

Malaysia

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Expanding Democracy, Enlarging Women's Spaces

A Report on Malaysia by Maria Chin Abdullah

INTRODUCTION

In Malaysia, women's participation is being challenged to its fullest. More women are educated, forming 47.1% of female labor force participation. Those employed are mostly in the service industries and other sectors such as manufacturing (30.1%), wholesale, retail trade, hotels and restaurant, and agriculture (15.9%). Women today consist of almost half of the population and exceed boys in the tertiary sector by a ratio of 80:20. Despite these achievements, however, women's labor force engagement remains confined to "traditional women's occupations" such as those of primary school teachers, data entry clerks and other clerical jobs.

In the political arena, the year 2004 shows a slight change in the number of women Members of Parliament from 10.6% (20 out of 193 parliamentary seats in 1999) to 10.5% (23 out of 219 parliamentary seats this year). This is a small percentage of women representation compared to the 30% targeted by the Beijing Platform for Action (BPFA). Although Malaysia signed the BPFA document in 1995, the state still has a long way to go in enhancing the participation of women in Malaysian political, economic and cultural life.

However, numbers are not the only effective indicators. Participation of women has to go beyond numbers and move towards a qualitative transformation of women in shaping national decision-making processes. Women organizations responded to the 1999 General Elections by initiating an eleven-point document, the Women's Agenda for Change (WAC), which states:

A healthy democracy flourishes only in environments where fundamental freedoms such as freedom of speech, freedom of association, and freedom of expression are not only respected but also actively upheld. Efforts must be made to encourage the people's willingness and capacities to actively participate in the different levels of democratic processes nationwide. Recognizing the obstacles and limitations women face in participating in the public sphere, measures must especially be taken to encourage and provide them with the opportunity to play a genuine role in decision-making at this level.¹

Political participation needs to be defined as a dynamic process, which includes accounting for everyday concerns (be they social, political, economic, cultural, and/or religious) and accepting them as integral and inseparable parts of a person's human rights. It is in this context that this research will stress three principles:

1. Any true democracy has to include principles of gender equality, rights and non-discrimination of women and men in all spheres of life and levels of decision-making.
2. Women's full participation has to be integrated into the goals of development and their full participation must be included in the process of shaping such goals.
3. The state must ensure that both women and men have opportunities to gain access to information on government policies. This brings about greater transparency and accountability in government and civic participation, which are basic in the building of true participatory democracy.

Methodology

The audit and evaluation of the Malaysian government's commitment to the BPFA will be framed according to the above principles. The areas covered in this research are as follows:

1. Women in Public Services and Politics
2. Women's Leadership of Organizations
3. Women's Participation in Electoral Politics
4. Discriminated Groups of Women

Trends, issues and challenges within these sectors will be discussed and comparative analysis will be carried out on affirmative actions taken by the

¹Women's Agenda for Change (1999). Introduction. Kuala Lumpur.

state and the women's movement. Two case studies on best practices will be discussed and, though a limited survey, will establish some learning points towards creating democratic spaces for women's political participation and the building of their capacity.

It must be mentioned that the collection of data has been very trying. In Malaysia, as noted in the earlier SEAGEP research on Resources, much information is dated; it is not always gender-disaggregated, and it is not gathered in a systematic manner (e.g. some data may appear in one year and not continued subsequently). Despite promises made by the then Ministry of Women and Family Development (now renamed Ministry of Women, Family and Community Development) to publish gender-disaggregated data, such is still unavailable to the public. Most of the data reflect events of 1999 to 2000, except when other data are made available via the media or unpublished government statistics documents. However, even if data are available, these are often classified information under the Official Secrets Act. Unless the Cabinet or Parliament publishes them, civil society does not have access to such information, reinforcing the belief that access to information is a privilege and not a right.

It cannot be overemphasized that the unavailability of gender-disaggregated data has greatly hampered attempts to have a more complete analysis of the state of women's political participation.

TRENDS, ISSUES AND CHALLENGES

The Malaysian State as a "Limited Democracy"

What is the existing political environment and the democratic space available to women and civil society?

The Malaysian government has taken steps to ratify the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1995 and the Convention on the Rights of the Child in 1996. It has also signed the Beijing Platform for Action (BFA) in 1995. This signifies an acceptance of shared common standards and values on human and women's rights.

In the international level, the Malaysian government has also advanced the principle of the indivisibility and interdependence of human rights. This means that the government has the obligation to protect all human rights at all times. Malaysia has also criticized the narrow focus of certain nations and international organizations on civil and political rights. The new government under Prime Minister Datuk Seri Abdullah Badawi has joined in the worldwide condemnation

of Israel's latest military operations in the Gaza strip, strongly criticizing Israeli action as "clearly violating international humanitarian laws, particularly the use of helicopters and missiles against civilian areas."²

Up to this date, however, Malaysia has not signed other significant international human rights treaty on civil and political rights. In particular, it has not ratified the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights or the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. As a country, Malaysia's democratic spaces are severely limited. In fact, the Malaysian Human Rights Report (1998) by SUARAM (Suara Rakyat Malaysia) points out:

An army of laws, which provide for detention without trial and restrictions over basic freedoms of expression, association and public assembly, supports an authoritarian state. The government maintains control with a sophisticated combination of draconian laws, controls on civil liberties, with social and economic policies favoring elite and middle class sectors of numerically dominant Bumiputras as well as economically advantaged non-Bumiputras.³

The Malaysian state takes the form of parliamentary democracy, which provides for a general election every five years. However, critics of the state are suppressed and quickly disposed of under various laws, the most draconian of which is the Internal Security Act, allowing detention without trial.

While many may perceive women's issues as "safe issues" and seeing women's organizations as having the ears of the government, repressive measures are likewise used against women's groups. In July 2003, when a women's group called the All Women's Action Society (AWAM) tried to organize a public rally against rape, the police arbitrarily denied the organization a permit and threatened its organizers with arrest when they came out to inform members of the rally's cancellation.

In short, freedom of speech, freedom of association, and all attempts to exercise civil and political rights have to work within repressive constraints.

Prevailing Patriarchal Values and Attitudes

Women, much more than men, are subjected to a range of controls over the way they look, behave, dress, talk, or choose to lead their lives. Clearly, women still occupy a secondary position in society. The Women's Agenda for Change reflects this situation when it said:

²New Straits Times, 21 May 2004. Malaysia.

³Malaysian Human Rights Report (1998). SUARAM (Suara Rakyat Malaysia). Malaysia.

... women are heavily underrepresented in the political and law making processes in Malaysia, their work and contributions are often less valued than men's, and they generally have less "say" at all levels of society. This has contributed to a situation where, because men "call the shots", women, more than men, are subject to various measures aimed at controlling and regulating their sexual behavior. At the same time, they have less scope to resist these measures.⁴

One such instance was when the Islamic Party Malaysia (PAS) rejected calls for women to run as candidates in state and parliamentary elections. Nik Abdul Aziz Nik Mat, leader of PAS said the party was concerned about women's "security."⁵ At the time he made the statement, women members of PAS threw their support behind their leader. However, the party leader had to "eat his words" and retract his position in the recent 2004 elections. As a response to public displeasure over PAS' orthodox position on women and the fear of losing women's votes, PAS eventually put up women candidates for both parliamentary and state elections.⁶

The ruling coalition, Barisan Nasional (BN) claimed that it was largely responsible for uplifting the status of women. The message was conveyed with a pledge that if returned to power, women would never be discriminated against, as would be the case under an Islamic government. As a result, in the recent 2004 elections, overenthusiastic efforts were made by the BN to include women as candidates.

Women voters were used and cultivated by both ruling and opposition parties. Once again the need to reform policies and laws were overshadowed by a so-called "broader political agenda." It is important to recognize the obstacles and limitations women face in participating in the political arena, a space limited by democratic boundaries and institutionalized patriarchal values in state machineries and political parties.

This situation raises pertinent questions: Does increasing the number of women in electoral politics make a difference to political issues given the way political life is propagated in Malaysia? Will women in power have different concerns or behave differently from their male counterparts? If one looks at Nordic countries, where women occupy a relatively high percentage of elective positions in government, one sees that women do make a difference. However, women

⁴Women's Agenda for Change (1999), Malaysia, p. 38.

⁵BBC News. (Friday, 9 June 2000). Islamic Party Rejects Women MPs. Website: <http://news.bbc.co.uk/1/hi/world/asia-pacific/784070.stm>.

⁶The STAR 21. (January 2001).

are subject everywhere, just as men are, to prevailing political practices and to global economic and political forces. These forces hamper or expand their possible options.

Hence, while the BPFA calls for a 30% critical mass representation, women in power need to be gender-sensitive towards women's needs and be able to break male-dominated structures and values that still place women in traditional roles.

OTHER FACTORS AFFECTING WOMEN'S POLITICAL PARTICIPATION

Access to Financial Resources

Women face obstacles in accessing financial resources, such as credit and funding, to carry out political work, whether in the field of electoral politics or in organizations.

Legal Rights

Women face legal discrimination and restrictions that inhibit their action. In Malaysia, Constitutional and legislative guarantees of women's rights are not always implemented but even when they are, religious laws that discriminate against women may be allowed to override these guarantees. Aware of this, women's organizations, under a coalition called Joint Action Group against Violence against Women, are advocating legal reforms, including a legal redefinition of rape, imposing punitive penalties against repeat offenders, amendment and standardization of Islamic Shariah Laws in all states, and the enactment of the Sexual Harassment Bill.

Women are not always aware of their legal rights. However, awareness and existence of legal guarantees and rights are insufficient unless these rights are enforced. People need the means to be able to claim their rights, and unfortunately, women are the least likely to have access to the current justice system.

Mass Media

Mass media need to portray a positive image of women's roles and responsibilities. Most of the time, stereotype roles and negative images of women are conveyed, further reinforcing cultural attitudes that inhibit women's political participation. Moreover, given that they are male-dominated, mass media often fail to give enough attention to women's needs, achievements and concerns.

These are some of the obstacles faced by women in their attempts to claim their right to political participation. The obstacles interlink in complex ways affecting women's lives. Nonetheless, whether in NGOs, electoral politics or public life, women persist in empowering themselves. With these obstacles in mind, the discussion that follows attempt to situate women's political participation.

WOMEN'S POLITICAL PARTICIPATION

Women in Public Service and Politics

The participation of women in public services did not start until after World War II⁷ (1942 - 1946) unlike their male counterparts who were recruited for the British administration since 1874, starting with the Penang Island (now know as Pulau Pinang), Singapore, Malacca (now known as Melaka) and then expanding to the rest of the Peninsula. During those times, women were mainly confined to such positions as typists and other manual tasks. Under the British colonial rule, men dominated positions of secretaries and clerks, as they were able to read and write in English. This reflects patriarchal attitudes in society, a hierarchical order wittily captured in this Malay saying:

While the Raja rules the country
While the penghulu (village headman) rules the shire
While the lembaga rules the clan
While the baupak (chief) rules the lineage
The husband rules the wife.⁸

With the advent of education for both women and men, women entered the "male" world of secretaries, clerks and typists. These jobs, once considered menial, now became "women's jobs." Males moved on to higher positions, such as those of managers, planners and supervisors, which command higher pay. With the introduction of the Information Age, radical changes are developing, giving access to knowledge and information equally to both men and women. The nature of jobs has also changed as these jobs increasingly depend on technology.

Under the Eighth Malaysia Plan, programs have been proposed for the public services:

Service delivery and optimized resources utilization will continue to be

⁷The Second World War in Southeast Asia began in 1942 and ended in 1946, with the official surrender of the Japanese Army.

⁸Mohamad Din bin Ali. (1950). *The Malays: A Cultural History*. London: Routledge & Kegan Paul, Ltd., p.59.

upgraded, particularly through the extensive use of ICT (Information Communications Technology). The public sector will review existing management structures, personnel policies and delivery systems to meet the requirements of knowledge-based economy.⁹

Government training institutions¹⁰ such as the National Institute of Public Administration (INTAN) and the Judicial, Legal Training Institute (ILKAP), Institute of Diplomacy and Foreign Relations (IDFR) and the Aminuddin Baki Institute have been earmarked to conduct trainings that upgrade the skills and knowledge of civil servants.

Table 1 indicates that women's participation in the public services has increased at a steady pace, from 33% in 1990 to 44.7% in 2001. However, overall women's participation in the public sector is still much lower than that of men.

Table 1: Number of Personnel in the Public Sector According to Sex and Year

Year	Male	Male %	Female	Female %	Total
1990	468,637	67.00	229,785	33.00	698,422
1991	470,603	66.40	238,415	33.60	709,018
1992	449,079	65.10	240,935	34.90	690,014
1993	441,535	64.60	241,949	35.40	683,484
1994	419,120	61.90	258,274	38.10	677,394
1995	410,199	61.10	260,759	38.90	670,958
1996	405,631	60.60	263,905	39.40	669,536
1997	399,534	59.95	266,905	40.05	666,439
1998	395,153	59.40	269,435	40.60	664,588
1999	390,344	58.90	272,039	41.10	662,383
2000	393,251	58.20	282,654	41.80	675,905
2001	397,783	55.30	322,074	44.70	719,857

Source: Malaysian Government Report to the UN Committee for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 2004.

⁹Malaysia. (2001- 2005). Eighth Malaysia Plan. Malaysia, p. 611.

¹⁰Malaysia. (2001- 2005). Eighth Malaysia Plan. Malaysia, p. 620.

Table 2: Civil Servants According to Sex and Scheme of Service, 1995 and 2000

SCHEME OF SERVICE	1995		2000	
	MALE	FEMALE	MALE	FEMALE
Architect	198	82	160	79
Engineer	2,690	247	2,564	340
Quantity Surveyor	126	114	118	131
Surveyor	217	16	239	11
Statistician	105	61	90	89
Assistant Statistician	78	105	85	117
Supporting Staff	550	492	598	681
Librarian	NA	NA	73	231
Assistant Librarian	NA	NA	40	100
Supporting Staff	NA	NA	348	526
Information Technology Officer	NA	NA	489	525
Assistant IT Officer	NA	NA	429	650
Computer Operator	388	3,222	146	334
Accountant	326	205	316	252
Assistant Accountant	640	851	619	910
Supporting Staff	325	642	560	1,207
Legal Officer	392	273	448	356
Assistant Legal Officer	134	108	-	-
Supporting Staff	185	412	109	108
Doctor	3,316	2,622	4,116	3,476
Dentist	204	522	191	545
Nurse (Staff I)	96	15,390	354	22,826
Nurse (Staff II)	7	3,012	275	11,302
Firefighter (Administrative)	45	0	89	4
Firefighter (Group I)	NA	NA	130	3
Firefighter (Group II)	7,361	56	7,447	94
TOTAL	18,207	29,313	20,063	44,897

Source: Malaysian Government Report to the UN Committee for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 2004.

Table 2 indicates employment sectors where women are involved. In the main, women were hired as computer operators (3,222) and Staff Level 1 nurses (15,390) in 1995. These are considered “women only” jobs. Five years later, in 2000, job employment patterns for women did not change substantially. In 1995, men were mainly employed as engineers, doctors, and fire fighters, seen as traditional “men only” jobs. For the year 2000, the statistics for men workers did not change much.

While one may argue that opportunities are equally open to both men and women in jobs as doctors and engineers, women who dared enter into such fields as engineering have reported a stifling male-dominated atmosphere. The strong message was “women not wanted.” It is not surprising therefore that training and promotion opportunities for women have been very limited.

Table 3 shows women’s representation at key positions within the public services. Over a five-year period, most women were employed as administrative and support staff while most males were involved in key decision-making positions such as chief secretary and premier posts 1 and 2.

Tables 4 and 5 show in greater detail the number of women employed at various state levels. Women’s participation, particularly at the local authority level is very low. In 1998 there were no women at all the Premier Posts of Local Authorities. Most of the women were employed at the lower rung of the hierarchy, namely, administration and professionals (133) and as supporting staff (6,536). Compared to 2000, there were still no women employed at the top level Premier Posts. For the second level, a total of 282 women were employed. For the administration and professional levels there was an increase to 172 while the sporting staff increased slightly to 6,556. The figures show that while there was an increase in the employment of women in 2000, most of them were still in the lower rung of the decision-making hierarchy.

Table 6 shows a similar trend where males mainly occupy administrative and diplomatic officer levels, which are key decision-making positions.

Looking at the judiciary in Table 7, the number of women’s participation also reflects low representation. It is unfortunate that no comparison can be made as the data collection is inconsistent and it was not possible to obtain an update on the 2004 figures. However, the 1995 figures show a need to consider the demand of women’s groups for greater representation in the judiciary.

Table 3: Personnel According to Sex and Service Group in the Public Sector, 1998 - 2000

Service Group	1998			1999			2000		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Chief Secretary	0	0	0	1	0	1	1	0	1
Premier Post 1	3	0	3	3	0	3	1	0	1
Premier Post 2	2	0	2	2	0	2	2	0	2
Premier Post 3	11	1	12	11	1	12	5	0	5
Premier A	38	1	39	31	0	31	33	1	34
Premier B	84	6	90	77	6	83	73	7	80
Premier C	373	69	442	370	69	439	653	274	927
Administrative and Professional	44,875	37,090	81,965	44,956	37,557	82,513	73,050	60,745	133,795
Supporting Staff I	86,073	108,004	194,077	85,692	108,690	194,382	115,297	87,515	202,812
Supporting Staff II	263,694	124,264	387,958	262,314	123,911	386,225	280,648	186,915	467,563
Total	395,153	269,435	664,558	393,457	270,234	663,691	469,763	335,457	805,220

Source: Malaysian Government Report to the UN Committee for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 2004.

Table 4: Personnel in the Public Sector According to Sex and Agency, 1998

Agency	Premier Post						Premier						Admin and Professional						Supporting Staff					
	1		2		3		A		B		C		Professional		I		II							
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F						
Public Service (Federal)	2	0	1	0	8	1	24	1	60	4	92	16	31,022	30,566	75,217	101,918	122,195	81,657						
Public Service (State)	0	0					1	0	9	0	12	0	2,793	503	3,450	1,659	55,443	12,684						
Statutory Body (Federal)	1	0	1	0	3	0	10	0	15	2	259	53	9,170	5,548	4,995	3,489	38,289	2,153						
Statutory Body (State)	0	0					2	0	0	0	8	0	1,292	340	980	480	11,795	3,687						
Local Authority	0	0					1	0	0	0	2	0	598	133	1,431	458	35,972	6,078						
TOTAL	3	0	2	0	11	1	38	1	84	6	373	69	44,875	37,090	86,073	108,004	263,694	124,264						

Source: Malaysian Government Report to the UN Committee for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 2004.

Table 5: Personnel in the Public Sector According to Sex and Agency, 2000

Agency	Premier Post						Premier						Admin and Professional						Supporting Staff					
	1		2		3		A		B		C		F		M		F		M		I		II	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Public Service (Federal)	1		4		18	1	55	7	220	103	46,510	60,712	99,616	116,214	127,887	103,495								
Public Service (State)		1			4		5		34	16	1,151	3,731	3,405	1,638	65,876	20,552								
Statutory Body (Federal)			1		8		3		380	147	7,201	11,366	5,022	3,770	38,256	22,632								
Statutory Body (State)					2				14	6	711	1,614	837	419	12,262	4,154								
Local Authority					1				5	2	172	627	1,417	474	36,367	6,082								
TOTAL	1	2	5	5	33	1	73	7	653	274	55,745	78,050	110,297	122,515	280,648	156,915								

Source: Malaysian Government Report to the UN Committee for the Elimination of All Forms of Discrimination Against Women (CEDAW), 2004.

Table 6: Administrative and Diplomatic Officers According to Sex and Grade, 1998 - 2000

Grade	1998		1999		2000	
	Male	Female	Male	Female	Male	Female
Chief Secretary	1	0	1	0	1	0
Secretary General (Premier Post I)	1	0	1	0	1	0
Secretary General (Premier Post II)	1	0	1	0	2	0
Secretary General (Premier Post III)	6	0	10	0	5	0
Deputy Secretary General (Grade A)	17	1	13	1	14	1
Deputy Secretary General (Grade B)	36	0	38	0	21	7
Deputy Secretary General (Grade C)	46	5	52	5	78	24
Under Secretary (Grade 1)	168	27	144	20	192	53
Principal Assistant Secretary (Grade 2)	809	170	777	150		
Assistant Secretary (Grade 3)	2,057	567	2,091	592	1,602	617

Source: Malaysian Government Report to the UN Committee for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 2004.

Table 7: Number of Judges/Judiciary Personnel, 1995

Category	Males	Females	%
Court Judges	10	0	0
Judges at the Court of Appeal	9	1	10
High Court Judge	58	4*	6.9
Magistrate Judges/Lawyers/Legal Officers	155	58	37.4
Total	232	63	27.2

Notes: Female High Court Judge = 1
Female Judicial Commissioners = 3

Source: Unpublished statistics from the Hal Ehwal Wanita - Women's Affairs Unit, 2000.

Again, there is no consistency in the documentation of statistics as reflected in Table 8 to enable a comparison in the participation rate of women in the police force. The 1995 figures are quite telling. Women have a low representation and are mainly employed at the lower rungs of the police hierarchy.

Table 8: Percentage of Women in the Police Force, 1995

Category	Males %	Females %
Police		
Management	2.24	0.11
Support	76.40	5.52
Total	78.64	5.63
Police with Forestry		
Management	0.16	-
Support	15.54	0.03
Total	15.70	0.03

Source: Unpublished Statistics from the Hal Ehwat Wanita - Women's Affairs Unit, 2000.

Challenges Facing Women in Public Services

The Malaysian Government Report on CEDAW (2004) made the following observations on women's participation¹¹:

- i. There is no shortage of potential women applicants (between 1984 and 1994);
- ii. There is an imbalance in recruitment as more men are recruited into the public services;
- iii. Women trainees are not discriminated against in opportunities for training;
- iv. While women of lower grades can be assigned to any of the ministries, their promotions are limited to so-called "feminine" organizations;
- v. Less women (about 2%) are being trained compared to men;
- vi. Women tend to be excluded from promotion at middle management levels.

In response, the government in 1988 amended the Employment Act of 1955 to provide flexible working hours and empower the Minister of Human Resources to rule on statutory benefits to be paid to part-time workers proportional to that of full-time employees.¹² This amendment was meant to allow women to be employed part-time and give them the flexibility necessary to meet family

¹¹ Malaysian Government Report to the UN Committee for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), pp. 36 - 37. 2004. Malaysia

¹² Malaysia (2001 - 2005). Eighth Malaysia Plan. Malaysia, p. 560.

obligations. In addition, the public sector's maternity leave was increased from 45 to 60 days, up to a maximum of 5 children. Mothers in the public sector were encouraged to breastfeed and recommendations were made for support facilities.

While it is recognized that these efforts encourage women to take active part in employment, several issues remain:

- i. It is still assumed that women's principal obligation is to their family unlike males who are neither expected nor encouraged to share in family responsibilities.
- ii. While gender training is recognized as important, there is inadequate emphasis on training for both women and men. Recently, training institutes like INTAN discontinued gender training when two key staff members who used to conduct gender training left the organization.
- iii. Low-level personnel conducted most of the previous gender training at INTAN with little influence on decision-making. Key personnel with more authority should conduct such trainings so that gender sensitivity could be easily accepted at all levels.
- iv. While there is a resolution to set up childcare facilities in public service departments, the resolution remains gazetted at the parliamentary level. It was brought up for debate in the September 2003 Parliamentary session but the resolution was shelved indefinitely.

LEADERSHIP IN ORGANIZATIONS

Women in Educational Institutions

The Eighth Malaysia Plan noted "an important factor that contributed towards the social and economic advancement of women was the huge investment in educational facilities and equal access to educational opportunities."¹³ While this may be so, women's participation in the field of education is still skewed towards arts streams; 65% of students enrolled in these fields are women.¹⁴ Table 9 shows that while the number of women in the sciences stream increased to 54.69%, few women are enrolled in engineering, a traditionally male-dominated field.

¹³Ibid. p. 560.

¹⁴Ibid. p. 561.

Table 9: Graduates in Science, Medicine, Agriculture and Engineering in Public Institutes of Higher Learning According to Gender, 1997 - 1998

Fields	1997		1998	
	Male	Female	Total	Female %
Science	1,699	2,051	3,750	54.69
Medicine	221	181	402	45.02
Agriculture	51	40	91	43.096
Engineering	1,759	478	2,237	21.37
Total	3,730	2,750	6,480	42.44

Source: Higher Education Department, Ministry of Education, Malaysia

Table 10 is a collation of key decision-makers on policies, standards, curriculum etc. in the area of education. Males still hold the top decision-making positions while women act mainly as legal advisers and public relations officers.

Table 10: Male and Female in Key Positions in the Ministry of Education, 2004

Positions	2004		1997	
	Males	Females	Males	Females
Minister of Education	1	0	1	0
Deputy Ministers (2 positions)	1	1	2	0
Parliament Secretary	1	0	1	0
Secretary General	1	0	1	0
Positions	2004		1997	
	Males	Females	Males	Females
Director General of Education	1	0	1	0
Deputy Secretary General of Personnel & Organization	1	0	1	0
Deputy Secretary General of Finance & Development	1	0	1	0
Deputy Director General School Department	3	0	5	0
Legal Advisor	0	1	NA	NA
Public Relation Officers (3)	2	1	NA	NA

Source: Ministry of Education website (2004) and unpublished statistics from the Hal Ehwal Wanita- Women's Affairs Unit (2000)

Table 11 indicates the 1999 gender breakdown at the state education departments and government school levels. Women do not occupy key positions although they make up 60.26% of all teachers at the secondary schools and 62.76% at primary schools (See Table 12).

Table 11: Key Positions at State Education Departments and School Levels, 1999

Post	Male	Female	Total	Female %
State Education Depts. (as of Sept. 1997)				
State Education Director	14	0	14	0
Division/District Education offices (as of Sept. 1997)				
Heads	74	4	78	5.13
Schools (as of 1997)				
Secondary School Heads	945	392	1,337	29.32
Primary School Heads	5,341	1,014	6,355	15.96

Source: Malaysian Government Report to the UN Committee for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 2004.

Table 12: Number of Teachers/Lectures in Teachers Training Colleges/ Polytechnics/Schools, 1997

Institution	Male	Female	Total	Female %
Teacher Training Colleges	2,067	1,023	3,090	3.11
Polytechnics	866	405	1,271	31.86
Secondary Schools	41,549	63,008	104,557	60.26
Primary Schools	58,198	98,079	156,277	62.76

Source: Malaysian Government Report to the UN Committee for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 2004

The same pattern of male-domination can be found in the composition of heads of public educational institutions (Table 13). Males hold key positions in each of these levels, namely, in the Institutes of Higher Learning, Teachers' Training Colleges and Polytechnics. Most faculty heads in public institutions of higher learning are males (see Table 14).

However, it is not possible to compare these data with 1995 statistics, as data collection in this area is inconsistent. It is only with the public distribution of the government CEDAW report that one is able to access such information.

Table 13: Heads of Public Educational Institutions According to Gender, 1999

Public Institution	Male	Female	Total	Female %
Institutes of Higher Learning	11	1	12	8.33
Teachers' Training Colleges	26	5	31	16.13
Polytechnics	9	1	10	10.00

Source: Malaysian Government Report to the UN Committee for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 2004.

Table 14: Faculty Members of Public Institutions of Higher Learning According to Gender, 1997

Post	Male	Female	Total	Female %
Professor	479	73	522	13.22
Associate Professor	1,358	408	1,766	23.10
Lecturer	4,028	3,287	7,315	44.94
Total	5,865	3,768	9,603	39.24

Source: Malaysian Government Report to the UN Committee for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 2004.

Women in Business Corporations

The researcher is unable to do a study on women's participation in private corporations, as there is no available official documentation. It must be said, however, that in the Eighth Malaysia Plan, the government tried to "facilitate the involvement of women in business by providing them with easy access to capital."¹⁵ In 1998 the Women Entrepreneurs Fund was established with an allocation of RM10 million which funded 12 projects amounting to RM9.5m.¹⁶ In another effort to encourage women entrepreneurs, the Small Entrepreneurs Fund gave out RM65m in loans to about 6,000 women entrepreneurs. Skills, leadership and entrepreneurship training seminars are offered under the Women's Institute of Management (WIM), Federation of Women Entrepreneurs Association and the Association for Bumiputera Women Entrepreneurs. A total of 10,000 women benefited from these courses.¹⁷

However, such courses are mainly offered to women in urban and in specific rural areas. There is a tendency to limit training opportunities for poor Indian and indigenous women.

¹⁵Op. cit. Eighth Malaysia Plan. p. 561

¹⁶Op. cit. Eighth Malaysia Plan. p. 561

¹⁷Op. cit. Eighth Malaysia Plan. p. 560.

The lack of statistics on women's involvement in businesses impairs efforts to analyze the impact of government policies in promoting women entrepreneurs. This is certainly an area for documentation, as national statistics do not reflect women in private corporations.

Women in Trade Unions

The Malaysian Trade Union Congress has not compiled its statistics on women and men in leadership positions. The statistics obtained are from the Malaysian Government Report on CEDAW (2004). They show that the increase in the membership of women is significantly low, given that women labor force participation rate was 44% in 1998.¹⁸ In 1995, only 10% of union leaders were women although women were one third of total union members. (See Table 15).

Table 15: Participation of Male and Female in the Trade Unions, 1995 - 2000

Year	No. of Unions	Females	Males	Total
1995	504	255,946 (36.2%)	450,354 (63.8%)	706,300
1998	532	271,493 (36.7%)	468,143 (63.3%)	739,636
2000	563	265,722 (36.2%)	468,315 (63.8%)	734,037

Source: Malaysian Government Report to the UN Committee for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 2004 and unpublished Government Report on gender-disaggregated statistics.

The statistics show the reluctance to accept women in positions of authority. Another reason why so few women are in leadership positions is the difficulty women face in getting their voices heard and their needs addressed by trade unions. Furthermore, not all sectors are unionized. For instance, since the '70s women in the electronic sector have not been allowed to form unions.

Even in areas that are unionized and provide some protection, women find it difficult to participate actively as they are expected to give priority to their household rather than trade union responsibilities. The brunt of household duties still falls heavily on women, even when they hold paying jobs.

In addition, trade unions are still male-dominated, making it difficult for women workers to define a women's agenda and have their needs and issues addressed. As the country progresses however, problems, which prevent women from

¹⁸Op. cit. Eighth Malaysia Plan. p. 560.

contributing fully to their workplace, become more pressing. These include sexual harassment, lack of childcare facilities, lack of protection in health and safety at workplace, and unequal career advancement opportunities.

WOMEN IN NGOs

There is no official documentation of women's participation in NGOs. The only available data is an NGO directory, which has no gender breakdown on the number of women in key decision-making positions.

Malaysia has a rich history of women's resistance. The first occasion was the mass mobilization of women in the anti-colonial struggle, including the struggle against the Malayan Union proposed by the British. Women's participation was eagerly sought by both left- and right-wing parties to "add strength to the party in order to push for independence".¹⁹ However, the colonial state came down heavily on the growing left-wing movement and banned these groups including the Women's Federation and AWAS, the Conscious Women's Front. Many of the women were detained, fled or banished to China and Indonesia. Some went underground to join the Communist Party.²⁰ It is interesting to note that the demands of these progressive groups ranged from sexual equality to the establishment of childcare facilities.

It is also illustrative that similar demands for equal gender representation in the right-wing nationalist Malay party, the United Malay Nationalist Organization (UMNO), were met with hostility. The woman leader, Khatijah Sidek, was expelled from the party for agitating for an independent status for the women's section and increased nomination of women in elections, amongst other demands. She even lobbied for a separate Women's Party. Given the limitations of the right-wing nationalist movement, the women's wings of political parties eventually "degenerated to become appendages of male-entrenched and hierarchical party structures."²¹

Since the repression, there has been a lacuna in the women's movement. It was only in the late 1970s and 1980s that NGOs, which were not directly affiliated with the opposition parties, emerged. These NGOs, including women's groups²² were founded based on specific issues such as the environment, squatters,

¹⁹Maznah, 1999; Ng and Yong 1990. Extract from Ng, Cecilia, Tan Beng Hui and Maznah Mohamad. *The Unsung R(e)volution*. To be published by the Women's Development Collective. Malaysia.

²⁰Ng, Siti Nor and Syed Husin Ali: 1987. Extract op.cit.

²¹Maznah, 1999. Extract op.cit.

²²The women's groups include the formation of the All Women's Action Society (AWAS), Women's Crisis Center (now known as Women's Center for Change), Sarawak Women for Women Sarawak (SWWS) and Sabah Action Resources for Women (SAWO).

women workers, human rights, violence against women and housing, to name a few. There were also church linked community-based groups.²³ Many of these groups formed active coalitions on an ad hoc basis in relation to certain concerns, for example, the building of the Bakun Dam in Sarawak, dumping of nuclear toxic wastes, eviction of squatters, now known as urban pioneers, and the anti-rape campaign. Women's groups also joined in these campaigns that mark the beginnings of civil society.

In the 1980s, there was a rapid mobilization of women activists. Women activists participating in such campaigns also launched an anti-rape campaign, leading to a 1987 mass demonstration against the brutal rape and murder of a nine-year-old girl. The campaign was led by a coalition called Citizens Against Rape (CAR) made up of NGO and welfare groups in the country, and included both men and women.²⁴

Another instance of women NGOs taking center stage was the March 8, 1996 demonstration led by the All Women's Action Society. It was organized to protest the delayed implementation of a law to protect battered women, which was passed by Parliament in 1994, after years of lobbying.

As noted by a journalist:

Three years ago, in an episode so unusual for placid Malaysia that it made headlines, women activists marched across a hotel lobby chanting "Act now, right now!" and confronted a startled cabinet minister. The tactic worked: A law to protect battered women was implemented after 11 years of lobbying.²⁵

Such a strategy undertaken outside the state arena reaped results through laws that were quickly passed. Of course media attention also pushed the state to respond to prevent further embarrassment.

Political mobilization and awareness-raising are meant to promote women's representation and advocacy at the national level; to establish a women's agenda; and to sensitize both women and men on the issues related to women and their role in politics. However, it is not enough to institute changes at the

²³It is not possible at this juncture to have an in-depth discussion on the range of NGOs and the issues they represent. What is attempted here is a summary of women's political participation at the NGO level.

²⁴The CAR campaign was part of a wider campaign against Violence Against Women. This campaign was multi-pronged and included components of education, mobilization, organization, legal reforms, services and structural changes (Fernandez, 1992).

²⁵Chen May Yee, Malaysia's Political Parties Shift to Courting Women. *Asia Wall Street Journal*, 28 July 1999. Website: <http://www.malaysia.net/lists/sangkancil/1999-05/msg05276.html>

national level, there must be a monitoring mechanism to ensure that women's rights are given importance and opportunities are created so that women can compete and speak out like their male counterparts.

WOMEN'S PARTICIPATION IN ELECTORAL POLITICS

Women's participation in electoral politics takes two forms: as active candidates during the election period and as active campaigners and voters. Either way, women are not given equal opportunities to increase their political participation.

Traditionally, women have played the part of campaigners and voters in most elections. In the election stations, women cook, prepare posters for plastering and do most of the "background" work befitting their role as supporters rather than players. This landscape has changed since the 1999 elections and we see a different brand of gender politics emerging, with women wooed as both voters and candidates.

Table 16 shows the number of elected women representatives from 1995 - 2004. Notably, there is a marked change in women parliamentarians, increasing from 6.1% of total number of parliamentarians in 1990 to 10.40% in 1999 and then to 10.50% in 2004. However, due to a recount after the General Election, the number of women MPs dropped to 22 (10.04%), showing a decrease instead of an increase.

Table 16: Summary of Women Elected Representatives in the State Assemblies and Parliament, 1990 - 2004

Year	Number of State Assembly Women	Total Number in the State Assemblies	% of Women	Number of Women MPs	Total Number of MPs	% of Women
1990 **	17	351	4.80	11	180	6.10
1995 **	25	394	6.30	15	192	7.80
1999 **	23	394	5.80	20	193	10.40
2004 *	32	505	6.33	22***	219	10.04

* Includes Sabah and Sarawak

** Do not include Sabah and Sarawak

*** Initially, there were 23 MPs but due to a recount, it is now 22. A woman MP from the Islamic Party Malaysia (PAS) lost her seat.

Source: Various articles in the STAR and files from the Women Monitoring Election Candidates (WoMEC).

In the 2004 elections, 94 women campaigned for 97 Parliamentary seats. A total of 55 candidates won. The largest number of women candidates was fielded by the United Malays National Organization (UMNO), followed by Keadilan, opposition party (15 candidates) and the MCA, part of the BN coalition (12 candidates). Even the Party Islamic Malaysia managed to field a total of 9 women candidates as compared to none in the 1999 elections.

Table 17 shows the number of women candidates who won Parliamentary and State seats in the 2004 election. At the State Assembly level, a total of 505 seats were contested and 61 women candidates (12%) were fielded in 2004. In 1990, 17 women candidates made up only 4.8% of total number of candidates; in 1999, the figure increased to 5.8%.

Table 17: Women Candidates who have won at the Parliamentary and State Seats, 2004

	Total No. of Seats	No. of Women Candidates	% of Women Candidates	Women Candidates who Won	% of Total Seats
Parliamentary Seats	219	36	16%	22	10.04%
Assembly Seats	505	61	12%	32	6.33%
Total of seats contested	724	97		55	

Source: Documented by the Women Monitoring Election Candidates (WoMEC), 2004

NB: Altogether there are 724 seats and 94 women candidates contested for 97 seats. Chong Eng (DAP), Christina Liew (Keadilan) and Saidatul Badru Mohd Said (Independent) contested for both Parliamentary and State Seats.

The above trends seem to indicate that more women are contesting for electoral seats and this may be related on the other hand to the recognition by political party leadership of the increasing need to open up spaces for women candidates. On the other hand, it also serves political parties' purposes as they strive to woo more women votes. Out of 36 women Members of Parliament, 6 are below 30 years of age. This is a good indication of voters' acceptance of young candidates. Last year, only member MPs were below 30 years of age.

Table 18 shows the participation of women in elected and appointed positions within the Parliament, State Assembly and appointed local councils. There is a significant increase in the number of women MPs elected as Parliamentary Secretaries, from 20% in 2000 to 27% in 2004.

Table 18: Women in Elected and Appointed Offices, 1986 - 2004

Position	Year	Number of Men	Number of Women	Total	% of Women
	1986	170	7	177	3.90
Members Of	1990	171	9	180	5.00
Parliament	1995	179	13	192	6.80
	2000	174	19	193	9.80
	2004	196	23	219	10.50
	1986	435	12	447	2.70
State Assembly	1990	428	15	443	3.40
Representatives	1995	474	24	498	4.80
	2000	235	15	250	6.00
	2004	473	32	505	6.33
Appointed	1986	49	11	60	18.30
Senators	1990	40	11	51	21.60
	2000	NA	NA	NA	NA
	2004	NA	NA	NA	NA
	1990	23	2	25	8.00
Ministers	1995	23	2	25	8.00
	2000	26	2	28	7.00
	2004	30	3	33	9.00
	1990	27	3	30	10.00
Deputy Ministers	1995	28	2	30	6.00
	2000	25	2	27	7.00
	2004	35	3	38	8.00
Parliamentary	1990	14	-	14	0.00
Secretaries	1995	15	2	17	11.70
	2000	12	3	15	20.00
	2004	16	6	22	27.00

Source: Malaysian Information Clearinghouse On Women Development, 1998 - 2000 and WoMEC's files, 2004.

Saliha Hassan made an interesting observation in her paper presented at a PSSM seminar. She pointed out that when the 2004 election campaign started, there were advertisements with catchy headlines like "A YES to BN is a YES to women's rights."²⁶ Obviously, women voters were important enough to warrant such advertisement expenditures and rightly so, as they make up 52% of all voters. Both the Barisan Nasional and the opposition parties were trying their best to field women candidates as compared to earlier weaker efforts during the 1999 elections.

Nonetheless, there are definite issues which need to be looked into. As put forward in a press statement from the Women Monitoring Election Candidates (WoMEC),²⁷ women are confronted with crucial issues such as:

The Inadequate Number of Women Contesting in Elections

To begin with, the number of female candidates in the 2004 elections still falls far short of the 30% figure globally recognized as the minimum necessary for women to be effective at the level of political decision-making.

Although there may appear to be an impressive number of 94 women contesting both state and Parliamentary seats, the reality is that this figure represents barely 6% of the total number of candidates (1,564).

The above statistics also show that a good number of women candidates will not win because the odds are against them. It will not be surprising to find that there is no significant change in the percentage of women either at the State Assembly or Parliamentary levels in the 2004 election.

To put things in perspective, statistics by the Inter-Parliamentary Union²⁸ show Malaysia's current rank as 87th of 183 countries in representation of women in the Lower House of Parliament.²⁹ The Asian average is 14.9%; Malaysia's is 10.5%. Countries like Rwanda (which ranks number one) followed by South

²⁶The event took place during a national seminar organized by SAMA, the Southeast Asian Gender Studies Association, Malaysian Branch. It was an interesting conjuncture of progressive academic women in the mainstream cooperating with women activists at the edge, as the latter had to seek "permission" from the former to ride their demands on the occasion of International Women's Day. (Saliha Hassan (2004). Women in the 2004 Malaysian General Election. A paper presented at the Program Sains Politik, Universiti Kebangsaan Malaysia, Malaysia).

²⁷WoMEC (18 March 2004). Press Statement on: Why Women Remain Ineffective in Malaysian Politics? Malaysia.

²⁸Source: <http://www.ipu.org/wmn-e/classif.htm>. Situation as of 30 September 2004.

²⁹Figures correspond to the number of seats currently filled in Parliament.

Africa (12th),³⁰ Timor Leste (22nd),³¹ Pakistan (31st), Lao People's Democratic Republic (27th), the Philippines (57th), Thailand (86th) all rank higher than Malaysia despite their lower economic standing.

Social and Cultural Obstacles

While it is necessary to introduce temporary measures such as quotas to encourage women's increased political participation, this policy in itself does not guarantee that women will involve themselves in this traditionally male realm. Women face a different set of difficulties in relation to politics. They do not take up offers to get involved for reasons tied to social norms and cultural stereotypes, among them:

- a. They lack confidence as a result of years of social conditioning that defines their rightful place first and foremost in the domestic sphere as mothers, not as breadwinners and citizens. Politics has been painted as a man's world, one in which women will not last, let alone make an impact.
- b. They may desire to take up the challenge of political participation but lack the necessary support mechanisms allowing them to do so. Married women with children have to think twice about who will take care of the kids and run the household since, by and large, men continue to play lesser household roles. Cultural stereotypes discourage even those brave enough to rise up to the challenge.
- c. Long and grueling hours are required to be an effective politician. This means that many women may not be able to perform their jobs effectively. The lack of childcare facilities has been a hindrance, along with the traditional division of household labor.
- d. Sexist attitudes of male politicians are barriers towards women's participation. For instance, a pro-tempore chief, Roselan Juhar of Kota Kinabalu UMNO (United Malay National Organization is the present ruling majority party) was cited for these sexist remarks: "if you cannot fight rape, better lie down and enjoy it!" He also suggested that rape victims should be psychologically assessed to find out if they enjoyed the incident. While his remarks caused a lot of furor among women's organizations, the fact remains that gender sensitivity is not common among male decision-makers.

³⁰South Africa: the figures on the distribution of seats do not include the 36 special rotating delegates appointed on an ad hoc basis, and the percentages given are therefore calculated on the basis of the 54 permanent seats.

³¹Timor Leste: The purpose of elections held on 30 August 2001 was to elect members of the Constituent Assembly of Timor Leste. This body became the National Parliament on 20 May 2002, the date on which the country became independent, without any new elections.

Toeing Party Lines

Women who are nominated and elected often fail to represent their female constituents because they too are not gender sensitive. Although having more women in politics is a good thing, it is essential that they truly represent their female constituents.

A much bigger obstacle for women in office is their lack of autonomy to raise women's concerns or without repercussion. Their inability to cross party lines and vote according to their conscience on gender, justice and democracy issues is a major problem, linked to a culture that does not encourage critical thinking.

Absence of Local Council Elections

Women may have more courage and interest in local-level decision-making. After all this, is the level where their most immediate concerns lie (personal safety, transport and road conditions, water and sanitation, and so on). The absence of local council elections deprives women of an important venue for political involvement.

AFFIRMATIVE ACTIONS

Actions for Women in Politics

Challenges

Post election developments brought about changes in the political arena. In line with the call for more democracy and transparency, the present government has revived the dormant Parliament Select Committees to deal with legal and policy reforms prior to their presentation at the Parliament. The revival led to some of the Select Committees being deputized by opposition parties. The government also announced that NGOs would be invited to sit in these Select Committees. Perhaps some 20 years of struggle by women's organizations may soon bear fruit: the reform of discriminatory laws and policies,

Other democratic spaces need to be considered especially with repressive laws that curb the freedom and rights of citizens. For example, laws which prohibit the assembly of five or more persons in public places without police permits; prohibition of public rallies by political parties during the run up to the General Elections; control of the freedom of the press and other repressive laws and restrictions have to be reviewed amended or abolished to be in tune with changing citizens' roles.

Recommendations

Positive actions and measures that can to increase women's political participation are as follows:

Electoral Politics

- i. All political parties must adopt a Women's Platform that genuinely promotes the participation of women in decision-making positions in the political arena and also specifically address the problems of inequality between women and men in all sectors of society.³²
- ii. Setting of quotas of at least 30% participation for women at the parliamentary and state levels.
- iii. All political parties should reserve at least 30% of nominations to party positions, municipal council seats, state assembly and parliamentary elections to women.
- iv. Reintroduce municipal council elections to enable Malaysians to participate actively in local government.
- v. Conduct gender sensitivity training for all Members of Parliament to build awareness of the attitudinal and concrete barriers to women's advancement.
- vi. Repeal, amend or abolish repressive laws that infringe on fundamental rights and curb participation of both women and men. (Includes the Internal Security Act, the Official Secrets Act, the Printing and Presses and Publications Act and the Police Act).

Actions for Women in Government

Challenges

Some state affirmative actions fall short promises for more education and training opportunities.

For instance, the Institute of National Public Administrative (INTAN) once provided gender sensitivity training programs for all lower ranking officers in the civil service. An INTAN officer reported a total of more than 1,000 workshops conducted for civil servants. However, when the two key trainers left INTAN, the workshops were discontinued. The workshops were only for lower ranking officers and changes in gender attitudes and policies were minimal.

³²Women's Agenda for Change (1999). Women and Participatory Democracy. Women's Agenda for Change. Malaysia, p. 9.

Recommendations

Positive measures in the public administration sectors are as follows:

Civil Servants at All Levels

- i. Gender mainstreaming (including policies, budgets and so forth) should be done at all levels of the civil servant services and not be limited to the Ministry of Women, Family and Community Development.
- ii. Conduct of media campaigns and training incentives to recruit women.
- iii. Inclusion of at least one woman on every women recruitment board.
- iv. Separate registry for women in employment exchanges and the inclusion of at least 30% women on recruitment lists.
- v. Formulation of clear policies to increase women's participation.
- vi. Dissemination of adequate information to inform women of policies and opportunities created at all civil service levels.
- vii. Conduct gender sensitive training for both women and men to build awareness of the barriers to women's advancement.
- viii. Inclusion of a module on women's status in supervisory and management training so as to address issues within a shorter time period and focus on specific issues, such as sexual harassment.

Sexual Harassment Policy

Challenges

Women enter the workforce in increasing numbers, making sexual harassment policies necessary. Sexual harassment in the workplace reflects the unequal power relations between women and men. In many cases, sexuality is used as a tool for male power over women, who are either seen as inferior workers or as threats to men's careers. This is not to say that women do not harass men or that there is no same sex harassment. But in general, sexual harassment is an expected, if not acceptable behavior in the workplace

In the 1930s, a strike was organized by the Klang India Association against the sexual molestation of female workers by Europeans and 'black Europeans.' It was the beginning of the struggle to define sexual harassment as misconduct in the workplace. Recently, women's groups within JAG and MTLUC unions have campaigned for legislation to counter the growing number of sexual harassment cases. Because of heightened public awareness, the MOHR on August 1999 launched the Code of Practice on the prevention and eradication of sexual harassment in the workplace.

The Code of Practice has been a significant first move by government to address the issue of sexual harassment in the workplace in line with the recent Constitutional amendments on Article 8 (2), barring discrimination based on gender. In this case, the state has taken one more step forward.

As the Code of Practice was obligatory, women's organizations led by All Women's Action Society (AWAM) and the Women's Development Collective (WDC), initiated a sexual harassment survey hoping that it would contribute towards a safe and healthy working environment.

The survey reported that only 47.6% of total respondents were aware of their company's sexual harassment policy. Companies more committed to promulgating their policies registered a much higher level of awareness than others. More men (52%) than women (45%) were aware of the policy, and more respondents from the management category attended training programs on company policy. Consequently, the lower categories were the least aware of the policy, despite the fact that these groups that are often targets of harassment. The survey also found that women preferred to talk and interact with others to obtain information while men, particularly those from management, preferred to read company documents

Given this situation, and the fact that only a minority attended training programs, the research group felt that it is necessary to design different education sessions where attendance is obligatory and where learning needs and characteristics of different groups of employees are considered.

Recommendations

The survey made a comprehensive recommendation for sexual harassment policy to be adopted and implemented. Please refer to Appendix 1 for detailed outlines of the recommendation made by the research group. In summary, the recommendations are:

- i. Clear policy statement and definition that contains the clause that an employer must take 'all reasonable steps' to prevent sexual harassment if the employer is to avoid liability.
- ii. Complaint/grievance procedures that deals with sexual harassment cases fairly and effectively.
- iii. Clear disciplinary rules and penalties for offenders and protection of complainant against retaliation.
- iv. Protective and remedial measures to ensure just implementation.
- v. Promotional programs to raise awareness on the company's sexual harassment policy.
- vi. Research, monitoring and evaluation of management in the prevention of sexual harassment.

DISCRIMINATED GROUPS OF WOMEN

In this section, the discrimination faced by indigenous women and foreign domestic workers will be highlighted. There is insufficient information on the trafficking of women in Malaysia (e.g. in the case of sex workers) and it is not possible to draw comparisons in such cases.

Indigenous Women

In Malaysia, indigenous people have a special bond with their land, which they see as imbued with a spirituality and sacredness not generally comprehensible by others. Land for the indigenous is not only about a political boundary or a habitat; it is a basis of their social organization, economic system and cultural identification. The issues surrounding indigenous women must, therefore, be understood in this context. In this report, the indigenous women cited are mainly from Sabah, Sarawak and Peninsular Malaysia.

Land

Land rights issue is most contentious among the indigenous peoples (orang asli). Federal and state authorities have moved to stake a claim to land occupied by various marginalized groups such as the poor, urban settlers and rural and indigenous communities. This move is strengthened by the introduction of legislation and policies, which recognize ownership of land only through the issuance of certificates and titles. This modern land tenure has its roots in the colonial period in which all land had to be issued a certificate of ownership. Land without title, deed, or certificate was considered belonging to the state.

Women have little recourse against the state and federal authorities' claim to their land, and they suffer from the threat of dispossession, eviction, and the trauma that results from such events. As women, they also face the possibility of losing their rights to land due to the imposition of discriminatory thinking and practices by the authorities. But the loss of land does not mean simply the loss of the resource base, but the loss of culture, knowledge, identity and roots as well.

In Sarawak, the privatization of native lands for commercial plantations has resulted in many individual landowners losing their land titles. Under the 1996 "New Concept" (Konsep Baru) land development policy of the Sarawak government, all plots of native land in an area were amalgamated into one large block and issued with one land title for a period of 60 years. The development of the land was handed over to a private joint venture company/business entity, which will operate large palm oil plantations. In such a situation, particularly for indigenous women, any change in the environment not only affects their resource base, but also impacts on their indigenous way of life, worldview and

cultural identity. The current turn of events reduces their significant role as producers and carers of the environment.

Employment

Table 19 shows the participation of Orang Asli women in the labor market. Unfortunately, no figures have been documented since 1991. The statistics show that, more and more, indigenous people are being absorbed into the urban environment where they are hired as waged workers, although their number is still relatively small. Table 19 shows that most indigenous people are engaged in the “agricultural, animal husbandry, forestry, fishermen and hunter” categories. As observed by Colin Nicholas (2002), female wage workers (8,274 in 1991) represent only 27% of total waged workers. A relatively high proportion in the 10 - 24 age group was employed in production activities in electronic, textile and rubber factories.

Table 19: Percentage Distribution of the Wage Earning Orang Asli Aged One-Year and Over by Occupation, Sex and Broad Age Group, 1991

Occupation	Male			Female		
	10-24	25-44	45+	10-24	25-44	45+
Professional, Technical & Related Workers	0.5	1.7	1.4	1.3	2.7	0.8
Administrative & Managerial Workers	0.0	0.3	0.1	0.0	0.2	0.0
Clerical & Related Workers	0.6	2.0	1.0	1.3	2.5	0.2
Sales Workers	1.1	1.3	1.4	1.8	1.4	1.8
Service Workers	3.4	13.2	4.8	4.4	3.4	1.4
Agricultural, Animal Husbandry & Forestry Worker, Fisherman & Hunters	83.5	74.6	88.6	76.5	82.9	93.2
Production & Related Worker, Transport Equipment Operators & Laborers	10.9	6.9	2.8	14.6	6.9	2.7
Total Employed (%)	100.0	100.0	100.0	100.0	100.0	100.0
Actual Total Number	7,478	10,393	4,941	3,349	3,369	1,556

Source: Nicholas, Colin (2002). *Orang Asli Women and the Forest. Malaysia*, p. 4.

Political Participation

The Orang Asli make up only 0.5% of the population in Peninsular Malaysia. They can be found in small pockets on the fringes of forests and deep in the jungles. Because they are not well versed in the election process, aspiring candidates are less enthusiastic in wooing them, except when their support is decisive. This is true in a handful of constituencies such as Grik in Perak (Central Peninsula), Gua Musang in Kelantan (East Coast) and Rompin. As explained by Dr. Juli Edo, a Universiti Malaya anthropologist:

Many Orang Asli voted in the hope that the ruling government that comes into power will help them. They are not against development. In fact, they have always voted for development. The orang asli remain hopeful that by voting in the ruling Government, they would enjoy socioeconomic development, but there is a lot more that needs to be done to elevate their impoverished status. In some cases, development projects have made the orang asli poorer.³³

Orang Asli are passive and marginalized voters. The issues and concerns of the indigenous people were formerly represented by government agencies. For instance in Peninsular Malaysia, the Orang Asli Welfare Department (JHEOA) takes care of the affairs of the indigenous people in Peninsular Malaysia. However, there have been complaints that the interests of the indigenous are not represented and acted upon. In an interview conducted by the Women Monitoring Election Candidates (WoMEC), six women from Pulau Carey were interviewed to understand the concerns of women in marginalized communities.

Below is a summary of the report:

Orang Asli in the Kuala Langat, Klang Parliamentary constituency forms approximately 0.1% of the voters in Klang.³⁴ This translates to around 74 voters. A small community, but like many others located throughout the country, with very real issues that need attention and action by the government. The women highlighted the following:

- Health - There is a public/government clinic. A doctor and nurse come once a month; on other days, residents have to travel far to see a doctor. While there is a clinic managed by Golden Hope Sdn. Bhd., this is only accessible to its own workers. School children are allowed to use this facility provided

³³The STAR. (Wednesday 17 March 2004). Out of their element. Malaysia.

³⁴Malaysiakini's UndiInfo site at www.undi.info/ (accessed on 18th March 2004)

they have a letter from the school. There is also a lack of information and education on women's health and reproductive health. The lack of services has even resulted in a woman delivering her baby at home with no medical assistance.

- Security - People are concerned about regular violent incidents such as robberies on the island. The situation is exacerbated by the fact that police reports are not made for fear of a backlash and further harm to the community. In any case, victims often have to travel far to get to a police station. It is difficult enough in urban settings to get women to report such incidents to the police, and more so for indigenous women who might have experienced domestic or sexual violence
- Education - The infrastructure is there but school attendance is low. There seems to be a lack of appreciation of the importance of schooling, which requires further investigation. One teenage girl interviewed expressed her interest in furthering her IT skills but as it stands, computers are only available to teachers in school. The women stress they would also like to learn and develop new skills besides weaving.

The issues expressed may be from a small community but it does show that all is not fine in terms of orang asli women's participation in decisions that affect their daily lives. In this small village of Pulau Carey, the Member of Parliament is reelected and it remains to be seen if women's issues will be taken seriously.

Trafficking - Migrant Women Workers

Malaysia has over 2 million migrant workers. Such a large inflow was due to a scarcity of workers in plantations, construction and domestic services during the years of fast economic growth. As of February 2000, authorized migrant workers were estimated to be 697,219, mostly from Indonesia (517,766), Bangladesh (129,004), the Philippines (30,510), Pakistan (3,280), Thailand (2,888) and others (18,774) (Asian Migration Atlas, 1998).

Table 20 shows that there are 132,749 domestic workers in Malaysia who are household-based. Migrant workers, whether employed in construction sites or in households, are not protected by laws in most of the receiving countries and are thus more vulnerable to abuse.

A national English-language daily, The Sun, reported on April 6, 2000, that the Immigration authorities estimated over 2 million foreign workers in Malaysia, of which more than 160,000 are domestic helpers.

Table 20: Migrant Workers by Sector - Peninsular Malaysia, 1997 - 1998

Sector	1997	Percentage	1998	Percentage
Manufacturing	333,301	29.8	237,809	30.7
Construction	195,957	17.5	175,888	22.7
Plantation	320,840	28.6	140,285	18.1
Services	118,289	10.6	88,079	11.4
Domestic Work	151,785	13.5	132,749	17.1
Total		100.0	774,810	100.0

Source: *Asian Migration Atlas, 1998*

A media survey of English language newspapers conducted by the Women's Aid Organization (WAO) revealed that between July 1997 and August 1998, there were nineteen cases of foreign domestic worker abuse in Malaysia. That means at least one case of abuse each month.

Of the nineteen cases, eleven involved physical abuse and assault of varying severity. There were three cases of sexual abuse, including rape and attempted rape by an employer, two cases of confinement, and seven cases of employers withholding their employee's passports and/or wages.

The abuse of foreign maids blew up in Malaysia's face with the brutal treatment of Nirmala Bonat, an Indonesian national. The reaction of the Attorney General was precise and quick, promising to impose a jail sentence of at least 67 years if the offender was found guilty. However, a punitive measure is only one reaction to a heinous crime. At the end of the day, preventive measures are required which will protect maids from abusive employers and provide them with a better work environment, including social security benefits and employment laws.

BEST PRACTICES FROM THE WOMEN'S MOVEMENT

Experiences of the Women Monitoring Election Candidates (WoMEC)

Background

In the recent 2004 General Elections, the women's movement, wanting to ensure that potential and elected candidates are held accountable for their election promises, launched a monitoring group called Women Monitoring Election Candidates (WoMEC) 9 March 2004. It consisted of the following organizations: The Women's Development Collective (WDC), All Women's Action Society (AWAM), Women's Aid Organization (WAO), Sisters-in-Islam (SIS),

Women's Center for Change (WCC), Metal Industries Employees' Union (MIEU) and Persatuan Sahabat Wanita (PSWS). These groups were under the banner of the Joint Action Group against Violence Against Women (JAG).

Women's organizations have been active in advocacy and lobbying for women and development issues for the past 19 years. Recently, however, they begin to feel that the issues raised are not being adequately addressed. They are still lobbying for legal reforms (which started in 1985) and for the policy recommendations that have been taken up. There is also concern over the lack of independence of the judiciary, the rule of law, the lack of commitment and priority to deliver on election promises, and the lack of commitment to seriously tackle national problems. Clearly, stark challenges face women with regards the Malaysian political system.

In initiating WoMEC, the women's groups want their issues to be heard, represented, made center stage and that all promises made by election candidates be fulfilled. They raise the concern that the concept of citizenship participation in Malaysia tends to be narrow and confined to limited forms of public consultations (e.g. the 5-year ballot box). Women, in particular, are only sought during elections. As a run up to the election, the gender card was being played-up by the candidates (e.g. giving flowers to women, distributing wishing cards to voters on IWD, etc.) and the media highlighted this prominently.

Such an initiative has its roots in the Women's Agenda for Change (WAC), which had presented 11 key issues related to women and development to Members of Parliament for their actions. This time around WoMEC was set up to monitor elected representatives and potential candidates on their election promises. WoMEC shares the vision of the Women's Agenda for Change and it is as follows:

"We deplore the manipulation of ethnicity and religion as well as the threat and actual use of oppressive forces to divide us. We want to contribute towards the building of a just, democratic and peaceful society for ourselves and future generations." (WAC, 1999).

In short, the vision of gender equality, social justice and sustainable development are essential ingredients in any democracy.

Objectives

Cecilia Ng, Director of the Women's Development Collective (WDC), stressed that the thrust of WoMEC is to hold elected candidates accountable and for them to be proactive in advancing and upholding social justice and equality goals. Elected candidates have to ensure effective transparency and have continuous consultation with the rakyat. Elected representatives need to address the issues and concerns, close to the hearts and minds of citizens, with

deeper and longer-term commitment. In this light, WoMEC is set up with the following objectives:

- a. to ensure that citizens' issues and concerns (in particular, that of women) claim center stage in this election agenda; and
- b. to have candidates' commit to uphold citizens' issues and to make them accountable on their promises after the elections.

WoMEC serves two purposes. Firstly, to monitor, watch and evaluate the manifestos of the political parties and the responses of the election candidates to issues of gender equality and democracy in the media. Secondly, to approach the candidates for their commitments or pledges on the eight (8) key issues as identified by WoMEC. WoMEC then monitors these pledges after the elections. Appendix 2 shows the eight key issues presented by WoMEC, which reflect citizens' concerns as well as those of the non-governmental organizations (NGOs).

Activities

1. Preparation. It was emphasized that young women make the statements. A number of young women were recruited from the women's NGOs to be the writers during the election period. A total of 5 young women participated in the media response and the project was coordinated by WDC. Three women volunteered their services to WoMEC and helped in monitoring the newspapers, making daily summaries for the writers and documenting the numbers of candidates. Some of the data collected by these women are already shown under the topic of women and electoral politics in this paper.
2. WoMEC demands. The WoMEC demands were announced in the media and subsequently sent to all elected representatives and potential candidates to seek their endorsement. Unfortunately, none returned their commitments to the WoMEC demands. After the election, the Minister of Women, Family and Community Development met with the women's organizations and one of the first things she said was: "What are these legal reforms that are not done?"

WoMEC's response was as follows:

- a. the active participation of women at all decision-making levels is not just a demand for simple justice or democracy but a demand for the "critical mass" in women's participation is a necessary condition for women's interests to be taken into account.
- b. Women's demand for legislative and policy changes was sidelined in Parliament, as shown in 1999 when there were only 20 women parliamentarians

(making only 10% of total parliamentarians). Hence, pending advocacy work includes the following:

- Review and amend all laws that discriminate against women, such as laws related to rape and amendment to Islamic Family Laws.
- Standardize the Islamic Family Laws throughout the states.
- Effective implementation of the Domestic Violence Act and the enactment of the Sexual Harassment Bill.
- Improve employment conditions, including providing child care facilities, promoting health and safety and non-discriminatory practices at work.
- Introduce minimum wages in all sectors of employment.

During the election period, WoMEC had issued regular statements to the media during the run-up to the elections. These statements had captured media attention and the coverage was given on a daily basis by various newspapers, including national vernacular papers. Such an initiative provides an educational experience for the electorate and the media.

Responses

WoMEC received feedback from the public when they called in.³⁵ They verified that the regular reports and analysis helped the public to become more aware of candidates' commitments to issues and concerns at local constituencies.

Another action which created some attention from public and Members of Parliament was the 18 March 2004 press statement, titled: "Why Women Remain Ineffective in Malaysian Politics." The issues raised in the press statement are mentioned above under the section "Women and Electoral Politics" of this paper (please refer to p. 25). The Member of Parliament P. Komala Devi from the Malaysian Indian Congress (MIC is an Indian based political party) reacted by saying that, "Our number may be small by comparison but we are in no way ineffective. The National Women and Family Development Ministry have taken up the issues. We have seen some results, such as the amendments to the Constitution." Another Member of Parliament from the Malaysian Chinese Association (MCA is a Chinese based political party) and the Deputy President of the Women's wing agreed with the desired target of 30% as the critical mass as "it would provide for a more level playing field."³⁶ She added, "the increase in Parliamentary seats and the number of women candidates we would provide the incentive for better qualified women to enter politics."

³⁵ A total of 3 callers per day were received by WoMEC. (From author's direct involvement in the campaign.)

³⁶ Malay Mail, 20 March 2004.

The main point emphasized by WoMEC is that participation is only inclusive of gender equality, democracy and sustainable development if those in power have the political will to make it happen and at the same time for those who are involved to demand that it must. While numbers in Parliament may represent the change in participation level of women in electoral politics, the point that is missed here, as asserted by Cecilia Ng, WoMEC is that WoMEC does not just look at numbers but also at women's issues and their link to broader social, economic and political issues in the country. This is important because women's concerns do not exist in isolation and attempts to enable them to claim their rights and improve their status in society must be viewed within the larger context.³⁷

Another issue to contend with is the attitudes of the politicians. During the recent elections, there are now two women from the Islamic Party Malaysia (Partai Selslam or PAS, an Islamic based political party) who have won: Kalthom Othman in the parliamentary seat of Pasir Puteh and Rohani Ibrahim in the state seat of Tanjong Mas. But, there are still prevailing questions on whether they will speak up and whether the assemblywoman, especially will be paid attention to by her fellow PAS representatives, in light of the statement by the party's spiritual adviser Datuk Nik Aziz Nik Mat that a woman's voice is "aurat" (to be covered). On September 15, 2002, in raising the possibility of lifting the ban on women taking part in Quran recital competitions in Kelantan, Nik Aziz had said:

We want the contestants, males included, to read slowly, with less emphasis on the melodic aspects, which is the norm at the moment. In this way, the melodic part of the woman's voice, which is considered "aurat," will be muffled.³⁸

Of the 36 women who won Parliamentary seats, 31 from the National Coalition, 6 from the Opposition (1 from PAS, 1 from Keadilan and 4 from the Democratic Action Party), WoMEC feels that it was a positive sign for change. But much still depends on the political will to fulfill unfulfilled promises.

With regards WoMEC's attempt to include the voices of marginalized women, three of its researchers interviewed six women from Pulau Carey in order to understand the concerns of women and raising issues faced by marginalized communities. The issues raised by the women are down-to-earth cues affecting their daily lives. These issues are mentioned in earlier discussion in this paper. (See section on Women and Electoral Politics for a description of the issues).

³⁷Womec Press Statement. (19 March 2004). Party Manifestos - Do Women Count? Malaysia

³⁸The Star. (September 15, 2002). Malaysia

The Orang Asli in the Kuala Langat, Klang Parliamentary constituency was selected and this community forms approximately 0.1% of the voters in Klang³⁹ or approximately 74 voters. The women were asked what their expectations of a Member of Parliament were and the Orang Asli women responded that they wanted him/her to be accessible and approachable. WoMEC wrote that for the Orang Asli women, they wanted to be heard. It says, "for them this involves the elected candidate holding regular meetings with the community and ensuring the community can get to their Member of Parliament easily, bearing in mind the lack of infrastructure (i.e. road and electricity) and transportation available within their community. It entails listening and acting on the concerns of the community within reasonable time and not just before the next elections. It is in such instances that the rationale for local government elections appears most relevant to give back to the people, especially the smaller communities, local-level decision-making."⁴⁰

Most of the women interviewed expressed that there is an urgent need for developing women's participation in decision-making at all levels. The statement reiterated that,

It isn't enough to say that there are no laws that prevent women from participating in politics. The government has an obligation to identify what the obstacles really are (e.g. social and cultural norms, etc) and put in place special measures that can help facilitate the involvement of more women in decision-making. This is even more crucial in marginalized communities where the issues faced by the women are often labeled secondary and never see the light of day.

Lessons Learned

The experiences of WoMEC show the following:

- i. The challenges raised by WoMEC, which questioned the political participation of women in electoral politics, is a cutting-edge action which no civil society organizations were doing. It has always been assumed that seats allocated to women are dependant on the leadership of political parties. Despite the fact that the Malaysian government had signed international conventions (like CEDAW and the BPFA), it did not matter if the performance was not meeting the expectations. In raising the critical mass issue and the obstacles faced by women politicians, WoMEC had changed the landscape in the debate on women's political participation.
- ii. The cutting edge issues raised by WoMEC claimed center stage in mainstream media which is a rare achievement given that for the past elections,

³⁹Malaysiakini's UndiInfo site at www.undi.info/ (accessed on 18th March 2004).

⁴⁰WoMEC Press Statement. Voters' Issues. (23 March 2004). Malaysia

- women's issues were hardly raised and had not been able to capture media attention much less, nor generate consistent coverage. As such the strategy to conduct media monitoring and capturing media space had forced politicians to respond to the pressing demands of the women's organizations.
- iii. Multiple issues raised by WoMEC cover issues such as stricter and harsher laws for rape offenders, PAS' position on women's rights and place in society and politics, various laws and provisions that women's groups saw as discriminatory to women, as well as laws for the protection of children. The multiple issues raised broadened the debates during the election period.⁴¹
 - iv. It, therefore, shows that the years of establishing relationship with the media have given room for WoMEC's entry into mainstream media as there were many sympathizers willing to write and report in a fair and just manner.
 - v. The capacity of the women's organization, through initiating WoMEC is very much strengthened, as they were able, as civil society, to voice out their issues to the public, especially to the voters. As a force, the Joint Action Group has enlarged the political space. This space was well exploited by JAG to its advantage and it can now be a stronger lobbying group in negotiating with the State. In recent attempt by the new administration, the Prime Minister had a special closed door meeting with JAG to discuss the demands put forward by WoMEC.

Government Agency: The Experiences of Amanah Ikhtiar Malaysia (AIM)

Background

Amanah Ikhtiar Malaysia (AIM) was established in September 1987 to institutionalize an action research project carried out by the Center for Policy Research of University Science Malaysia (USM), sponsored by the Asia and Pacific Development Center (APDC), Islamic Economic Development Foundation of Malaysia (YPEIM) and the Selangor State Government. With some modification from the Grameen Bank model, the Ikhtiar Project was adopted as a program to eradicate poverty of the rural poor in Malaysia. AIM is governed by its Board of Trustee who meets at least twice a year. A Management Committee is responsible for its daily operation. The Management Committee, chaired by the Managing Director meets at least once every quarter. A CEO, Professor Shukor Kassim, who is also a cofounder of AIM, mainly manages AIM. The organization is a non-governmental but it depends solely on government funds for its operations due to previous financial problems. It operates under the ambit of the Ministry of Entrepreneur and Cooperative Development.

⁴¹Hassan Saliha (2004). Women in the 2004 Malaysian General Election. Paper presented at the Program Sains Poitik, PESEPSI, FSSK, Universiti Kebangsaan Malaysia.

Objectives

The objectives of AIM are to give out benevolent loans to finance income-generating activities in poor households and eventually move out from the poverty group. It is meant to be complementary with the Government objective of eradicating poverty amongst households in Malaysia.

A few crucial issues were identified for AIM to resolve in the process of giving loans to borrowers. They are:

- a. The worsening burden of poverty is shouldered by women.
- b. Inequality and inadequate amenities and the lack of opportunities in education and training.
- c. Inequality and inadequate opportunities in health care.
- d. Violence against women.
- e. Abuse of women workers.
- f. Inequality in the economic structure and policies.
- g. Inequality in power sharing and decision-making.
- h. Lack of mechanism to increase women's contribution.
- i. Lack of respect, support and protection for women's rights.
- j. Stereotype perception of women inequality of participation in the media.
- k. Gender inequality in management of resources and the protection of the environment.
- l. Discrimination and child abuse, especially girl child abuse.

The issues are gender specific and targeted at its borrowers are mainly the very poor women.

Financial Sources

AIM dependence on government, Federal and State, is shown in Table 21. Its operational costs are borne through its administrative charges to its borrowers state government, federal government, banks and financial institution, and the private sectors.

According to Professor Shukor Kassim, the concept of AIM is to create out of the hardcore poor households, highly motivated individuals who are committed to earn an honest living and eventually move out of the poverty level. The strategy is to give out to borrowers interest free loans for generating projects. The loans are to be repaid on a weekly basis. Once fully paid, bigger loans are offered. This process goes on as the need arises. The first loan is normally restricted to RM1,000 (USD263) up to a maximum of RM4,000 (USD1,289) for successive loan. Successful borrowers could apply for much bigger loans of RM5,000 (USD1,315) or even up to RM10,000 (USD2,2631).

Table 21: Sources of Operational Costs and Revolving Loan Capital

ON LENDING FUND	AMOUNT	
	In Million RM	In Million USD
Government Free Interest Loan	300.00	78.90
Government Grant	18.20	4.90
Financial Institutions - Soft Loan	28.05	7.40
Government Agencies		
LKIM - Free Interest Loan	4.00	1.05
Rural Development Ministry - Grant	12.80	3.40
Grants for Operational Costs		
Federal and States Government	30.00	7.90

Source: Shukor Kassim (2003). Paper presented at the Asian Pacific Development Center (APDC) Gender and Development Training Course. Malaysia.

AIM's format originated from the model of the Grameen Bank whereby poor borrowers formed themselves into groups of five and guarantee each other's loans. These households will undergo a one-week compulsory training of one hour per day to understand their rights and obligations in order to ensure good repayment.

Women's Participation

Cik Maznah, AIM, (personal assistant to Professor Shukor Kassim) is proud to announce that 100% of the borrowers were women. This is because women make good repayment to AIM and are more committed to ensuring that they increase their income. Amanah Ikhtiar has a number of schemes, including:

- a. Ikhtiar Loan Scheme 2 (Skim Pembiayaan Ikhtiar 2 - SPI 2)
SPI 2 loan scheme provides loans between RM5,000 (USD1,315) to RM9,900 (USD2,605) to borrowers who have made good repayment from the previous two loans and having a monthly income exceeding RM600 (USD158). The repayment period of the loan is between 50 to 150 weeks.
- b. Ikhtiar Loan Scheme 3 (Skim Pembiayaan Ikhtiar 3 - SPI 3)
SPI 3 provides loans up to RM10,000 (USD2,631) to borrowers with good track record with perfect repayment for at least 2 times (SPI 1) or SPI 2 and having a monthly income exceeding RM1,000 (USD263). The loan could be repaid up to a maximum period of 150 weeks.
- c. Single Mother Loan Scheme (Skim Ibu Tunggal - SKIT)
SKIT provides loans to single mothers living in town areas. The aims of the scheme are to increase the living standard of single mothers and motivate them to undertake stable economic activities to support the family. Eligibility for the loans depends on the household earnings and varies within states.

Household earnings for those living in Kuala Lumpur and Johore must not exceed RM1,200 (USD315); Selangor, Malacca and Negeri Sembilan RM800 (USD210) per month; Kelantan, Terengganu and Kedah RM425 (USD111) per month; and Perak RM600 (USD157) per month.

The last scheme is interesting, its focus is on a specific sector of women. Table 22 shows the terms and conditions of the loan to single mothers. In addition to the above schemes, a special Education loan Scheme of up to RM1,000 (USD263) with maximum loan period up to 50 weeks, and special housing Loan Scheme up to RM5,000 (USD1,315) with maximum repayment period up to 100 weeks are available to borrowers with good repayment record.

As of August 2003, AIM has an outstanding loan balance of about RM130 million (USD 34.2 million). From its inception in 1987, the loan programs have benefited more than 120,000 members. The existing members now stand at about 89,000. Based on the figures of 150,000 (two-thirds) of poor households targeted by AIM, it has successfully made an outreach of about 80 percent in terms of the number of poor households it has targeted in Malaysia.

Cik Maznah says that the effectiveness of AIM is due to the following reasons:

- a. Exclusive Focus on giving loans to the very poor.
- b. Specialized Delivery System to ensure that the poor has access to the credit programs.
- c. Rigorous Practical Staff Training to ensure efficient and effective operational staff to deliver a well-done job.
- d. Supportive National Policy Framework put forward by the federal government and also the state government. Grants and soft loans are given to support its operational and administrative costs.
- e. Close linkages with government agencies and organizing together programs and workshops for its members and their families.

Among all the government loan schemes, AIM has the lowest maintenance cost and the highest rate of returns in loan repayment. This is in comparison to some of the schemes like the Federal Land Development Authority (FELDA) who also runs a credit scheme for its small-scale plantation owners. But the scheme has proved to be expensive and financially non-sustainable.

Table 22: Ikhtiar Scheme for Single Mothers (Scheme - IT)

1.	Introduction	Ikhtiar Loan Scheme for Single Mothers is a scheme specially to provide credit to single mothers and it is launched by Amanah Ikhtiar Malaysia and the Ministry of Rural Development.	
2.	Objective	To increase and to alleviate economic and social status of the single mothers.	
3.	Criteria	<ol style="list-style-type: none"> 1. Malaysian citizen 2. A single mother 3. Have a monthly income less than RM1,200 with at least 5 household members or have a per capital of RM240 per person 4. Committed to work towards alleviating their income through "halal" (illegal) means 	
4.	Initial Credit	No need for deposit, loan, no interest, no legal actions, and must be with the protection of Takaful.	
5.	Conditions	<ol style="list-style-type: none"> 1. Set up a group of 3 persons (not with close relatives) on a volunteer basis. 2. Agree to follow the Compulsory Training for one hour, up to seven days. 3. Agree to attend meeting once a month. 4. Agree with system of 2:1 period. 	
6.	Limited Credit	Loan (RM)	Period for Repayment
		< 2,000	12 month (1 year)
		< 2,100 - 4,900	12 months to 24 months (1 - 2 years)
		< 5,000 - 9,900	12 months to 36 months (1 - 3 years)
		10,000 and above	12 months to 36 months (1 - 3 years)
		First credit will be up to RM10,000; second credit onwards will be up to RM20,000	
7.	Group Savings	Contribution will be from: <ol style="list-style-type: none"> 1. Compulsory savings of RM1.00 per week until the credit finishes. 2. Compulsory savings of RM1.00 for every RM1,000 credit requested till the credit is obtained 	

Source: Ministry of Entrepreneur and Cooperative Development. (2 June 2004) available at <http://www.kpun.gov.my>.

Lessons Learned

1. According to Ilias Ahmad, Agricultural Bank of Malaysia, "the future of micro finance institutions in Malaysia to survive will depend on whether they could be sustainable and dependent. It would be possible for AIM to become financially sustainable if it could improve its administrative and operational capacity, increase the availability of capital on lending and extending loans with competitive market rate. As it stands, AIM depends largely on government financial support.
2. While it takes into consideration poor women's issues and incorporate them into the scheme, but most of its borrowers are still at the participant level and still not part of decision-making processes.
3. With the increasing government interventions to alleviate poverty especially among single mothers, there has come a point as to whether credit schemes really assist the hardcore poor or as John D. Conroy commented, "there seems to be the loss of direction of not focusing on the not-so-poor or non-poor and giving larger loans and better off borrowers."⁴³ This creates an economic gap among hardcore women and needs serious review in the light that one of the key issues that AIM wishes to resolve: to get rid of inequalities.

Conclusion

It is recognized that the Malaysian government is taking the effort to ensure that policies made in national plans for women are implemented and the above mentioned agencies indicate the current government's commitment, as compared to 20 years ago when social issues were of little concern for the State. With the present formation of the Ministry of Women, Family and Community Development in 2000, there are pertinent concerns that need to be addressed. They are:

1. Directional and organizational capacities of the Ministry of Women and Family Development and HAWA need to be built in terms of the vision for women and development.
2. Its financial and administrative support needs to be increased and improved to be more efficient and to be on the spot for women's issues.
3. Priorities need to be set in order to implement the National Action Plan for Women. The timeframes established for each action in the 13 areas need to be reassessed, as they are outdated and unrealistic.

⁴³Conroy, J.D. (2002). Microfinance in Malaysia: Time to Rebuild. Website: http://www.bwtp.org/publications/pub/AIM_paper.htm

4. More transparent and accountable mechanisms need to be in place so that the citizens are aware of the progress and impact of the programs carried out by the Ministry of Women and Family Development and government institutions.
5. Effective monitoring of government institutions on the outreach of their programs and the benefits, which are supposedly meant to be distributed to poor women. There are sufficient institutions to deal with the challenges faced by women but their operations need to be professionalized in order to achieve the objectives set up in the National Policy for Women and the National Action Plan.
6. Women's participation, especially discriminated women, need to be informed with programs and supported with funds meant for the advancement of women.
7. Amendments of laws that discriminate against women. In 2000, an administrative procedure was introduced into the Immigration Department to allow women to apply for passports on behalf of their children. Other amendments to the laws have yet to be implemented.

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APPENDIX 1

All Women's Action Society (AWAM) and Women's Development Collective

Recommendations for a Good Practice Model To Address Sexual Harassment⁴⁴

Policy Statement and Definition

The policy statement should contain a clause that an employer must take "all reasonable steps" to prevent sexual harassment if they wish to avoid liability. This means they must actively take preventive measures to minimize the occurrence of sexual harassment. Another principle that should be included is the notion of the reasonable woman's standard.

Complaint/Grievance Procedure

- A standardized time frame for the processing and closure of a sexual harassment complaint procedure should be drawn up. A maximum period of one month should be provided to investigate and close the case;
- A Sexual Harassment Action Committee comprising and representing members from the different occupational groups, the unions, and with a gender balance, should be formed to receive complaints and to ensure that such complaints are duly investigated, documented and justly addressed;
- Complaints in user friendly modes can be received at any time, but when received, should be reported and investigated within 24 hours;
- Obligatory and confidential counseling, by trained and gender sensitive counselors should be provided to both the complainant and the harasser; external channels, including women's groups should also be made available to the complainant;
- Attempts to reconcile the two parties and a formal agreement should be signed if conciliation is accepted, with a written apology by the harasser; no second opportunity is given should the perpetrator commit another harassment;
- All committees set up under the complaint procedure should have a gender balance as well as trade union representation, where possible; and
- There should be follow up sessions with the harasser for at least two years.

⁴⁴Ng, Cecilia and Zanariah Mohd. Nor. (2002). Extract from the Executive Summary of the Survey on the Implementation of the Code of Practice at the Workplace. Malaysia: AWAM and WDC.

Disciplinary Rules and Penalties

- Clear penalties should be drawn up to protect against retaliation to the complainant or those who testify/assist the complainant;
- Clear penalties should be clearly stated reflecting the severity of the harassment, for example from salary deduction and demotion to dismissal;
- Management should be automatically dismissed if they are found to be the harasser(s);
- Compensation for complainants, including monetary compensation should be clearly spelt out; and
- The harasser should always be removed/transferred to another location, unless the complainant expressly requests to be transferred.

Protective and Remedial Measures

- Both complainant and harasser should be equally treated based on the principle of natural justice;
- An undertaking/guarantee that the complainant would not be victimized, intimidated or dismissed if s/he makes a complaint should be stated;
- Clear measures should be established to protect the confidentiality of the complainant; and
- Clear penalties should be drawn up if there are deliberate false accusations.

Promotional Programs

- Induction training of new employees should include sexual harassment as one of its items;
- Continuous educational and training programs, including those on gender equality issues, should be held, and if there are unions, these should be jointly organized and conducted. These programs should be made compulsory for all employees, with separate sessions, where relevant, to cater to the different needs, concerns and perceptions of women and men. Clarity should be sought in relation to the issues and misconceptions surrounding sexual harassment;
- Obligatory sessions for management and supervisors on how to handle complaints (including counseling) should be organized;
- Materials in a popular format (e.g. handbook, posters, cartoon illustrations) explaining the company's sexual harassment policy should be disseminated to all employees;
- MOHR should accelerate its awareness and training workshops with specific modules to be adapted by companies, to ensure that all companies in Malaysia adopt the Code of Practice within a particular time frame.

Research, Monitoring and Evaluation

- The policy and existing procedures should be regularly monitored and evaluated by companies in cooperation with trade unions/workers' representatives for further improvement and effectiveness;
- MOHR together with the Ministry of Women and Family Development should continuously monitor the implementation of the Code of Practice in the various companies, with support from unions and women's groups;
- More research should be undertaken to map out the incidence and pattern of sexual harassment in Malaysia, including outside the context of the workplace;
- Qualitative research should be conducted on the reasons behind sexual harassment so that better preventive strategies can be developed;
- Qualitative research should be conducted on the impact of sexual harassment on victims with a view to develop strategies to assist complainants deal with sexual harassment; and
- With the onslaught of globalization and the changing pattern of work, the concept of "workplace" and "work" should be broadened to encompass all other work related spaces and relationships where sexual harassment can take place e.g. with vendors, clients, sub contractors, in e-commerce relationships, among domestic workers and the like.

APPENDIX 2

CANDIDATE'S PLEDGE - WOMEN MONITORING
ELECTION CANDIDATES (WOMECE)

If I am elected, I will pledge to take actions on the following issues:

Election Pledges	Yes	No	DK
1. Safety and Security - Ensure effective and efficient enforcement of law and order (e.g. improvement in enforcement, frequent patrolling of public spaces). - Enact and enforce mandatory safety precautions and security measures, to be complied by the government and corporations including car park operators and owners of public places, to ensure personal safety for any and all persons.			
2. Legal Reforms on Discriminatory Laws - Amend all laws that discriminate against women, for example laws related to rape. - Amend Shariah Laws that discriminate against women and ensure that they are standardized throughout the states. - Ensure the immediate implementation of the Domestic Violence Act and the enactment of the Sexual Harassment bill.			
3. Women and work - Ensure the well being of women workers by improving employment conditions, including providing child care facilities, promoting health and safety and non-discriminatory practices at work. - Ensure minimum wages in all sectors of employment.			
4. Participatory Democracy - Increase women's representation to 30% at all decision-making levels of the government and public services. - Ensure that civil liberties of all citizens are protected, including to voice their concerns in all areas of public affairs and right to public assembly.			
5. Local Council Elections - Amend the Local Council Act to allow for local council elections, as this will ensure effective representation of community issues.			
6. Abolition of ISA and Repressive Laws - Immediately and unequivocally abolish the ISA and either charge or release all detainees. - Abolish or amend all other laws, which infringe on and directly restrict the fundamental rights of citizens including (but not limited to) the OSA, UUCA, Printing Presses and Publications Act and the Penal Code.			

Election Pledges	Yes	No	DK
7. Guaranteed Basic Living Standards Education: - Guarantee free and compulsory education till secondary level. - Prevent further privatization of universities and colleges and build more public educational institutions, specifically public colleges and universities. Health: - Stop privatization of government health facilities and increase governmental allocation for the public health sector. - Formulate a national plan for generic drug production to control the supply and pricing of drugs. Utilities: - Increase accessibility to water and electricity, proper sanitation and disposal of wastage. Transport: - Make public transportation more affordable and accessible to the public. Increase the extensiveness of the public transportation network and extend it beyond the Klang Valley.			
8. Elimination of Abuse of Police Powers - Regulate the police force to eliminate abuse of police powers. - Demand greater accountability from the police, specifically regarding cases of deaths under police custody, police beatings and shootings and excessive show of force by police.			
9. Transparency and Accountability of Public Authorities - Eliminate bureaucratic red tape and corruption, nepotism and cronyism from all levels of public service. - Increase efficiency, professionalism and transparency among civil servants.			

Signed by: _____

Name of Candidate: _____

Constituency: _____

State/Parliament: _____

Please send to Women Monitoring Election Candidates (WoMEC)
 c/o WDC: Fax: 603-77844978 by 18 March 2004

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