides leveraging the media to problematize and call attention to issues of violence against women, the use of media is also indispensable to the local women’s movement in terms of public agenda-setting. As a veteran women’s rights activist from JAG recalls, “the breakthrough was in 1999; because we did so much advocacy and we were very vocal in the media, the women’s movement was actually able to set certain agendas.” More specifically, the women’s movement was able to put the issue of rape and domestic violence on the public agenda as they used the media to campaign for legislative changes. “Through the media, we started the national conversation around rape and domestic violence and made it into an important public issue. The government had to take notice because people were talking about it and we have drafted the laws” – Sofia, women’s rights activist.

Strictly speaking, starting a national conversation on issues of violence against women is not an achievement in and of itself as public awareness of a problem does not necessarily translate into actual improvements or meaningful changes in the lived realities of women. However, given the context of Malaysia in which the space for civil society activism and critical public discourse is limited and steadily diminishing in the current political climate, the women’s movement’s success in using the media to problematize and place violence against women on the public agenda is a rather significant accomplishment. In fact, I contend that it is a necessary step leading towards substantive impact in policy and transformative change in the lives of women, which may sometimes only be realised at later stage in time. For example, in regards to the aforementioned issue of discrimination against pregnant women at the workplace, WAO’s use of the media to cast a spotlight on the problem had eventually created sufficient public concern to evoke an official

response from the Ministry of Human Resources a year later, whereby a review of the Employment Act is being conducted (Lim, 2017a; The Star Online, 2017).

Chapter Three: Main Challenges

3.1 Challenging Patriarchal Cultures and Mind-sets

In its approach to address the problem of violence against women, the Malaysian women's movement has taken a largely legalistic approach in that the focus has generally been on high-level advocacy and lobbying for legislative and policy changes. In fact, the local women's movement can be said to be making commendable progress and has been relatively successful when it comes to filling the gaps in domestic law. However, while having legal protections for women against violence is incredibly important and necessary, this approach alone is insufficient to tackle the root causes of violence against women or gender-based violence.

Based on my research, 90% of the interviewees opined that the main challenge facing the local women's movement at this juncture is to change patriarchal cultures, mind-sets and attitudes which underlie the problem of violence against women. "We haven't really challenge the patriarchy in terms of changing male culture and the sense of entitlement that men have. So while we continue to change the law, which to me are low-hanging fruits, but to actually change mind-sets is the bigger challenge" – Lily, women's rights activist. When mentioning 'patriarchal culture', interviewees of this study seem to allude to the need to change patriarchal mind-sets and behaviours that is ubiquitous not only in the individual lived realities of the Malaysian people, but also within institutional structures of the state.

Firstly, the prevalence of a deeply ingrained bias against women, whether conscious or unconscious, persists at the level of the individual and societal level. More importantly, this mind-set which perceives women as subordinate to men, and in turn sanctions violent attitudes towards women, are not exclusively held by men; women too are complicit in reinforcing harmful gender stereotypes which fuels various forms of violence against women (Interview with Leena, 2017).

As Suet Li asserts, “rape culture and victim-blaming is really very common. The women we work with experience victim-blaming from the various people they try to get assistance from. Sexism is very much embedded in our social structures. Changing misogynistic public mind-sets is quite a formidable task, how do you change people’s behaviours or internal processes? It’s kind of like rocket science.”

The latter part of the statement encapsulates the difficulties faced by the women’s movement in changing public mind-sets and societal norms that perpetuates violence against women. As far as strategies go, local women’s organisations in Malaysia have followed the books in terms of pushing for adequate legislative and policy changes. Nonetheless, there are no specific guidelines when it comes to changing problematic public mind-sets and societal norms that underlie issues of violence against women. JAG and its member organisations have organised various advocacy initiatives to educate the public on issues of women’s rights including conducting social media campaigns, publishing reports and information booklets, setting up community booths and giving talks at schools to address common misconceptions relating to violence against women. In 2012, JAG also initiated an Annual ‘*Aiyoh Wat Lah!*’ Awards which creatively highlights sexist, misogynistic, homophobic and transphobic statements made by public figures and institutions in the form of satire (Press Statement by Joint Action Group for Gender Equality, 2016).

However, the impact of these advocacy campaigns is hard to measure, if not minute in the broader context of the ubiquitous patriarchal mind-sets and attitudes that are reiterating and sustaining unequal gender relations in society. The reality is that the Malaysian society remains largely patriarchal and the public mind-set that women naturally hold a subordinate position vis-à-vis men is commonplace. In describing her experience of conducting a public survey on marital

rape in central Kuala Lumpur, local women's rights activist - Padma asserts, "people still think that violence against women is a joke and that it doesn't actually happen. It is shocking how many people out there think that a husband has the right to hit their wife. Some people may acknowledge that VAW is an issue, but they don't think it's serious. To them, there are so many other bigger issues to deal with."

Secondly, the state and its institutions exhibit similar patriarchal attitudes and are complicit in endorsing certain forms of violence against women. This explains why the problem of violence against women is structural and systemic in Malaysia as it is elsewhere. Many of the local women's rights activists have pointed out that in addition to the perception towards the issue of violence against women in which the public and state do not take the issue seriously, state mechanisms and institutions are not sufficiently gender-sensitive which is highly problematic. For instance, the non-existence of proper sex education is a longstanding problem which demonstrates the lack of political will on the part of the Malaysian government to seriously tackle the problem of violence against women. "Since 1985, we have been lobbying for sex education to be introduced seriously in schools. What the state does is they *selit* [insert] it into your physical exercise classes or hide it in your biology classes. Sex education is half-heartedly introduced. If we have introduced proper sex education and teach kids to be respectful to one another 30 years ago, I think our society and young people will be very different today." – Sofia, women's rights activist.

The state has also shown to be wanting in regards to law and policy implementation. Despite having relatively good laws and policies in place, there are no stringent accountability measures to ensure that the police, welfare officer and other relevant parties adhere to the standard operating procedures that are set up to deal with cases of domestic violence or trafficked women (Interview with Leena, 2017). The lack of gender-sensitivity trainings for key institutions like the

police is also a main challenge in addressing the problem of violence against women. This was echoed by Farah, a women's rights activist, as she articulates her first-hand experience of making a police report, "I was being stalked by a guy who I knew personally in 2014 and I recall having my situation trivialised by the police. He just assumed and said to me '*oh, boyfriend girlfriend dulu lah ni, tiba-tiba gaduh tak nak lah ni. Biasa-lah tu.*' [oh, this must be a case of an ex-boyfriend and ex-girlfriend who suddenly got into a fight and is now breaking up. Typical.] When I told the police that I didn't feel safe because my stalker knew of my whereabouts, he just dismissed me and said 'It's okay, *dia tak bunuh lagi kan?*' [He hasn't committed murder yet, right?]."

As documented in WAO's latest report, police inaction and the lack of sensitivity and awareness in the way the police, who are the first responders in most cases, deals with reports of violence against women remains one of the many key difficulties (Women's Aid Organisation 2017, pp.15-16). Domestic violence survivors also report a lack of confidence, and sometimes even a sense of distrust, towards the police and the system (Women's Aid Organisation, 2015; 2017). Insofar as the state and the relevant authorities fail to take issues of violence against women seriously, the basic rights and the welfare of women who are affected by violence will continue to be inadequately accounted for in Malaysia.

In addition, discriminatory attitudes towards women and violence against women are informed by local societal traditions and cultures that largely perceives women as inferior to men, inherently or otherwise (Interview with Leena, 2017). Patriarchal cultural and religious arguments that are levelled in attempts to undermine women's rights are especially prominent within the Malay-Muslim community. It is prominent in the sense that such arguments are more visible in the public discourse because Malaysia is a Muslim-majority country, but not necessarily in that it happens more often in Muslim communities. Also, the fact that Islam is institutionalised and that

there are separate Islamic laws that govern the lives of Muslim persons in Malaysia directly impacts the way that violence against women manifests and the types of recourse that is available to Muslim and non-Muslim women.

The rise of religious fundamentalist forces, particularly Islamic fundamentalism, in the country and across the region has been noted by all the interviewees of this study to be a real challenge to the local women's movement. This rise in Islamic fundamentalism can be partially explained by the New Economic Policy (NEP) enacted in 1974 which strengthened the role of Islam in state governance. Under the NEP, there was a large outflow of Malay students who studied abroad in Islamic universities in countries like Egypt and Iran. Given the success of the Iranian Islamic revolution at that time, a lot of these government scholars, who are now working in the civil service, returned with rather conservative and narrow-minded conceptions of political Islam with fundamentalist tendencies (Interview with Barbara, 2017; Interview with Sofia, 2017).

The challenge of Islamic fundamentalism is a relatively new challenge which emerged over time, and has turned into a rather persistent difficulty for the local women's movement. In the past, state institutions such as the Department of Islamic Development Malaysia (JAKIM) and Selangor Islamic Religious Department (JAIS), which are religious authorities responsible for regulating and overseeing normative Islamic discourses and practices, were not as influential or powerful (Interview with Lily, 2017). However, JAKIM and JAIS have become effective apparatuses for instituting state-sanctioned Islam which tends towards patriarchal interpretations of the religion, and is becoming increasingly fundamentalist in recent years. These developments have very grave consequences for Muslim women as they are under the arbitrary surveillance of state-sanctioned patriarchal religious authorities who proclaim to be the moral guardians and defenders of Islam. As Farah relays, "As Muslim women, we are being told by religious leaders, preachers and even

religious institutions like JAKIM that Muslim women's rights are different from human rights and women's rights in CEDAW. We are told that in Islam, men should lead. Women cannot lead a prayer because men's prayers will not count if the prayer was led by a woman. Women cannot be prime minister unless there is a *musyawarah* [consensus-based decision-making process] where other men are involved. We are told that our bodies are not our own, it is the right of God, and if we don't *tutup aurat* [cover parts of our bodies] our fathers will suffer. There is no critical discussion. These are what we are told and we are supposed to just accept and follow.”

Women's rights activists have also lamented that drafting laws on violence against women have become more complicated as recent changes now require all civil laws to be compliant with Islam (Interview with Barbara, 2017; Interview with Amirah, 2017). The difficulty posed by the elevated position of JAKIM and rising Islamic fundamentalism in the current political climate could perhaps be encapsulated by the following statement by Lily when she was asked about the rise in religious conservatism, “I sometimes wonder if we lobbied for the Domestic Violence Act today, would we have gotten it passed or not.” Moreover, various gaps within the *Syariah* legal system, including the obvious lack of female *Syariah* court judges and lawyers, is hard to solve given the sensitivity of the issue as *Syariah* laws are often perceived as infallible divine laws that are not subject to change rather than religious laws made based on the interpretation of men. “Every time when women come and approach us, especially through our helpline, they are the ones that have been taken advantage of at the *Syariah* Court. It is so difficult for them to even access information like on how to get divorced. Even the *ustazah* [female religious teacher] there will say ‘you go home and you *bersabar* [practice patience]’. The law is so good on paper, but when it comes to implementation, the judge does not consider the experiences of women. *Syariah*

lawyers are equally bad, they are biased and they charge exorbitant fees.” – Amirah, women’s rights activist.

This is particularly detrimental as Muslim women are left vulnerable to violence. “If I have been raped by my husband, I cannot go to the civil courts and claim protection. I must go to the *Syariah* court and they will say that my husband has a right to do it, and that marital rape is not a thing. It is so sad. As a Muslim woman in this country, I don’t have the same rights as other women.” – Farah, women’s rights activist. This also sheds light on the importance of women’s rights activists and groups like Sisters in Islam which are working to advance the social position of Muslim women vis-à-vis Muslim men within the framework of Islam, especially since Islam is institutionalised in the country. Sisters in Islam, a well-known local women’s organisation advocating for gender equality in Islam, has received a lot of backlash from certain sections of the Malay-Muslim community for challenging patriarchal interpretations of the Qu’ran and Islamic law, including from conservative Islamic groups like Malaysian Muslim Solidarity (ISMA). As of today, Sisters in Islam is still embroiled in a court battle against JAIS who has issued a religious decree declaring Sisters in Islam to be ‘a deviant group’ (Lim, 2017b). Hence, Islam as a religion is a critical dimension to the problem of patriarchal public mind-sets and attitudes which remains a challenge to the women’s movement in Malaysia.

3.2 Culture of Fear and Working within the Constraints of a Repressive State

It is observed that most prominent women’s organisations and women’s groups have successfully established a working relationship with the government over the years, whether directly or indirectly. As a collective, it can be said that the local women’s movement has managed to mainstream women’s rights and some gender concerns, and has worked its way into gaining

access to the decision-making process. In today's political environment, it is generally commonplace for women's organisations like JAG and NCWO to be included in multi-stakeholder consultative meetings held by the government, especially on pertinent policies and issues concerning women and children.

With that said, the culture of fear is relatively pervasive in the Malaysian society and it serves as an important backdrop to the analysis of the local women's movement and its engagement with the state. This culture of fear has developed through a consequence of several historical events as well as the government's general intolerance towards public protests and its routine use of repressive tactics to silence critical dissent. Key historical events that have shaped the way local women's groups and civil society organises itself include, but are not limited to, the Racial Riots of May 13 in 1969 and Operation *Lalang* in 1987. Operation *Lalang* is an event in which the then prime minister of Malaysia, Dr. Mahathir Mohamad, ordered a massive crackdown which resulted in the arbitrary detention of more than 100 people including opposition politicians, social activists, students, academics. Operation *Lalang* had a particularly chilling effect on local women organising as women leaders were not spared from the state's use of draconian laws to inspire fear and stifle dissent. In fact, four women leaders were detained under the Internal Security Act (ISA) during Operation *Lalang* and jailed for over a year (Interview with Sofia, 2017).

The approach adopted by local women's organisations in terms of state engagement varies from one another. As a veteran women's rights activist recalls, "some of the group members within JAG actually took the stance that we will not engage with the government. That was also a spill over effect of *Ops Lalang* [Operation Lalang] and of Mahathir being very iron fisted in his rule; he didn't quite support women's rights. But we eventually came around and started working with

the government to draft laws and policies.” This tension within the women’s movement on whether to engage the state, and how they should engage with the state, is also present in current times.

On one hand, there are some groups within the local women’s movement that are actively seeking to build and maintain rapport with the government. This is expressly true for groups that are working from the margins. As Shruti explains, “we are constantly trying to engage with the government, but they are not interested in talking to LGBTQ people. They are only interested to talk to ‘reformed and rehabilitated’ LGBTQ people. So that's always difficult.” However, not all individuals or groups within the women’s movement are equally keen to engage with the state. Though most would still consider it to be strategically necessary for the purposes of advancing the cause of ending violence against women and, in some cases, to ensure the survival of the organisation itself. “Whether we like it or not, we have to engage with the government because they are the policymakers, so we try and solicit member of parliaments who we can be friends with.” – Amirah, women’s rights activist.

On the other hand, some local women’s organisations are beginning to reconsider the ways in which they have been engaging with the state. “Some of the younger members are less willing to attend consultative meetings with the government. They will say they have no manpower, but I think no will power is what they really lack because when it comes to protesting against the government, they are very eager and quick to mobilise. Their rationale is that there is no point in attending these meetings with the state because nothing changes and nothing gets done. But changes don’t happen overnight. It took us 11 years to pass the Domestic Violence Act, not 11 meetings.” – Barbara, women’s rights activist.

Furthermore, the type of state engagement also varies among different organisations within the women’s movement. Every organisation’s position on an issue may differ and their priorities,

approach and strategies would hence vary accordingly. This means that individual organisations within the local women's movement could have conflicting standpoints that may not always align with one another and differing approaches towards the state on certain issues or as a whole. For example, NCWO has established and formalised a direct relationship by signing a Memorandum of Understanding with the government in which NCWO is responsible for providing strategic consultancy on the advancement of women and gender equality (Interview with Leena, 2017). Furthermore, WAO has a good working relationship with government and receives some government funding for certain domestic violence projects, whereas AWAM generally does not take any money from the government to avoid the risk of having to compromise their agendas or initiatives (Interview with Lily, 2017).

Meanwhile, problems of violence against transwomen tend to be addressed indirectly by LGBTQ groups in conjunction with women's groups under the coalition of JAG. State engagement is especially difficult to navigate for LGBTQ groups as the state itself is the leading perpetrator of violence against LGBTQ people in Malaysia. The ruling government's position against LGBTQ people intersects with the political narrative of the state serving as the moral and religious guardians of the people. By making LGBTQ people a threat, the state thus secures its power by maintaining the status quo. Additionally, the increased visibility of the LGBTQ community has also brought about many forms of reprisals including hate crimes against individuals, banning of LGBTQ groups, and discriminatory policies including religious decrees that effectively prohibits gender affirmation surgeries for trans people (Interview with Shruti, 2017).

As a collective, the different forms of engagement that different women's organisations have with the state can be perceived as ultimately strategic, and this relationship with the state is constantly being negotiated. The local women's movement relationship with the state is contingent

upon different time periods, the amicability of the political leadership towards women's rights, and the overall political and socio-economic landscape of the country. The upshot of engaging with state is arguably two-fold. Firstly, it has led to the effectiveness of the women's movement in mainstreaming and institutionalising women's rights in Malaysia, particularly in terms of identifying critical spaces in government and getting a seat in the decision-making table to ensure that women's voices and concerns are being heard. Secondly, the power that the women's groups have in regards to influencing the decision-making process is nonetheless limited. Ultimately, the state still defines the boundaries and framework in which the women's groups can articulate their concerns. There is a real risk faced by all women's organisations in which the state can choose to interfere or forcibly shut down their operations at any given time. This is evident in the case of a local women's organisation called EMPOWER which became the target of a police raid and was investigated for activities detrimental to parliamentary democracy just a year ago (Anand, 2016). Thus, having to work within the constraints and to negotiate the relationship with a semi-authoritarian state remains a delicate and an important task for the local women's movement.

Chapter Four: On Language and Frameworks

4.1 Feminism: ‘The Other F Word’

Based on the findings of this study, feminism has shown to be simultaneously an empowering yet disempowering space for local women organising. Overall, feminism carries a negative connotation in Malaysia as it often does in societies within Southeast Asia, especially in countries that have a historical experience of Western colonialism. There is a consensus among 90% of the interviewees that feminism is still very much stigmatised in the Malaysian society and that there is a general lack of understanding as to what feminism is. Furthermore, in the public discourse, feminism is often cited alongside other contextually contentious terms like liberalism, secularism and pluralism to denote these concepts as ideas that are imported from the West (Interview with Amirah, 2017; Interview with Padma, 2017).

In other words, feminism is largely perceived to be foreign and inherently incompatible with the various cultures, traditions and values of the Malaysian society. In fact, the perception of feminism as a western concept has been so prevalent that one of my interviewees offered a range of examples of local feminist struggles unprompted, in efforts to show that feminism is indeed compatible and local to the Malaysian society. Though given the interconnectedness of the modern world as a result of technological advancements, and how feminism has been mainstreamed in the international community over recent times, there is a slight shift in local perceptions towards feminism particularly among urban youths who tend to have better access to information.

At a personal level, claiming feminism and adopting the label of ‘a feminist’ - either as a facet of one’s identity, as a way of thinking, or as a way of describing one’s politics or activism - was found to be intentional and important for some interviewees, but unintentional or unnecessary for others. To be exact, 8 out of 10 interviewees of this study identified as feminist and considered

feminism to be important in that it informs their understanding and the work that they do in relation to women's rights. While there are variations as to what being a feminist means to each of these individuals, they seem to agree that, at the very core, being a feminist means believing in gender equality and taking action to end discrimination and violence against women. As Sofia articulates, "calling myself a feminist is about recognising that women have the power to change their circumstances and to fight against the injustices they face." Another local social activist also found feminism to be an empowering space as she notes that feminism gave language to her struggle and all that she was already doing, whether it is making sense of misogynistic and sexist encounters in her personal life or standing up for the rights of women to be treated with equal dignity and respect within the Malay-Muslim community (Interview with Myra, 2017).

Moreover, 4 out of said 8 interviewees expressed that they were initially sceptical towards the idea of feminism and was reluctant to call themselves a feminist. It was not until their understanding of feminism changed through their involvement in the women's movement that they took a different stance. "I took a long time to declare myself as a feminist. The kind of feminism that I was exposed to was very radical and liberal, and it was not my cup of tea. Radical such that everything men do is bad or everything is the fault of men, and liberal in the sense that if you don't express your acceptance of LGBT people in a certain way then you are not one of us. But I realised that feminism can be as simple as supporting women's rights and empowering women. So after 12 years of being 'a grandma', I decided I am a feminist." – Barbara. Most interviewees opined that claiming the term 'feminist' mattered to them, citing the need to push back on the hesitance and stigma attached to feminism by local society. Whereas others felt that feminism was not as important or more relevant than other frameworks, but sees the power and pragmatism when it

comes to politics and would readily adopt the label of a ‘feminist’ in solidarity of the struggle towards gender equality.

It is perhaps worth noting that in the local context of Malaysia, calling oneself a feminist is a rather bold choice to make, and this is especially true for people in certain communities where there are very real social risks involved. For example, this is heavily frowned upon in most Malay-Muslim communities. As a senior officer at Sisters in Islam relays, “some of the new staff are not as comfortable with the idea of feminism. They are still learning and are usually younger, so they are a bit worried for their own and their family’s safety.” Two interviewees who happen to be Malay and Muslim have also claimed that the term feminist is explicitly used against them, both to discredit their personal integrity and activism. “To a lot of Malays, feminist is a very bad word. Even in the world of activism, the patriarchy reigns. When they call me a feminist, it is intended to deter people from listening to what I have to say. People will be like ‘*oh patutlah dia cakap macam ni, sebab dia feminis*’ [oh right, no wonder she speaks like that, it is because she is a feminist]” – Myra.

Another interviewee felt that her activism is similarly overshadowed and tainted by preconceived notions of what being a feminist means. “I used to be the vice president of an Islamic student organisation, leading the women’s wing, so I know how those Malays think. Being a feminist is challenging because people judge me based on my status as a feminist. People perceive my activism in women’s rights negatively, especially the Muslim community. To them, being a feminist explains why I think differently; it is why I am loud, why I have strong opinions, why I am not married, and this is all undesirable as a woman” – Farah. Thus, feminism can be empowering at a personal level as a framework of analysis for one’s experiences, but can also be simultaneously disempowering for one’s activism due to the potential social repercussions.

When the individual level and the organisational level are analysed in conjunction with one another, there is a positive correlation in which people tend to choose to be affiliated or involved in organisations whose approach aligns more closely with their own value systems. For instance, NCWO does not call itself a feminist organisation and feminist frameworks do not generally influence the way NCWO carries out its work. As an experienced and long-time volunteer at NCWO says, “in all the years that I have been in NCWO, I have not heard anyone use the word ‘feminism’. We always talk about empowering women, the advancement of women and gender equality. But feminism? I am not sure.” At the same time, individuals who run the women’s organisations also play a key role in shaping the direction that the organisation takes, including determining whether feminist frameworks of analysis is relevant to the work that the organisation does in relation to addressing violence against women.

At an organisational level, all 12 member organisations of JAG consider themselves to be a feminist organisation, though this has not always been the case. For example, WAO made a strategic decision to not use words like ‘feminism’ or ‘patriarchy’ in its early years of operation because of the branding that comes with feminism; it was to avoid the charge of sounding Western (Interview with Lily, 2017). Similar accounts were given for women’s organisations like AWAM and Sisters in Islam and for the coalition of JAG; these organisations did not call themselves a feminist organisation until the late 1990s or early 2000s (Interview with Barbara, 2017). When the women leaders of JAG finally decided to use the word ‘feminist’, they were met with a lot of resistance within the women’s movement itself, especially by estate women workers and plantation women workers as such a decision was seen to be alienating men (Interview with Sofia, 2017).

4.2 The Talk of Rights

The talk of rights, specifically human rights and women's rights, is similar to the talk of feminism in the sense that the usage of these different frameworks in the context of the Malaysian women's movement can be said to have developed alongside one another. The language gradually changed as organisations within the women's movement started adopting feminist principles and a rights-based approach in the way they organised themselves and carried out their work. For instance, rather than pleading the authorities for help and talking about women's welfare and needs, the women's groups started demanding for the protection of the rights of women against violence. "We used to have a protectionist approach, and we would go to the police and say 'can you please help us?' But after a while, we decided that we are going to be critical of the police and make rights-based claims on the government. We cannot be afraid of the authorities, if not then we are just like battered women, except our husband is the police *lah*" (Interview with Lily, 2017). The shift towards a rights-based approach was seen as a risky but necessary step for the women's groups as the needs-based approach became very limiting.

This development in the language and framework used by the local women's movement occurred in parallel to the development of the idea of violence against women as a human rights violation at the international level. According to 70% of the interviewees of this study, employing a rights-based approach to address issues of violence against women is largely a given in current times, because the talk of rights has proven to be most effective even though it has its limitations. There are gaps that exist between the international human rights framework and the vernacular languages, cultures and traditions familiar to local society. Local women's organisations play a crucial role as 'translators' by reframing the notion of women's rights, as stipulated under international human rights law and discourse, such that it becomes intelligible in the local context

(Merry 2006b, p.39). For example, the talk of ‘individual rights’ is not usually present within Malay culture or Chinese culture and religious teachings such as Islam or Christianity, but instead there are talks of ‘duties’ and ‘responsibilities’. This is not to say that the concept of rights does not exist in the various cultures and religions practiced in Malaysia, but rather that it is perhaps obscured by the different ways the concept of rights is framed. Thus, local women’s organisations bridge the gap by making those connections and localising the concept of women’s rights within existing vernacular cultures and traditions.

As knowledge brokers, local women’s organisations serve as powerful intermediaries which adeptly translates concepts and ideas within the international discourses on women’s rights and channels them into the local context, but at the same time, they are vulnerable to the charges of being a double-agent or disloyal to the community they serve (Merry 2006b, p.40). As in the case of feminism, the talk of rights is also relatively contentious in Malaysia. The charges that are launched against the idea of feminism, such as being incompatible with Islam and other local cultures, are also levelled against the idea of women’s rights and human rights in general. In fact, international human rights instruments are often posited as a modern form of Western imperialism. Hence, it is not uncommon for local women’s organisations and human rights activists to be perceived as ‘agents of the West’ by some sections of the Malaysian society.

Furthermore, the limitations of a rights-based approach can be explained by the fact that the process of translating the framework of international human rights is difficult and imperfect because it is inevitably constrained by the limits of the local discursive framework. “There are so many of these terms in English which are hard to translate into our own languages. I was at an *orang asli kampung* [indigenous village] for a training last weekend, and we had to explain women’s rights as *hak ibu* [rights of a mother] and *hak anak perempuan* [rights of a girl child] for

them to even understand. But how do we translate ‘patriarchy’ in Malay, Mandarin or Tamil? Or terms like ‘intersectionality’ and ‘gender-based violence’? And these three languages are not even exhaustive of the multitude of languages and dialects that are spoken in the country” - Padma. The difficulties involved in making the concept of human rights intelligible within the local context was also shared by another interviewee who works in the communications department of a local women’s organisation. “There is some level of disconnect between all these international or regional mechanisms and the local grassroots. My experience doing communications is that CEDAW is obviously very important, but it is challenging to convey something so technical to the public, what more in different languages. Even the word CEDAW is a mouthful” – Suet Li. It is apparent that translating international practices and discourses on women’s rights and transferring information to local society without losing nuance and depth is a challenge for the local women’s movement.

To overcome these difficulties, the local women’s movement strategically employs different frameworks in addition to a rights-based framework in their public advocacy campaigns and trainings, including local cultural frameworks and Islam as a framework. All women’s rights activists who were interviewed have emphasised on the importance of communicating women’s rights in a manner that resonates with the internal logic and belief systems of an individual. Depending on who the advocacy target is and what the campaign goals are, the women’s organisations would make the appropriate and necessary adjustments to the language and frameworks they employ. Two women’s rights activists have highlighted that, based on their professional experiences, storytelling and personal narratives are particularly effective in helping women who are affected by domestic violence to understand that they have rights to be free from abuse, and that they could claim those rights (Interview with Barbara, 2017; Interview with Amirah,

2017). As an LGBTQ rights activist, Shruti has also noticed that the use of human rights language in her group's campaigns often results in a lot of backlash, and are thus conscious of not using the language of human rights but rather action words, such as courage and kindness, which have shown to be more effective. Therefore, due to preconceived notions of human rights and the differences in privilege and power, explaining the concept of women's rights to an individual in a way that they would be receptive to the idea requires omitting the talk of rights altogether in some cases.

Chapter Five: Concluding Remarks

5.1 Further Analysis

The Malaysian women's movement has been remarkably successful in that it has problematized various forms of violence against women and mainstreamed women's rights in the local context, gained access to the decision-making process, instituted the provision of various social and legal services for survivors of violence, developed into a strong lobbying collective with the power to influence policymaking and the public through its adept use of the media and transnational networks, and effectively brought about substantive legislative and policy changes, which all in turn, affords better protection for women in Malaysia.

In comparison to women's movements in Western countries like the United Kingdom and the United States, the case of Malaysia is distinct in that the local women's movement does not have a broad-based membership (Ng, Mohamad and Tan, 2006). Put differently, it is not a mass movement as mass movements are typically able to mobilise and galvanise the support of a substantially large number of people vis-à-vis the overall population size. All the aforementioned achievements of the local women's movement have been made possible mainly through decades of meticulous organising and ingenious strategizing by a core group of dedicated, resilient and courageous Malaysian women.

Nonetheless, there are several questions and considerations that demands our attention as the local women's movement seems to have arguably reached a plateau in terms of its capacity to further advance gender equality and generate transformative changes in the lives of women. Despite having institutionalised the women's movement and mainstreamed women's rights, the longstanding problem of violence against women, which is fuelled by the pervasiveness of unequal

gender power relations that promotes toxic masculinity and reinstates the subordination of women to men, is still ubiquitous in every facet and level of society.

In a way, the creation of women's wings and women sections, whether as a separate institution in governance or as a separate social movement altogether, is limiting and has yet again resulted in the marginalisation of women at a macro-level. For example, in the broad context of social movements in Malaysia, the women's movement simply does not have the same traction and is not anywhere nearly as robust as the BERSIH movement for electoral reform which was formed relatively later in 2005. This problem is not unique to Malaysia, but rather a universal one in the same way that national women ministries all around the world are often side-lined vis-à-vis other government ministries.

Given its current trajectory, the Malaysian women's movement is likely to continue to gradually grow in numbers and expand its agenda to include other gender concerns and marginalised women's issues that have been left out of the main frames. But, the question is what is next? Are the current approaches and strategies of the women's movement, which are heavily legalistic, sufficiently adequate? Is the local women's movement 'too elitist, too middle-class, and too urban-centred'? Would transforming the women's movement into a nationwide broad-based movement allow for substantive progress towards subverting the existing unequal gender power relations in society? Or would it yield the same result of maintaining the current status quo? These are some of questions and considerations that the local women's movement need to consider moving forward, which is apt given that the leadership composition of the local women's movement is also changing at this juncture as the next generation of local women leaders are stepping up to the plate.

5.2 Conclusion

As demonstrated in the chapters of this thesis, local women organising is essentially a dynamic process that is nuanced and full of complexities. There are different ways in which cooperation, conflict, coherence and tension occur within and outside of the Malaysian women's movement, involving various individuals, local women's groups, state actors and other civil society organisations. By analysing the women's movement in relation to the advancement of gender equality in Malaysia, this thesis has highlighted some of the key strategies adopted by the local women's movement to address the problem of violence against women. Furthermore, this thesis has also provided a critical evaluation of the main challenges and opportunities facing the local women's movement. Lastly, through analysing the language and frameworks employed by local women's organisations, this thesis has provided an understanding of how the local women's movement facilitates the translation of women's rights discourses and practices within the international framework to be adapted to specific local institutions, cultures and meanings in their campaign to end violence against women. To conclude, most of the main strategies adopted and challenges faced are not exclusive to Malaysia as they resonate in many local women's movements of other Asian countries.

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APPENDIX

Interview Questions:

1. Tell me a little about the history of this organisation, how you came to work here and where your work fits into the organisation's mission? / How you first got involved in the women's movement and started working on women's issues?
2. Do you consider yourself a feminist and does that matter? If so, what does being a feminist mean to you? If not, why not? Does your organisation consider itself as a feminist organisation? Has it always been the case?
3. What do you think are the main challenges of addressing the issue of violence against women in Malaysia?
4. What is your organisation's approach towards addressing VAW in Malaysia?
 - a. Does your organisation focus on specific forms of VAW? If so, what are they and how is this determined?
 - b. What are some of the strategies that have been effective or ineffective?
 - c. Are there VAW-related campaigns targeted at the different religious or racial groups in Malaysia?
 - d. What is the role of your organisation within the Joint Action Group for Gender Equality (JAG)?
5. Do you work in consultation with the government to address VAW? If so, with which ministry(s) and on what issues? If not, why not?
6. Does your organisation engage in transnational advocacy in relation to VAW? If so, with which international/regional institution(s) and in what capacity? If not, why not? At what point, did the women's movement start to engage with the UN Human Rights Framework / CEDAW?

7. To what extent, do you think working with other international institutions and human rights organisations helps address the issue of VAW? Do you have any examples?
 - a. Does it bring about any discernible impact on local grassroots support for the cause?
 - b. On the issue of funding – does your organisation receive funding from foundations abroad or the government? Does this impact your work?

8. How well does the talk of ‘rights’ or rights-based approach fare as a strategy to advance women’s position in the Malaysian society?
 - a. How does this fare against the counter-strategies of the government, or counter-frames by other groups or private actors, who often employ cultural arguments or religious arguments to undermine women’s rights to be free from violence?

9. Has much changed since you first started working on women’s issues? What do you think the future looks like for women’s rights in Malaysia?

10. Is there anything else you would like to add or comment on? Are there any questions you think I should be asking, or other people you would recommend I meet with?