

Malaysia



Rais Nur

Author's note: This account is not by any means meant to be a country report of lesbian rights. It is at best an attempt to share some experiences of lesbians in Malaysia and is limited by many factors, including class, ethnicity, and geographical location.

It is not every day that lesbians get a mention in the Malaysian media. However, in December 1994, the headlines of a widely circulated daily in Malaysia read: "Mate accused of killing lesbian freed." According to the Star newspaper, "A factory worker accused of murdering her housemate who made lesbian advances at her was freed by a seven-man jury who accepted her claim of self-defence."¹

In its three-day coverage, the Star reiterated typical public perceptions of lesbians: that they all look like and behave like men. The message was consistent with the mass media's portrayal of lesbians as unnatural and deviant.

LESBIANISM AND THE STATE IN MALAYSIA

The above-mentioned case coincided with a systematic campaign by the Malaysian government, with support from religious quarters, to condemn acts of homosexuality, abortion, and drug abuse, which they pointed to as causes of the disintegration of the Malaysian family. This campaign was presented under the rubric of upholding "Asian values," which, in the government's view, were in conflict with all of the acts in question.

Lesbianism is not outlawed in Malaysia. Section 377D of the criminal code prohibits "gross indecency," but this law is not known to have ever been enforced against lesbians. The Minor Offences Act of 1955, which prohibits acts that offend public morality, is often used against sex workers and transsexuals; it too, could conceivably be used against lesbians, but there are no known cases of this happening.

In 1994 there were two major assaults on Malaysian women, and in particular on young women. In September of that year, an article in the New Straits Times drew public attention to a group of teenage women—boh sias—who hung out in public places and engaged in casual sex with men. The article generated further coverage in several papers and brought a strong response from the government. The Women and Girls Protection Act of 1973, which permits the arrest and detention of young women who may be "exposed to moral danger" or who are "being used for the purpose of prostitution or any immoral purposes," was used to arbitrarily round up these young women (including those who frequented shopping malls) in the name of protecting them. Similarly, the Act was used in a case where the then Chief Minister of Malacca, Rahim Tamby Chik, was accused of being sexually involved with a 16-year-old girl. According to Malaysian law, this would be classified as statutory rape. However, despite acknowledging that there

were "strong suspicions," the Attorney General announced that the case was dropped as there was insufficient evidence for it to be brought to the court.² Thus, while the Minister was not prosecuted, the 16-year-old was put under police custody and later sent to a rehabilitation center using the Women and Girls Protection Act.

The Women and Girls Protection Act, while it makes no mention of lesbians, shows the lengths to which the state will go to control women's sexuality. Another means of control is the Internal Security Act (ISA) which gives the State the right to detain anyone it perceives as being a threat to national security. Since its passage in 1960, this law has been used according to the whims of the state, and given the current emphasis on morality and "Asian values," it is quite possible that it could be used against sexual minorities if the need arises.

Although Malaysia has only briefly been a police state (when the Emergency was declared in 1969 and Parliament was suspended for several months), and has never been dominated by a strong presence of the military, fear of the law and authorities is enough to keep all citizens in check, especially those who know they are perceived as "morally deviant."

THE STATUS OF LESBIANS VERSUS GAY MEN

The AIDS epidemic has led to the rise of a visible gay organization, Pink Triangle (PT), that at least in the eyes of the Health Ministry is considered to be credible. Although PT opens its doors to lesbian participation, the organization is predominately male and the majority of its work is with gay men. In the face of this epidemic, the Malaysian government has reached out to all quarters to assist in curbing the spread of HIV and AIDS. Recognizing PT as one of the few organizations (if not the only one) working with the gay male community, the state seems to have "closed its eyes" for now on the homosexual element of the organization.³

Such state recognition and opportunity for legitimacy, however, has not been extended to the lesbian population, which the government rarely acknowledges in any way.

Likewise, while gay spots and events in Kuala Lumpur draw crowds including the rich and famous, such a response is not experienced by the lesbian community. The only known lesbian space organized for the middle-class community in Kuala Lumpur was closed by the proprietors within a year of operations to make way for an even more exclusive space for upper middle-class lesbians.⁴ The majority of lesbians in Kuala Lumpur have little access to public spaces in which they can be open about their sexual orientation.

Compared to the "progress" made by gay men, then, lesbians in Malaysia are far behind. The closest equivalent to Pink Triangle is a lesbian group which started in 1992. Although it does not identify publicly as a lesbian group, over the last few years it has become increasingly known among the local lesbian community, particularly among Chinese lesbians. The early days of the group's existence were spent grappling with direction and objectives, and its members have only recently begun to clarify their objectives of empowering lesbians and building community.

LESBIANISM AND THE WOMEN'S MOVEMENT

The women's movement in Malaysia consists of a spectrum of groups, from the ultra-conservatives to those more open-minded and liberal. None have come out in support of lesbian rights. While legal reform is not at the forefront for all women's groups, it is significant that calls to amend Article 8 of the Federal Constitution—which currently prohibits discrimination on the basis of religion, race, descent, or place of birth but not discrimination on the basis of sex—have gone unheeded.

The invisibility of lesbians in women's groups often depends on the group's openness to discussing women's sexuality more generally. While the more progressive groups

appear to have no objections (in theory) to addressing issues related to sexuality, many women's groups are resistant to it. If the experience of a Kuala Lumpur-based women's group is any indication, efforts to mention sexuality, especially in a way which challenges norms, will not be tolerated even by some women's groups. As part of its work to raise young women's awareness about safe sex, the All Women's Action Society produced a booklet entitled *Lina's Dilemma: The story of a young woman and AIDS*. It was obtained by a local tabloid and for three days the paper ran articles pronouncing the booklet to be pornographic and saying that it promoted free sex because the booklet mentioned kissing, licking, and massaging and included a clinical diagram on how to use a condom.⁵ Several women's groups came out in opposition to the booklet, saying that it was culturally insensitive.

Certainly, another reason for the invisibility of lesbians in Malaysia is that lesbians impose it on themselves for fear of public backlash if they are too outspoken. Here support by women's groups is essential; the absence of this support contributes to the ongoing invisibility of lesbians.

CONCLUSION

Although lesbians in Malaysia have much to do to create a safe environment, there are indications of change. For example, the formation of the lesbian group mentioned above would never have been conceivable 10 years ago. Even the exodus of lesbians to overseas countries, as witnessed in the '70s and '80s, has slowed in recent years. However, it remains to be seen who will dare to lead the fight for lesbian rights and how they will accomplish this enormous task.

NOTES

- 1 "Mate accused of killing lesbian friend," *Star*, 18 December 1994. See also "Lesbian tried to rape me: accused," *Star*, 15 December 1994.
- 2 *Star*, 22 October 1994.
- 3 Of course the state is not monolithic. Thus, in spite of some level of acceptance and tolerance, the gay community is still subjected to periodic attacks from other quarters of the state. An incident several years ago at a local gay bar saw hundreds of gay men rounded up and kept at the police station over night on the pretext of having their urine tested for drugs. More disturbing, however, was the presence of the press during the raid and the repercussions that followed after photos of the incident and references made to the gay bar were published the following day. See "Kelab gay di serbu: 263 orang ditahan" ("Gay club raided: 263 detained"), *Utusan Malaysia*, 4 October 1993; "Gay joint raided," *Sun*, 5 October 1993; "Ramai kesal adanya kelab gay" ("Many regret gay club exists"), *Utusan Malaysia*, 6 October 1993.
- 4 This decision seems to have backfired on the proprietors, as the number of women who turn up for the weekly "women only" nights is far lower than the number that turned up previously for the monthly "women only" nights.
- 5 "Risalah Biadab" ("Indecent booklet"), *Harian Metro*, 24 August 1994.

ABOUT THE AUTHOR

Rais Nur is a Malaysian lesbian feminist who works with different women's groups. She looks forward to the day when she does not have to use a pseudonym anymore.