

Women in the Malaysian parliament: Do they matter?

Ummu Atiyah Ahmad Zakuan*

Abstract: This paper explores the impact of women's representation in the lower house (*Dewan Rakyat*) of the Malaysian Parliament. It is an attempt to see whether women representatives in the *Dewan Rakyat* are able to make any impact or difference in parliament, in the context of making policy output more women-friendly. Available studies conducted mainly in the West have shown that women legislators are more responsive to women's interest than their male counterparts, developing distinctive sets of concerns and priorities and taking leading parts in formulating policies that favour women. Through textual analysis of nine years of the Malaysian Parliament (1999-2007), this paper examines the issues that have been introduced and discussed by the women and the impact they made in parliament. It also reveals the critical actors initiating or introducing women-related issues.

Keywords: Malaysia, women in parliament, women issues, critical actors

Abstrak: Makalah ini mengkaji kesan daripada perwakilan wanita di Dewan Rakyat, Parlimen Malaysia. Ia merupakan usaha untuk melihat samada para wakil wanita di Dewan Rakyat mampu memberi kesan atau membuat perbezaan di Parlimen, dalam konteks pembuatan dasar yang lebih mesra-wanita. Kajian sedia ada yang kebanyakan dijalankan di Barat menunjukkan pengamal undang-undang wanita adalah lebih responsif terhadap kepentingan wanita berbanding rakan-rakan sekerja lelaki mereka, membentuk persoalan dan keutamaan khas dan mengambil bahagian utama dalam merumuskan dasar-dasar yang menguntungkan kaum wanita. Melalui analisis tekstual sembilan tahun Parlimen Malaysia (1999-2007), makalah ini membincangkan isu-isu yang telah diperkenalkan dan dibincangkan oleh para wanita dan kesan yang dibuat mereka di parlimen. Ia juga mendedahkan aktor kritikal yang memulakan atau memperkenalkan isu-isu yang berkaitan dengan wanita.

*Ummu Atiyah Ahmad Zakuan is a lecturer at the Department of International Studies, College of Government, Law and International Studies, Universiti Utara Malaysia. E-mail: uatiyah@gmail.com

Kata kunci: Malaysia, wanita dalam parliamen, isu-isu wanita, aktor kritikal

Women make up at least half of the electorate in many countries around the world and have attained the right to vote and hold office, yet they continue to be seriously underrepresented as candidates for public office. For instance, in 2009, although there was an improvement in the number of women holding office in parliaments worldwide, women were still underrepresented. Rwanda is the only country in the world where women constitute half of the population in parliament (56.3%). In other countries, the majority of them still comprise few or no women (see *Women in National Parliaments* by IPU, <http://www.ipu.org/wmn-e/world.htm>). Women participation in decision-making is extremely vital because it is not only a call for justice or democracy but can also be constituted as a necessary condition for women's interests to be taken into account. Women in parliament are of great importance because they are expected to "stand for" or "act for" women.

Available studies show that women legislators are more responsive to women's interests than male legislators. They also develop their own distinctive sets of concerns and priorities and take leading parts in formulating policies with women's perspective in mind (Galligan & Clavero, 2008; Mullen, 2006; Schwindt-Bayer, 2003; Trimble & Arscott, 2003; Wanganerud, 2001; Ying-Yang, 1999). However, there are studies that show women representatives are less willing to be associated with women's issues or interests and thus, the primary impact of women in parliament is only symbolic. It is argued that difficulties such as a male-dominated environment and strong party discipline have limited them to "stand for" or "act for" women (Timble & Arscott, 2003, p.131). The purpose of this study is to examine whether or not women in the Malaysian parliament "stand for" or "act for" women. Do women manage to influence policy outputs to favour women? Who are the "actors" who succeed to "act for" women in the Malaysian parliament?

Previous studies

Extensive attention has been given to the question on whether women's political presence in legislatures has had any impact on

advancing policies favourable to women. Many studies have been conducted in Western democratic countries such as in the United States, Australia, Canada, Germany and New Zealand to see if there is any substantive representation of women in the parliaments of these countries or in their legislature, be it in the upper or lower houses. These studies have shown that, to a certain extent, women representatives have had an impact on parliaments or legislatures (Saint-Germain, 1989; Tremblay, 1998; Trimble & Arscott, 2003; Wanganerud, 2001). Female legislators are far more supportive of women's rights and are more likely to sponsor bills that address health, and welfare matters, and women, children and family (Dodson & Carroll, 1991; Galligan & Clavero, 2008; Reingold, 1992, Thomas & Welch, 1991). Reingold's (1999) analysis of survey responses of state legislators in California and Arizona found that female politicians were more likely to represent women's interests, to perceive themselves as receiving support from women constituents and to consider such support more important than men. In addition, they felt that they were more qualified to deal with the concerns of their women constituents (pp.509-537). A study in India revealed that women representatives are not only better equipped than men to politically represent women but they are also better at representing men (Lindgren, Inkinen & Widmalm, 2009, pp.50-51).

There are also studies which were interested to see "when" women make the difference. They used "critical mass theory," which purports that when women reach a certain number (15%-40% of representation), then it would affect the behaviour of the women (Kanter, 1977, pp.965-990), in this case, affecting policies to be more women-friendly. However, the proportion of the total number of seats which constitutes a critical mass varies from 15% to 30% (Dahlerup, 2006). The "critical mass theory" prescription proved to be supported in several studies (Saint-Germain, 1989; Thomas & Welch, 1991), however, the direct causal relation between the number of women representatives and pro-female policy outputs which is claimed by the "critical mass theory" has been questioned. When women constituted "critical mass" in the U.K. House of Commons, feminists predicted that the women representatives would bring with them a "new agenda" and also talked about "the difference those extra women will make". However, when the Conservative

government introduced a reduction in lone benefits, as part of its pledge to the Social Security Bill, 47 Labour MPs voted against it but only one of them was female. Due to that incident, the 101 Labour women MPs were criticized (Childs, 2004; see also Childs & Withey, 2004, pp.552-564). There are also studies demonstrating that, even without “critical mass”, pro-female policy outputs occurred in legislatures. One such example is in Trimble’s (2006) study of women in the Alberta legislature in the 1990s; that even without the “critical mass,” women legislators were able to make modest changes to legislative style, discourse and policy outcomes.

The predetermined or anticipated results from the application of “critical mass theory” has been questioned when, even with the “critical mass” threshold, women representatives are less likely to produce women-friendly policies. Many scholars have called to investigate other factors that could influence the pro-female policy outputs in legislatures. Although they believe that if larger numbers of women are present in the institution, there may be an effect, other variables need to be taken into consideration. Many scholars have suggested that factors like party ideology, region, culture, and type of institution need to be taken into account to predict the level of women-friendly public policies coming from legislatures (Dahlerup, 2006; Mullen, 2006).

Many scholars have called for an analysis of “actors” (or the representatives) in parliaments or legislatures in order to experience substantive changes towards pro-women policies (Chaney, 2006; Childs & Celis, 2008; Dovi, 2002). Termed as “critical actors,” Childs and Celis (2008) argued that these are the ones who individually or collectively campaign for women-friendly policy change (p.420). Chaney (2006) argued that “personal characteristic[s]” and “experiences” of individual women representatives are central in feminizing politics (pp.691-692). In a textual analysis of New Zealand’s parliamentary debates on child care, pay equity and parental leave since 1970, Grey (2006) discovered that women from the left-leaning Labour Party and those who have close links with feminist organizations made more gendered claims than their conservative colleagues. They also developed a “team spirit” that eventually created a “safe space” for them to represent women’s interests (pp.492-502). However, there is also an empirical study

suggesting that it is not necessarily “gender” that translates to pro-women policies but that other factors appear to be much more influential. In a study on candidates in the 1997 Canada Federal Elections, Tremblay and Pelletier (2000) examined factors that influenced the introduction of liberal and gender-related issues among the federal election candidates. “Feminist consciousness” appeared to be a more significant influence on gender-related issues than gender, in spite of the strong party discipline that characterizes the Canadian parliamentary system. “Region” also appeared to be a significant factor in the introduction of gender-related issues. Candidates from Quebec and British Columbia/Northwest Territories had stronger feminist consciousness. They also shared other common characteristics including university education and deeper party roots (pp.381-405).

Framework

Pitkin (1967), a theorist of political representation, distinguished three types of representation: descriptive, symbolic and active. Descriptive representatives are those who share the same characteristics as those represented, symbolic representatives are those who symbolize the identity or quality of a particular constituency, and active representatives are those who are concerned and act for the interests of those represented. According to these types of representations, women politicians who stand for women either descriptively or symbolically may not act for them, and those who act for them may not necessarily be women. Pitkin criticized descriptive representation by arguing that by focusing on who represents in the legislative assemblies, attention is diverted from what the legislators represent. A fair representation, to her, is achieved only by looking at the legislative behaviour, that is, by focusing on the activities of a person rather than his/her characteristic. However, Pitkin acknowledges that there is some kind of expectation of a relationship between who and what was represented. She agreed that the gender of the legislators does matter. Pitkin states that:

...differences in perception between women and men are the result of different psycho-social development, socialization and gender roles ... since women experience discrimination in society, they would have a more women-friendly political

agenda than men and would easily espouse an egalitarian perspective on social and political issues (1967, pp.60-91).

Philips (1998), who introduced “politics of presence,” assumed that there is a link between descriptive representation and substantive representation. To her, a female representative is expected and assumed to be acting for women. Philips suggested several bases for women’s political presence. Firstly, the principle of justice, where women appear to be underrepresented in politics and this is explicit evidence of injustice between the sexes that should be redressed. The underrepresentation of women, too, has undermined the legitimacy of political institutions by which a fair composition of women should be reflected in those institutions. Secondly, the need for more assertive advocacy. Due to the emphasis on the liberal tradition of democracy, it is held that all people, regardless of their social and cultural background, should be treated equally and therefore, should not be differentiated on the basis of identity differences. Thus, it purports representing the people based on ‘ideas’ rather than ‘identity’. Philips argues that this application will result in the exclusion of certain groups from being represented in legislature because each group, including women, has different interests and forms politically relevant groups which deserve representation. Thirdly, the role model effect. Women’s presence in politics might change the fact that politics is a male domain. Women representatives might act as role models and stimulate other women to become involved in politics by working with those women representatives. This may contribute to the numerical representation of women. Lastly, women introduce different sets of values and concerns in politics. Women politicians are consensual rather than confrontational and emphasize on deliberation and collective decision-making.

However, there is no guarantee that all women will promote women-related issues in legislature. Pitkin (cited in Ying Yang, 1999, pp.11-12) even asserts that the maximization of descriptive representation, through numerical increase in female representatives, may be of limited help to female interests because these representatives may not effectively represent women’s interest and ideas. Women will act differently due to different socialization processes, educational background or other factors.

Many scholars have currently called for a different approach to examine the substantive representation of women. Scholars have called to shift the attention to examine the “actors” who initiate policy or reforms to promote the cause of women. These actors are termed differently by different scholars. Childs and Krook’s (2008) “critical actors” are individuals, women or men who act individually or collectively to bring about women-friendly policy change. Meanwhile, Mackay (2008) uses the term “policy entrepreneurs” but says that these do not “fix” the ‘who’, ‘where’, ‘when’ and ‘how’ in the substantive representation of women in advance. The substantive representation of women might be enacted through multiple actors, sources and sites. It could include feminist champions, male or female in parliaments, government, bureaucracy and civil society (p.131). Tremblay’s (2006) “surrogate representatives” are argued to produce substantive representation of women. It is a representation by a representative with whom one has no electoral relationship. The representatives act for the interests of the voters beyond the boundaries of the representatives’ district, which could even be at the international level. Tremblay argues that electing female surrogate representatives improves the chances of substantive representation because these representatives feel that it is their responsibility to represent women. With their common experiences, it allows the representatives who are themselves members of a subordinate group to overcome the strong barriers of communication between the dominant and subordinate groups. Far from requiring critical mass, surrogate representatives work within contexts of low numbers. In addition, the surrogate representatives cannot be passive and have to seriously commit themselves to representing women. At the very least, they must have gender-consciousness, in the sense that they represent women but must also respond to the needs of men.

The argument developed above can be summarized as follows:

1. Women will represent the cause of women more effectively than men.
2. Not all women will act with the same intensity to promote the cause of women, irrespective of their number in legislature.

3. Critical actors (based upon demographic variables) will be in the forefront of pro-female legislative activities.

Methodology

The study is concerned primarily with women in the lower house of the Malaysian Parliament, called "*Dewan Rakyat*". The 10th and 11th *Dewan Rakyat* were selected due to the highest number of women in parliament (20 and 23 persons, respectively). In the 10th *Dewan Rakyat*, there were five terms (1999-2003) with altogether 221 sittings, while in the 11th *Dewan Rakyat*, there were four terms (2004-2007) with 304 sittings. The sittings were later categorized into terms and meetings. The purpose was to enable systematic sampling to be done. Due to time constraints, and to make the text exhaustive and representative, sittings were sampled using systematic sampling. Sittings in every term were listed; then, sampling interval was calculated, and the interval became the researcher's quasi-random selection method. The sampling interval (i.e., $1 \text{ in } k$, where k is some number) tells the frame by skipping elements in the frame before selecting one for the sample (Neuman, 2006, p.230). For example, in the 10th Parliament, in the third term (2003) and in the first meeting, there were 27 sittings out of 77 sittings. The interval was 5.4, three for the second meeting and seven in the third meeting. Thus, in the first meeting, every fifth sitting was selected; every third in the second meeting and every seventh in the third meeting. In the end, 57 sittings of the 10th *Dewan Rakyat* and 93 sittings of the 11th *Dewan Rakyat* were selected to be included in the study.

Analyzing the content of the text of the parliament was regarded as the most appropriate method as the study involves a large volume of texts, this method is able to reveal messages that are difficult to find with casual observation (Neuman, 2006, p.324). It is also the best method to examine legislative behaviour. Content analysis prevents the awareness of being observed or tested and the influences of the measurement process on the subject (Krippendoff, 1980). It reveals the contents and themes of the written text, identifies intention and other characteristics of the communicators, and reveals the focus of an individual, a group or an institution (Inshc & Moore, 1997). Responses of politicians in interviews might be based on electoral self-interest, hence these cannot be made a yardstick to examine the

capacity of female politicians in their representation (Lovenduski & Norris, 2003). However, interviews may be employed later to investigate certain issues in greater detail.

The text was coded under women issues (main themes) which were built from previous studies. Women issues covered “traditional interest” and “feminist interest”. The former reflected the role of women as caregivers, both in the family and society, and thus addressed issues in healthcare, care of the elderly, education, housing and the environment (Dodson & Carroll, 1991). Thus, “traditional interest” covers children, family, education, health and welfare. “Feminist interest” deals with issues having direct impact on women (Dodson & Carroll, 1991). In previous studies, feminist interest involved reproductive rights, violence against women, domestic violence, rape, women’s safety, sexual harassment, equal opportunity, equal rights and women’s concerns as widows (see Childs, 2004, p.557). In this study, women’s issues were traditional issues like “children and youth”, “family”, “education”, “health” and “welfare”, while “feminist interest” referred to any issues having direct impact on women. A theme labelled “Others” was also created to cater for other issues (other than women’s issues) discussed by women representatives. In this study, whatever had been said by all women MPs (inquiry, proposal, criticism or statement) were coded. The reason was to see what had been discussed by women in the *Dewan Rakyat*. With regard to male MPs, only those who spoke on women’s issues (inquiry, proposal, criticism or statement) were coded. The aim was to see if any man “stood for” or “acted for” women.

The sub-themes were not predetermined as it would defeat the purpose of the study. The sub-themes were derived from the thematic analysis of the texts. Thematic analysis refers to “careful reading and re-reading of the data” (Fereday, 2004, p.62). It begins with perceiving a pattern in the data, then classifying and encoding it, giving it a label or a definition, and interpreting. Furthermore, thematic analysis is a process to be used with most, if not all, qualitative methods and it involves the encoding of qualitative information (Boyatzis, 1998). A theme is a pattern detected in the raw data that “at minimum, describes and organises the possible observations and, at maximum, interprets aspects of the phenomenon” (Boyatzis, 1998, p.4). Thematic analysis was pertinent to this study because it involves identifying the themes at two levels,

namely, manifest level and latent level. The manifest level represents a direct observation of a theme in the data; while the latent level involves a categorisation of underlying issues in the studied phenomenon (Boyatzis, 1998). The present study is not only concerned with observing the data at the manifest level but attempts to identify the inherent self-patterns embedded in the data, which convey what was actually said by the representatives in the parliament.

Findings

In the textual analysis of the 10th - 11th *Dewan Rakyat* (1999-2007), the themes examined were children and youth, family, feminism, education, health, welfare, and others.

In this paper, only one theme, “children and youth” will be discussed. The purpose is to see what impact women MPs made in the 10th and 11th *Dewan Rakyat* (1999-2007), and whether they managed to influence policy output to favour women.

The “children and youth” theme contained five sub-themes which emerged from the texts of the *Dewan Rakyat*. The sub-themes were not predetermined but emerged from the coded texts. The sub-themes were “childcare”, “crimes related to or involving children”, “disabled and disadvantaged children”, “laws related to children” and “youth”.

a. Childcare

The issues related to “childcare” raised in the 10th and 11th *Dewan Rakyat*, showed two themes:

- i. the need and importance to have childcare centres
- ii. incentives to encourage setting up of childcare centres

The central discussion under “childcare” was confined to the need for childcare centres. It was discussed by many women MPs and one male MP. They mentioned several situations which showed the need and importance to have childcare centres, in particular at the work place.

Firstly, childcare could ease the burden faced by working women. Women MPs highlighted that due to economic growth and development, more women are now educated and this has

encouraged women to engage in the labour force. However, women face a dilemma, or a burden, in trying to balance taking care of the family and working at the same time. However, this problem could be solved if assistance is given to the women where childcare is concerned. Therefore, women MPs, from the ruling and opposition parties, proposed to set up childcare centres at the work place. The following are examples of women MPs arguing the need to have childcare centres as the solution to the problems faced by working women.

Chong Eng (DAP, opposition party) argued:

...to women...this is a dilemma, a burden because they need to care for the family and deliver duties at work. What we ask for is to share this burden or to reduce it through governmental policies such as childcare centres ... I feel it is important to create a policy to set up childcare centres or at this moment, tax relief is given to childcare centres. (DR10 MS3 PG5 23.10.2003 Session 4).

Rozaidah Talib (UMNO, ruling party) urged the government to be more serious in setting up childcare centres at the work places. She argued that those who were most stressed in trying to balance work and family were women aged 31-45. She argued:

I just came back from a forum which highlighted a survey revealing that women aged 31-45 years old were a very depressed and frustrated group of people in trying to balance between work and family. Can you suggest to the government to be more serious about the issue of childcare centres at the work place in order to balance between work and family (DR11 MS1 PG3 2006 Session 1).

Secondly, childcare could fully utilize the woman labour force. Three women MPs argued that women in the labour force are underutilized due to childcare problems. They argued that most women of working age are unable to work because they have to take care of children, particularly young ones. Chong Eng urged the government to assist women by creating a social support system through childcare centres of good quality that are affordable (DR10 MS1 PG2 21.2.2000 Session 1). Rozaidah Talib argued that although 47%-48% of women are of working age women constituted only

one-third of the labour force. She urged the government to be more serious in providing childcare centres at the work place. She also stated that many women have to work on a part-time basis because of childcare problems; those women who worked part-time did not get the same benefits as those who worked full-time (DR11 MS1 PG3 2006 Session 1). Another woman MP, Tan Lian Hoe, (GERAKAN, ruling party) also argued that the woman labour force is underutilized. Women were unable to work as they have to take care of young children. She raised the need to have childcare centres which cater to young children so as to assist women to participate in the labour force. She pointed out:

...if we look at the 12.5 million women in the country, they actually could contribute to the economy. But the utilization of women labour is not optimal. Many women of working age are not able to work because they face many problems, and the main problem is care of the young ones...I hope the government...can examine this aspect to help women in the labour force. Because we know children aged 0-4 years old should get early care and education which suit their respective emotional, physical and spiritual development. Because of that, it is now time for the government to think of the importance to set up childcare centres for the very young (DR11 MS1 PG2 2005 Session 1).

Thirdly, childcare is important in deterring social ills. A woman MP, Chong Eng, argued that child care centres could provide a solution to juvenile delinquency problems. She argued that the current systems are more about treatment but not prevention. Therefore, she proposed providing childcare centres which also cater for children below 12 years of age. The purpose is to include children under 12 years of age if their parents go out to work and could not afford to pay for childcare services. In the end, future problems could be prevented. She also argued not to wait until the problems surfaced (juvenile delinquency) but to act from the very beginning (DR10 MS3 PG4 8.10.2002 Session 3).

Fourthly, childcare reflects and promotes gender equality. Chong Eng argued that in order to achieve gender equality, the government must change its perceptions towards women. Women are still closely associated with their traditional roles as mothers; however, the roles

have changed in accordance with the needs of the present time. As a result of this, women face the burden of both caring for the family and working. She argued that to achieve gender equality, the burden faced by women needs to be shared or reduced through governmental policies such as setting up childcare centres. It is important to liberate women from their traditional roles and enable them to obtain opportunities in important positions She stated:

...what we ask is to share or to reduce the burden through governmental policies such as setting up child care centres because to achieve gender equality, the main thing is to liberate women from their traditional roles if they want to work. Otherwise, women would be housewives for the rest of their lives and never be Minister or Deputy Minister...it is an important policy to set up childcare centres or...give tax relief for childcare. This is one way to assist women and also to encourage gender equality (DR10 MS3 PG5 23.10.2003 Session 4).

Fifthly, childcare is needed by families from among the urban poor. A male MP, from an opposition party (PAS) raised the issue that parents in big cities, particularly those with an income of less than RM2000, are obliged to work. He posed the question on what plans the government had to assist low-income groups in big cities who have to leave their young children to go to work (DR10 MS1 PG2 7.3.2000 Session 5).

The discussion on childcare also concentrated on the incentives for childcare to families and to any respective parties to set up childcare centres, and it was persistently debated by MP Chong Eng. She proposed that the government give income tax rebates for childcare purposes (DR10 MS1 PG2 6.3.2000 Session 3), for children below seven years, give financial allocation to non-governmental organizations to set up childcare centres for low income families (DR10 MS1 PG2 7.3.2000 Session 5) and to create a policy on childcare in relation to tax relief for childcare (DR10 MS3 PG5 23.20.2003 Session 4).

b. Crimes related to children

The discussion on 'crimes related to or involving children' produced the following focuses:

- i. punishment for crime of rape and incest
- ii. expansion of the definition of rape and incest
- iii. impacts of rape and incest on the victims
- iv. factors causing incest
- v. preventive measures for sexual-related crimes
- vi. other types of crimes that involve children

Sexual-related crimes involving children were predominantly discussed by female MPs in the 10th and 11th *Dewan Rakyat*. While they were involved in amending the Criminal Procedure Code, all of them expressed a great concern over the increasing number of sexual-related crimes that involved children, the majority of whom were female. Although all of them welcomed and congratulated the government for differentiating between “rape” and “incest” as crimes in the Act, they, however, proposed new elements to be included in the Act.

Firstly, more severe punishment for the crimes. Six female MPs (Chong Eng, Fong Po Kuan, Chew Mei Fun, Rozaidah Talib, Seripah Noli and Mastika Junaidah) participated in the debates. Chew Mei Fun (MCA, ruling party), while congratulating the government for inserting incest as a crime in the Penal Code under section 376, urged the government to impose more severe punishment for the crime. She argued that the minimum six-year and maximum 20-year imprisonment were inadequate and proposed to make whipping mandatory (DR10 MS2 PG3 9.8.2001 Session 3). Similarly, Seripah Noli (UMNO, ruling party) proposed a more severe punishment for incest because it is a very serious crime which should not occur in a civilized society. She proposed the death penalty or stoning as punishment. Seripah Noli (UMNO, ruling party) expressed:

I hope that heavier punishment is imposed because the 6-year or not more than 20-year imprisonment is not adequate compared to the sufferings of the raped victims who have to suffer for their whole lives. I want to suggest that the government be stringent in incest cases like what has been done in the Middle East. Amnesty International reported that 37 countries such as China, Afghanistan, the Bahamas, Cuba, Egypt, Iran, Iraq,

Russia, Pakistan and others have implemented the death penalty for various crimes... It is better if the death penalty or stoning is imposed like what is done by the countries that I mentioned earlier (DR10 MS2 PG3 9.8. 2001 Session 3).

Rozaidah Talib proposed to make whipping mandatory, not “as shall be liable” (as in the previous penal code), with a higher minimum punishment for incest and rape cases which involved minors, and depending on the degree or the seriousness of the crime committed. She argued that the minimum imprisonment of five years was eliminated with the aim to protect teenagers who had consensual sexual intercourse. She argued that the provision would lead to abuse in the case of rape; it would result in a very light sentence on the perpetrator. Thus, she proposed not to eliminate the minimum punishment but to add an exception to consensual sexual intercourse among teenagers (DR11 MS2 PG3 17.7.2006 Session 2). A male MP (Markiman Kobiran), however, argued that imposing the minimum five-year imprisonment (for consensual sexual intercourse) would result in a bigger social impact, i.e., would make it difficult for those involved to get married, and would bring shame on their families (DR11 MS2 PG3 17.7.2006 Session 2). Although most women MPs had called for more severe punishment, there was one against the three, arguing that, although everybody felt that a more severe punishment was the best measure for incest, the punishment would deter victims of incest from coming forward. She suggested that any amendment to the Act should encourage the victims to report what had happened to them, and assist prosecutors to bring the case to court in order to punish the criminals (Fong Po Kuan, DR10 MS3 PG5 6.11.2003 Session 3).

Secondly, the technical aspect of rape and incest. The debates of women MPs focused on the definition of rape and incest, as well as category and evidence of rape.

The women who participated in the debates called for the expansion of the definition of rape and incest. The available definition of rape was too narrow as it was limited only to penetration in sexual intercourse, resulting in many criminals avoiding punishment. Fong Po Kuan explained that the current definition of rape excludes other “ways of penetration,” i.e., using objects, hence excluding such acts from being considered as “rape”. This narrowed

the definition of “rape” only to sexual intercourse and excluded other acts of sexual violence such as inserting a bottle into the vagina. That, she argued, would prevent prosecutors from bringing the case to court because the action is not classified as “rape” (no sexual intercourse takes place). She argued that the definition should also take “[sexual] violence” into perspective (DR10 MS3 PG5 6.11.2003 Session 3).

The definition is too narrow because the victims may also be males or male children and may involve acts of aggression, and as the crime may be committed against males or involve no sexual intercourse, those persons who commit such acts are considered not guilty because it is not a crime under the Penal Code. Chong Eng argued that the definition of “rape” and “incest” is insufficient since it only involves sexual intercourse. She argued that it is too narrow and other sexual violence acts, such as carnal intercourse or oral sex, should be also considered as “rape” and “incest” because these may also involve male children. She elaborated that if a male child is sexually abused by his father, that action could not be categorized as “rape” or “incest” because no sexual intercourse took place. She reminded that the definition should not only concern the common way of sexual intercourse but should also include “sexual violence”. With these perspectives, she argued, the definition or “rape” and “incest” would be able to protect female and male children as well as women in general because all these actions would amount to “rape” or “incest” (MS2 PG3 2001 Session3, MS3 PG5 2003 Session 3).

Rozaidah Talib also argued that rape should not be confined to sexual intercourse only, but needed to include other sexual acts as well, such as incest. This should cover sexual abuse where objects are inserted into the vagina or anus. By inserting other sexual acts in the definition, it would particularly protect victims of incest by family members of the same sexes. She also pointed out that “rape with consent” in the Penal Code needs to be elaborated on further. She argued, the Act (Penal Code) should elaborate on ‘consent’ because it does not mean permission is granted by the victims to allow someone to perform the act on them. She argued:

...rape with consent...I think the Penal Code should include conditions when a woman submits (to be raped), it does not necessarily mean she permits because she may not be able to comprehend the nature or consequence of the situation. Thus, we have to take into account, I think, the conditions in which victims, for example disabled women, are unable to comprehend what is rape (DR11 MS2 PG3 17.7.2006 Session 2).

Rozaidah Talib also suggested that the definition of rapists should include foster family members such as foster father, foster brother and others (DR11 MS2 PG3 17.7.2006 Session 2).

There is also a need to create categories of rapes to ensure appropriate punishment is delivered to the criminals and to consider the amount of trauma experienced by the victims. Fong Po Kuan proposed creating “aggravated rape” – an action committed against vulnerable persons such as the pregnant, disabled or mentally retarded, underaged, those who are in a state of unconsciousness, and the elderly. Aggravated rape should be the charge for those rapists who transmit contagious diseases such as HIV, and for rape committed by persons in authority. She also proposed to include “gang rape” – rape by a group of people, which she claimed was not included under the current Act. She argued that the trauma faced by the victims was unbearable and insisted that the government look into this matter (DR10 MS3 PG5 6.11.2003 Session 3). Chong Eng also suggested to classify rapes into several categories such as “gang rape”, which is committed by more than two persons. Rapes committed against babies, disabled, those unable to care for themselves, elderly, physically or mentally retarded and pregnant women should be punished with a more severe sentence (DR10 MS2 PG3 9.8.2001 Session 1). Rozaidah Talib said that more severe punishment should be imposed on rapists who have transmitted diseases, e.g., HIV, for repeated rapes, and on those whose victims were mentally or physically disabled (DR11 MS2 PG3 17.7.2006 Session 2).

Thirdly, the need to reexamine the evidence of rape. Fong Po Kuan proposed that the government re-examine “struggle” as proof or evidence of rape. She argued that if the courts considered struggle as proof of rape, rapes where no struggle occurred would be left out. She highlighted a case in which a police officer raped a female

detainee, and the court dismissed the case since there was no evidence of struggle, because the victim had agreed to the action. Thus, she hoped that an amendment could be made whereby rape did not have to include the evidence of a struggle (MS2 PG3 2001 Session 3, MS3 PG5 2003 Session 3).

The impact of rape and incest on the victims, society as well as the nation were highlighted. Chong Eng highlighted the impact of incest from the social perspective. She argued that once incest occurs, a family would be in crisis because society is likely to believe a father compared to a child. In a situation in which the mother is unable to assist the child, the child is considered as bringing shame to the family. If the incident is reported, the child would be taken away from the family instead of the rapist being taken away. This practice would isolate the child more and allow the other remaining children to stay with the rapist at home (DR10 MS2 PG3 9.8.2001 Session 3). Seripah Noli showed how the impact on the victims could later affect society and eventually the nation. The crimes evidently could destroy not only the person but the nation as a whole. She explained the impacts on the victims that she had learnt from authoritative documents and bodies. She stated:

...rape victims appeared to be shocked, confused and experience phobia. They seem to disbelieve that such things could happen to them. Besides that, this group experiences embarrassment, discomfort and will isolate themselves...rape victims often blame themselves after the incidents. They lack motivation to perform daily routines. This situation certainly destroys their future. The situation causes serious moral issues in society...according to Human Aid Organizations, in the first eight months of 1998, out of 115 rape cases, 28 were incest. This situation showed problems in our family institution. These incidents have forced the victims to leave their homes, engage in drug addiction, loitering, abandoned babies and others. They feel homes are no longer safe places, or are even scary. As a result, they also lost respect for persons older than them or their own relatives. I am worried that such social degradation which occurs in our society will bring a bad image and misery in the process of building a strong and balanced civilization (DR10 MS2 PG3 2001 Session 3)

Factors that caused incest are highlighted. Seripah Noli argued the incidence of incest involved 8% of biological fathers and 5% step-fathers. She argued the incidents show that there is a weak relationship between husband and wife. The wife might be too busy fulfilling the financial needs of her family to the extent of neglecting her husband's needs. The husband, who has weak religious faith and a poor sense of leadership, turns to the child in revenge (DR10 MS2 PG3 9.8.2001 Session 3). In a similar session, Chong Eng refuted an earlier argument on what caused incest, instead she put the blame on the father. She argued that it is not acceptable as fathers have to understand that the victims are their children and there could not be any sexual relationship between them (see DR10 Ms2 PG3 9.8.2001 Session 3).

Preventive measure and solutions to rape and incest were also discussed. Besides heavy punishment, other methods were proposed to handle or prevent rape and incest cases. Firstly, counselling, suggested by Chew Mei Fun, is to be given to the victims as well as the criminals to ensure they are able to build the right concept of family and to lead better and healthy lives (MS2 PG3 2001 Session 3). Chong Eng suggested more counselling services to be provided at hospitals or other appropriate centres to cater to the needs of the victims (MS2 PG3 2001 Session 3). Mastika Junaidah was concerned about the well-being of the incest victims after the incest incidents. She enquired what mechanisms are provided by the government to assist incest victims (MS3 PG4 2002 Session 5).

Secondly, sex education was proposed by two female MPs as a preventive measure against sexual crimes. Chong Eng proposed introducing sex education and guidance to children to expose them to ways to safeguard their modesty and safety as well as how to get help (MS2 PG3 2001 Session 3). Seripah Noli also proposed sex education to resolve sexual-related problems. She argued that children and teenagers should be given sex education to guide them to safeguard their modesty and be protected. However, she insisted that sex education must be carried out with other relevant subjects such as religion, moral education and science. The implementation of sex education must be done with guidance from ulama (religious experts), and experts in psychology to ensure the content of the

subject is systematic and well organized (DR10 MS2 PG3 9.8.2001 Session 3).

Thirdly, other measures suggested were cooperation from all parties to prevent rape and incest. Seripah Noli emphasized that Malays should understand the Malay culture to ensure ethics are preserved; landlords have to ensure that tenants are socially acceptable; village committees (JKK) should be more alert and sensitive to problems faced by the people; and religious leaders should organize beneficial programmes from house to house and encourage people to participate in various activities such as religious talks, gotong-royong (neighbourly cooperation) activities and others.

There was only one male MP who spoke about his concerns for sexual exploitation, which, indirectly, could be related to children. One male MP congratulated the government actions for its aggressive campaigns against pornographic VCDs in the market and giving incentives to any informers who share information about syndicates. He also suggested that the government increase raids at night markets and suspected premises to control the circulation of pornographic VCDs to protect the Malaysian children and families (Fong Kui Lun, MS2 PG3 2001 Session 3).

Other crimes that involved children were also highlighted. These were trafficking of babies and juvenile delinquency.

Trafficking of babies was raised by two female MPs. Chong Eng (DAP) and Wan Azizah (PKR) in the 10th *Dewan Rakyat*. They raised the issue as a result of an exposure in the national newspaper about trafficking of babies in Sarawak and urged the government to pay attention to the said issue. The same issue was raised in the following year (2003) by Wan Azizah. She demanded explanation by the government as to what has been done to handle the situation. She argued that the situation could be more serious because in the trafficking of children, they are treated like commodities or things to be sold. However, the authorities are only able to catch the victims in the operations, not the ones who traffic and sell them (DR10 MS2 PG4 2002 Session 4, DR10 MS3 PG5 2003, Session 5)

Juvenile delinquency was discussed by four MPs, two of them female. Firstly, the intensity of juvenile delinquency was raised. One

male MP urged the government to pay attention to juvenile cases, and to realize that children are the assets of the nation and therefore extremely vital for the realization of national missions. He specifically highlighted the case of 44 juveniles who escaped from the Henry Gurney School in Malacca. The incident, he claimed, was a strong message to everybody to pay attention to crimes committed by juveniles.

Secondly, the issue of the treatment of juvenile delinquents. A female MP, Tan Yee Kew (MCA, ruling party), had called on the government to examine serious crimes committed by juveniles. She cited the case of Nurul Hanis, aged 16 years, who was raped and murdered by a male aged 17 years. She claimed that although the criminal was a juvenile who was protected under the law (no death penalty), the punishment for the action should be revised considering the seriousness of the crime to give justice for the victim (MS2 PG3 2001 Session 3). A male MP, Zin Mohamed, raised the question on any specific detention centre to be set up to correct juveniles who engage in crimes. He enquired about the categorization of crimes committed by juveniles and the treatment of juvenile criminals. He also suggested the possibility of more no-detention approaches, e.g., counselling (MS1 PG4 2002 Session 5). Community service was proposed by two female MPs. Teresa Kok (DAP, oppositional party) suggested community service instead of sending juvenile offenders to the detention centre in Simpang Renggam. She argued that sending them to detention centres would not serve as corrective measures but instead train them to become hardcore criminals. She argued that community service is an appropriate way to correct young offenders. It gives them opportunity to not enter prison and instead serve the community. She suggested that the government create programmes in the community and extend the community service to other crimes, too (DR11 MS2 PG3 17.7.2006 Session 2). A male MP (Mat Yasir Ikhsan) also supported community service to be imposed for certain types of offences instead of grouping them with hardcore criminals (DR11 MS2 PG3 17.7.2006 Session 2). Chong Eng agreed that community service is good but only for first-time offenders. For that reason, she argued, if the age definition is above 18 years, the offenders would no longer be considered as children but adults. Thus, she suggested that for first-time offenders, their

age when they first committed the crime and the type of crime should be taken into consideration (MS2 PG3 2006 Session 3). A male MP (M. Kula Segaran) also asked about other centres, besides the one in Simpang Renggam, where juvenile delinquents are detained and whether there was any counselling given to them (MS2 PG4 2007 Session 3).

Thirdly, prevention of juvenile delinquency was also discussed. A female MP, Chong Eng, argued that prevention is extremely vital in combating juvenile delinquency. She argued that available programmes (i.e., detention centres) are merely remedial in nature, whereas, the problems need to be tackled from the root. She argued that childcare centres were important to care not only for small children but also those below 12 years old if their parents are at work. She argued that there were many poor parents who could not afford to pay childcare services, and if the children were not cared for when they were small, they could emerge as problems to society when they reach adulthood. Thus, childcare could prevent future problems, i.e., juvenile delinquency (DR10 MS3 PG4 2002 Session 3, DR11 MS2 PG1 19.7.2004 Session 4).

c. Laws related to children

There were two main things raised related to 'laws related to children'. They were:

- i. Child maintenance or entitlement
- ii. Children as witnesses in court

Child maintenance was raised in the 10th *Dewan Rakyat* by Napsiah Omar (UMNO, ruling party). She was concerned about the welfare of children of divorced parents (single parents). She was surprised at the number of single mothers in the nation, as printed in a national newspaper (3.4 millions, average age 30s). She raised the question about the whereabouts of the fathers because the children need to be taken care of, in terms of providing them with love, schooling, clothing, food and drink. She wondered why Syariah Courts are not concerned with the well-being of these children (in relation to maintenance) (MS1 PG2 2000 Session 3).

In the 11th *Dewan Rakyat*, three MPs participated in the discussion about children as witnesses in court proceedings. All issues raised were related to the support available to children when they are involved in criminal cases as witnesses. A female MP, Fong Po Kuan, asked whether the support services for children (in criminal cases), included staff from different races who could communicate in different languages. She expressed her concerns over the issue because many delayed cases in the courts are due to lack of language experts. Therefore, in relation to this matter (child witnesses), the question concerned the plans to attract experts in different languages or dialects to participate in this support service (MS2 PG4 2007 Session 3). Another male MP (Mat Yasir Ikhsan) asked if there was any co-operative effort conducted with the Ministry of Education in assisting these children, considering many experience phobia or trauma (from being in court) (MS2 PG4 2007 Session 3). A male MP (Razali Ibrahim) enquired about the purpose of the Child Protection Unit, created under the Child Act 2001, which was meant to create a friendly environment between the police and victims (DR11 MS2 PG2 2005 Session 5).

d. Disabled and disadvantaged children

Three main issues were raised, and they are as follows:

- i. Autistic persons or children
- ii. Community or care centres for disabled children
- iii. Stateless children

Firstly, the issue of autism or autistic persons was raised by two female MPs. The issues highlighted were the need for financial allocations for volunteering bodies which cater for specific disabilities and the need to recognize autistic persons or children as disabled persons. Chew Mei Fun highlighted that there is a need to assist volunteer bodies which provide services for disabled children with specific disabilities, i.e., autism. She claimed that these bodies face difficulties to expand their services due to lack of funds and receive little attention from the government as well as the public (DR10 MS3 PG4 2002 Session 3). A female MP, Chong Eng, had proposed placing persons or children with autism in a special group (disabled people) because their needs, as well as the training they require, are

not similar to those with mental retardation or Down Syndrome. She argued that registration as a special group would ensure educational opportunities for them (DR11 MS2 PG1 2004 Session 4).

Secondly, community or care centres for disabled children were discussed. Mohamed Sayuti proposed that the government provides education for special children through setting up of a community centre in every district to cater for their educational needs. He added that the existing six community centres and the two under construction are inadequate to cater to their needs (DR10 MS1 PG4, 2002 Session 3). Chong Eng had raised the issue of the shortage of care centres for the children, particularly the disabled. She claimed that many families of disabled children face difficulties in caring for their children. Many disabled children are merely locked up at home or are not properly taken care of. Therefore, with childcare centres, poor families as well as single mothers could send their children there (DR11 MS2 PG1 2004 Session 4).

Thirdly, the issue of stateless children (numbering 10,000) in Sabah was raised by a female MP, Wan Azizah (PKR, oppositional party). She demanded what actions have been taken by the government so far related to this problem (DR11 MS3 PG5 2003, Session 5)

e. Youth

The issues under youth are focused on the following:

- i. Youth programmes
- ii. Moral degradation among youth

The majority of men who participated in the debates were concerned about youth programmes.

Firstly, they emphasized on youth developmental programmes. The MPs proposed programmes to develop the potential of the youth. One male MP (Hoo Seong Chang) suggested that the government create programmes which highlight youth potential. He suggested revising leadership programmes to produce youth with moral values and responsibilities to build the nation. He also enquired about the success of existing youth programmes (DR10 MS1 PG2 2000

Session 3). Yusof Yacob also called for a new youth programme which protects youth from modern challenges such as fraud, prostitution and other social problems. He claimed that the outward-bound school concept is no longer relevant since it deals only with physical challenges, i.e., marathons (DR10 MS1 PG2 2000 Session 3). Liow Tiong Lai saw education as the main means in developing youth. He argued that the wealth and power of a nation depended on the intellectualism of its citizens who should be equipped with information technology, knowledge and culture. He suggested that the government develop a comprehensive educational system in order to produce properly-trained Malaysian citizens. To reach that effect, he argued that the government should encourage lifelong learning opportunities. He proposed giving opportunities to youth or working people to return to any institution of their choice to gain certain skills. Therefore, he proposed that a transfer of credits should be allowed so that one could specialize in several areas (MS1 PG2 2000 Session 3).

Shaziman Mansur suggested encouragement to be given to youth interested in business. He proposed that leniency in terms of advisory, assistance and loan services to youth in this respect should be exercised (MS1 PG2 Session 1). Mohamad Haji Aziz raised the importance of sports facilities for youth to enable the nation to produce high-quality sportsmen and sportswomen. He particularly highlighted the need for sports facilities for youth in rural areas (MS1 PG2 2000 Session 3). Wan Junaidi called upon the government to target the right category of youth to be included in the youth programmes. He criticized that existing youth programmes were only geared towards well-mannered youth with potential but ignored those youth who needed such programmes the most, such as those who were academically weak and those who wasted time loitering in malls and by the roadside. He argued that these groups of youth should be the ones most assisted. He also raised the issue of the difficulty to obtain government funds to organize youth programmes at various levels (DR10 MS3 PG4 2002 Session 3).

There was one female MP, P. Komala Devi (MIC, ruling party), who made a specific request to the government to provide Indian youth with training and assistance, for instance in business. These programmes, she urged, must be done immediately to reduce or

prevent Indian youth from being sidelined (DR10 MS1 PG3 2001 Session 1). Husam Musa proposed financial allocations to be given to all mosques to organize youth programmes (DR10 MS1 PG2 2000 Session 3). Mohd Ali Hassan also raised that financial allocation to youth programmes was extremely crucial in developing youth. He also suggested giving recognition to youth by giving them opportunities to be delegates in various national and international programmes. By doing that, he argued, the confidence of these youth would be raised because of their roles and responsibilities. This would also develop their leadership qualities. He specifically enquired about the number of disqualified youth associations (between 1996-1999) and the reasons for disqualification (DR10 MS1 PG2 2000 Session 5).

Secondly, representatives asked for more information on certain youth programmes. The concern centred on one particular youth programme, the National Training Service Programme (PLKN). While debating the National Service Training Act, one female MP, Fong Po Kuan, raised many questions and even criticized the way the Act was presented in parliament. She claimed the Act lacked crucial and necessary information and was the worst-drafted Act that she had ever encountered. She demanded further explanation about almost everything related to the training including age selection, the purpose and objective of the training, the operation of the training (how the 90 days would be filled), the matter of prospective participants who work, allowances, insurance and companies which were granted contracts for the camp uniforms. She criticized the Act as having been passed in a hurry without engaging in proper consultation with those involved in the programme. She also argued that the contents of the curriculum: nationhood, basic military training, i.e., marching, self-defence, self-confidence, character building, and knowledge of national and international issues could be done in the normal school curriculum and did not require an extreme amount of money (RM500 mil per year) to obtain the same results. She demanded the list of 45 committee members who drafted the curriculum. She expressed her concerns about the reactions of camp stakeholders (i.e., parents and participants) and urged the Act to be submitted to the Select Committee taking into account feedback from the public. She emphasized the importance of listening to the people before passing

any law (DR10 MS3 PG5 2003 Session 4, DR10 MS2 PG5 2003 Session 2).

Seripah Noli supported the training, considering its importance in protecting youth from undesirable and immoral activities which could later get them in trouble and become a problem for the nation. She also argued that making the training mandatory should be welcomed by all parties, including the public. She, however, posed several questions about the training such as the age selection and how the selection was made. She also proposed that the government check the physical and mental health of prospective participants to prevent any unwanted incidents. She urged the government to thoroughly examine causes of inability to attend the training by the participants before imposing the punishment (penalty and imprisonment). She proposed delivering warnings prior to the imposition of the punishment to prevent stigma among the participants. She also emphasized that the training could be a channel to the public particularly those in remote areas, to convey their needs and difficulties which could be communicated via the participants. She also suggested that the participants could be introduced to higher education and technical skills. Religious and moral input was equally important besides other items in the curriculum. She argued, most importantly, that the training should take into consideration culture and religion and not be based on Western models (MS2 PG5 2003 Session 3). Fong Po Kuan persisted in raising questions relating to earlier PLKN training. In the 11th *Dewan Rakyat*, Fong Po Kuan demanded explanations about many things such as the additional cost, reasons why youths fail or refuse to register for PLKN and consultation with various parties regarding PLKN, as well as complaints from parents (DR11 MS2 PG1 2004 Sessions 4 & 6).

Thirdly, representatives enquired about the effectiveness of youth programmes. The focus was on the effectiveness of the *Rakan Muda* programme (youth programme). Two male MPs, in different sessions but within the same term, had enquired about the effectiveness of the *Rakan Muda* programme in reducing social problems among youth (Chang See Ten, MS1 PG2 2000 Session 5). One of them, Taib Azzamudeen, called on the government to revise the programme while calling for religion, good values and ethics to be incorporated into the programme (DR10 MS1 PG2 2000 Session 3).

Another focus under the youth sub-theme was moral degradation among youth. It was discussed by six MPs in the two parliaments. It can be divided into two main areas. Firstly, negative activities involving youth. Goh Kheng Huat called on the government to seriously monitor the consumption of ecstasy pills among youth. He argued that these pills are easily accessible in the market and called for more serious inspections of any suspected premises (MS1 PG2 2000 Session 3). Sukinam Domo (PBB, ruling party) raised the problem of a culture of impoliteness among youth. She argued that youth nowadays lack respect, tolerance, and thankfulness. She further elaborated that it has been discovered that a very small number of students say “thank you” when they are given presents or awards. She also added that many Malay youth have lost interest in the Malay culture and literature, and suggested something to be done to ensure the survival and continuity of the Malay culture and literature (DR10 MS1 PG2 Session 1). Fong Kui Lun, while discussing about how to attract the second generation of FELDA settlers to return to FELDA, highlighted moral degradation including drug addiction among the second generation of FELDA youths (MS2 PG4 2002 Session 3). The issue of moral degradation among youths was also raised in the 11th parliament, by a male MP (Ismail Abd Mutalib). He highlighted the occurrences of dumping babies and urged the government to pay more attention on how to solve such problems (MS1 PG4 2007 Session 1).

Secondly, measures or ways to resolve moral degradation among youth were brought up. Seripah Noli posed a question to the government on how to handle social problems among FELDA youth (MS1 PG2 Session 5). Wan Nik had called on the government to save the youth, particularly the Malays, due to their involvement in drug addiction (MS1 PG2 2000 Session 3). Ahmad Zahid Hamidi highlighted the seriousness of moral degradation among youth. He asked what drastic measures were being taken by the government to tackle the problem (MS3 PG4 2002 Session 3).

Discussion

The following are the observations from the findings.

First observation

More women than men were engaged in children's issues. Most of the women spoke on "childcare", "crimes related to or involving children" and "disabled children", whereas men were more interested in "youth" issues.

Second observation

Women were seen to be better in articulating women's issues compared to men. Women MPs were better able to articulate the needs of women, i.e., they explained the importance and the need for childcare centres, the need to expand the definition of rape and incest with more severe punishment for such crimes, and the need to include persons with autism as disabled persons.

From these two observations, it can be concluded that women MPs collaborated and cooperated in forwarding issues about children. It was evident throughout the 10th and 11th *Dewan Rakyat* (1999-2007) that despite different political affiliations, all expressed and forwarded similar concerns. As can be seen, women MPs from the parties in power (UMNO, MCA, GERAKAN) as well as the opposition (DAP) all agreed on the importance of childcare for women or mothers who struggle to balance between the two responsibilities – caring for their children and working at the same time. Evidently, all of them showed similar concerns about the need and the importance of childcare centres at the workplace. The attitude towards childcare as displayed by women MPs in the Malaysian parliament was also consistent with those in foreign countries. A study of the House of Representatives in New Zealand showed female politicians claimed a greater stake in the issues of childcare and parental leave (Grey, 2006). In the UK House of Commons, one woman MP stated that 'in any setting I've ever been it's never a man who's taken a lead on childcare' (Childs, 2004, p.135).

Similarly, in the issues of sexual-related crimes, women were seen to collaborate and join forces, putting aside party affiliations. Although there was a little disagreement between the women, seen when two women MPs disagreed on factors causing incest, they displayed a high degree of understanding and empathy in certain issues which could only be best articulated by them. Perhaps due to

their roles as mothers or as care-givers, or even their nature as women, women MPs managed to show the intensity and the seriousness of the sexual crimes. Philips (1998) has argued that women politicians seek to consent rather than confront as well as emphasize on deliberation and collective decision-making.

With women's perspectives and experiences, women MPs successfully raised various important aspects and elements related to sexual-related crimes. As a result, many crucial proposals were made such as more severe punishments for the criminals, expanded definitions of rape and incest, and the impact of rape and incest on women. All of them had similar objectives: to ensure the criminal is punished for the action, to give justice and to provide security for the victims. None of the men who participated in the issues communicated this like the women did. Pitkin (1967), a theorist of representation, acknowledged that there was some kind of expectation of a relationship between who and what was represented. She agreed that the gender of the legislators does matter. She stated that due to different psycho-social development, socialization and gender roles, women tend to have different perceptions than men. They would have a more women-friendly political agenda than men and would easily espouse an egalitarian perspective on social and political issues.

Women are not only the best to represent other women but appear to represent men efficiently. It can be observed through Chong Eng's proposal on the need to expand the definition of rape and incest since it involves males and male children as well. She argued that the available definition would exclude actions that do not involve sexual intercourse, for example, any sexual [or acts of] aggression committed against males (i.e., penetration into anus, oral sex), could not be considered as a crime of rape. She argued that if a male child is sexually abused by his father, that action could not be categorized as rape or incest since no sexual intercourse takes place. Thus, from her perspective, the proposed definition would be able to protect not only females but also males. A study in India revealed that women representatives are not only better equipped than men to politically represent women but they are also better at representing men (Lindgren, Inkinen & Widmalm, 2009, pp.50-51).

To sum up, in the context of “children and youth,” not only do more women participate in children’s issues compared to men but they appear to be better at articulating these issues and are also better at representing women. Furthermore, women also seem to be better at representing men.

The Policy impact

As a result of the participation of women and men MPs in the 10th and 11th *Dewan Rakyat* (1999-2007), the following achievements were made:

Childcare

Due to persistent lobbying from women MPs on the importance and the need to set up childcare centres, [with the participation of one male MP], the previous Child Care Act 1984 was amended in 2007 (later “Child Care Centre (Amendment) Act 2007,” ACT A1285), which included two new types of child care centres, namely, “work-based childcare centres” and “community-based childcare centres.” The new childcare centres are now added to the category of existing childcare centres, namely home-based childcare and institutional-based childcare. Work-based childcare centres are defined as child care centres at a work place which take in ten or more children, while community-based childcare centres are defined as care centres which take in ten or more children in a particular area and which receive aid from the Federal Government or State Government (Section 5 ACT A1285).

To encourage the setting up of childcare centres at the work place, the government gives financial incentives to employers who set up childcare centres. These include the Industrial Building Allowance and tax deductions on maintenance expenditure, and a 10% tax reduction per annum on the cost of setting up child care centres for a period of 10 years for employers who set up child care centres. As for public servants, the government subsidizes RM180 of the childcare monthly payment for household income not exceeding RM3000 per month (Pekeliling Perkhidmatan Bilangan 4 Tahun 2007).

Community-based childcare centres are tailored to cater to the needs of childcare among poor people whose income is RM2000

and below (urban) or RM1200 and below (rural). In urban areas, childcare centres would be set up in areas catering for people in squatters, long houses, transit housing, low cost flats, traditional villages (*perkampungan tradisi*) and PPRT (low cost housing). Rural areas would include those in low cost houses, traditional villages, new small industrial areas and new housing areas (Social Welfare Department of Malaysia, <http://www.jkm.gov.my/>).

Disabled and disadvantaged children

Another success of policy output was having autistic persons regarded as disabled persons. It was a woman MP, Chong Eng, who had proposed persons or children with autism to be considered as a special group. The recognition was important not only in acknowledging their respective problems and needs but also to ensure their educational opportunities. Persons with autism are now considered as disabled persons (*Orang Kurang Upaya*) under the Persons with Disabilities Act 2008. "Persons with disabilities" include those who have long term physical, mental, intellectual or sensory impairments which in interaction may hinder their full and effective participation in society (Persons with Disabilities Act 2008, Section 2). The disabilities include disabilities in eyesight, hearing and speaking, as well as physical, mental, learning and multiple disabilities. Autism is considered as a disability under the "learning difficulties" category (Social Welfare Department Malaysia, <http://www.jkm.org.my/>).

Crimes related to children

Punishment for rape and incest: Another achievement of the women MPs in the 10th and 11th *Dewan Rakyat* was to impose heavier punishment for offences under section 376 of the Malaysian Penal Code (*Kanun Keseksaan [Pindaan] dan Tatacara Jenayah*). Before the amendment, punishment for rape was imprisonment for a term which may extend to 20 years, and offenders were also liable to a fine or whipping. However, in the 10th *Dewan Rakyat*, this was amended to "imprisonment for a term of not less than five years and not more than twenty years, and shall also be liable to whipping" (Act 574, Law of Malaysia, 2002). It can be observed that the fine is eliminated and a minimum punishment is laid down, however, whipping is not mandatory. A female MP in the subsequent session

(11th *Dewan Rakyat*) called for whipping to be made mandatory as punishment for both rape and incest to show condemnation of such heinous crimes and to punish the criminals accordingly.

In the 2008 Penal Code, the maximum punishment is laid out for the following offences:

- i. rape – imprisonment for up to 20 years, and whipping,
- ii. aggravated rape – imprisonment for not less than five years and not more than 30 years, and whipping,
- iii. incestuous rape – imprisonment for not less than eight years and not more than 30 years, and whipping not less than 10 strokes and
- iv. causing death while committing or attempting to commit rape – death or imprisonment for not less than 15 years and not more than 30 years, and whipping not less than 10 strokes.
- v. For incest (376a), the punishment is imprisonment for not less than six years and not more than 20 years, and whipping (Legal Research Board, 2009, pp.151-153).

Definition of rape

As a result of the proposals of several women MPs to expand the definition of rape so as not to focus only on sexual intercourse, sexual connection by object was included in the Penal Code as one of the unnatural offences (377CA). It says “any person who has sexual connection with another person by the introduction of any object into the vagina or anus of the other person without the person’s consent shall be punished with the imprisonment for twenty years, and whipping” (Legal Research Board, 2009, p.155).

It can be observed that women MPs have contributed much in the development of Penal Code in relation to sexual-related offences (under section 376 and 377) which involved women and children.

The critical actors

While women were active in raising children’s issues, not all were critical actors. As shown in Table 1, six women were considered as critical actors, against one male. They were the critical actors in the

parliament. These women took an active part in raising issues related to children. It was evident when they expressed their concerns on the need to have child care centres particularly at the work place. They spoke the same “language” even though they represented different political parties. These critical actors came from the governing as well as the opposition parties. Women MPs appeared to be best at articulating women’s concerns. They presented facts from surveys to show the intensity of the problems faced by women. It was observed that women MPs in the Malaysian parliament displayed a cross-party cooperation when representing women’s concerns and interests. Women from both ruling and opposition parties made proposals benefitting women. It was revealed in a study of female legislators in Europe that “in terms of changing parliamentary culture, women believed they have introduced different styles of exercising power and highlighted feminine traits such as consensus seeking, abilities to listen and consider different points of views” (Galligan & Clavero, 2008, p.157).

Only one man spoke about childcare during that period. The women MPs also emphasized the need of childcare among the poor. It can be argued that without the initiation and persistent proposals by the women, childcare centres [work-based childcare centres and community-based childcare centres] might not have occurred. Similar experiences can be observed in the U.K. House of Commons, pertaining to the issue of childcare. One woman MP stated that “if we hadn’t had all these women here...I don’t think this childcare strategy ...would have all the money it’s had”. A woman MP recalled that it was a woman MP who had introduced an Early Day Motion regarding rape. She did not think “a man would do this” (Childs, 2004, pp.131, 136). It can be argued, in this context, women MPs were better [the best] in articulating women’s concerns. Pitkin (1967) acknowledged that there was some kind of expectation of a relationship between who and what was represented. She agreed that the gender of the legislators does matter. She stated that due to different psycho-social development, socialization and gender roles, women tend to have differences in perception than men. They would have a more women-friendly political agenda than men and would easily espouse an egalitarian perspective on social and political issues. This finding is also consistent with previous studies conducted in various countries that sex of the representation does indeed matter

Table 1: Profile of Women Critical Actors in 10th and 11th Parliament

MP	Political party	Political constituency	Age	Experience in politics	Academic background	Status
Women						
Chew Mei Fun	MCA	city	46	< 15 years	Bachelor's degree (Communication & Literature)	single
Chong Eng	DAP	town	53	< 15 years	Bachelor's degree (Human development)	married
Fong Po Kuan	DAP	city	37	5-10 years	Bachelor's degree (Law)	married
Teresa Kok	DAP	city	46	Unknown	Bachelor's degree (Mass communication)	single
Rozaidah Talib	UMNO	city	47	5-10 years	Master's degree (Medical)	widowed
Tan Lian Hoe	GERAKAN	town	52	10-15 years	Bachelor's degree (Malay Studies)	single
Male						
Mohd. Apandi Mohamad	PAS	semi rural	42	Unknown	Master's degree (MBA)	unknown

(see Carroll, Dodson & Mandel, 1991; Child & Withey, 1997; Reingold, 1992; Thomas & Welch, 1991).

There were three women from the ruling coalition (i.e., MCA, UMNO and GERAKAN). The other three women were from the opposition party DAP, and a male representative from PAS. Four of them belonged to the opposition. All of them were university graduates, with a minimum of a bachelor's degree. Two of them possessed master's degrees. Their specializations varied and included communications, human development, law and Malay studies. The two master's degrees were in medical and business administration. Apparently, education is significant in making MPs critical actors. Political constituency might also be a contributing factor as regards the criticality of the women MPs. Three of them were elected in urban constituencies. Only the male MP came from a semi-rural constituency. Lovenduski and Norris (2003), in examining Westminster women's attitudes and values to make substantive effects, found that, among others, education, status, income and age were important in shaping political attitudes. They also claimed age to be an important contributor as the younger generation tended to support gender equality (p.65). However, in this study, age did not seem to influence the criticality of the actors. Of the six critical actors, three were in the age group of 46-47 years, two belonged to 52-53 age group and one was 37 years old. In fact, the most critical actor among them was Chong Eng, who, at 53, was the oldest in the group. Next was Rozaidah Talib, 47, and Fong Po Kuan, at 37 the youngest in the group. To summarize, age and party composition were not related to the criticality of actors. Education and constituency, however, seem to be among the factors associated with critical actors.

Conclusion

This paper has explored the impact of women MPs in the lower house (*Dewan Rakyat*) of the Malaysian Parliament to study whether women representatives are able to make any impact. The results of the textual analysis of nine years in the two *Dewan Rakyat* (1999-2007) have revealed that, where children and youth are concerned, women participated in children-related issues more than men, while men were more interested in youth issues. Women were active in

issues concerning childcare, crimes related to or involving children, and disabled children. Very few engaged in youth-related issues. The women MPs managed to influence policy changes favouring women as follows:

- i. Setting up of childcare centres
- ii. Heavier punishment imposed on sexual-related crimes, a broader definition of rape and incest; a new offence included under the sexual related crimes (unnatural offences)
- iii. Autism recognized as a disability, and persons or children with autism recognized as disabled persons

It also revealed that while most women were active in raising children's issues, not all were critical actors. While very few men MPs participated in children-related issues, there was one critical actor. The critical actors were six women and one man, and the two most common traits among them were that they were graduates and almost all came from city and town political constituencies, except one, the male MP, who came from a semi-rural area. Party affiliation did not explain much. It can be argued that education and political constituency do influence the women and men to "stand for" and "act for" women. Women were better than men in articulating women's issues and they were also able to represent men.

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