



Time's Up!

Moving sexuality rights in Malaysia into the new millennium

by beng hui

In September 1998, Malaysians were stunned by news of the dismissal of the nation's then Deputy Prime Minister, Dato Seri Anwar Ibrahim. Long touted as the Prime Minister's "heir," his fall from grace was all the more shocking amid allegations that he was no longer suitable for the position given his "abnormal" sexual proclivities. The local media painted a picture of a man who had overnight become unfit for public office because of his extramarital affairs and sexual relations with both women and men. Although Anwar's sex life as a whole was questioned, there is little doubt that the attempts to discredit him and defend his removal from office hoped to exploit and manipulate homophobic sentiments among the Malaysian public. Thus several days ensued during which homosexuality was highlighted and vilified by the local press.

Few questioned then how and why it was that a marginalized sector of society got dragged into what was obviously a battle between two powerful men; the Prime Minister and his Deputy. Six months later this silence has not been broken and instead has emerged as shattering especially in the context of the unprecedented levels of political consciousness and change provoked by Anwar's arrest.¹ But what are the reasons behind this silence? Why is it important that they be addressed?

Admittedly, when the headlines of the local press screamed that the ex-Deputy Prime Minister of Malaysia had sodomized two men,²

there was some degree of public indignation.³ It would seem though that this was due more to a mixture of reactions ranging from disbelief by those loyal to their leader, to attitudes of "so what?" by others who could see that this was not the problem at hand. Indeed, the Anwar controversy has provoked unparalleled discussions on sex and sexuality in the country—sparing not even the minds of the young who demanded to know what the fuss around "liwat"⁴ was all about. But mainly these discussions have remained within smaller private circles or confined to coffeeshops and office-talk.

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There has been no shortage of protests against Anwar's dismissal and subsequent arrest. People have taken to the streets to voice their dissatisfaction and anger at a system of governance that they believe is unjust. Opposition political parties as well as members of civil society have even rallied behind public calls for the Prime Minister to step down from power. All these would have been unthinkable just a year ago. Against these developments, there has been a conspicuous absence of questions about—not to mention protests against—how relevant or appropriate it may be to persecute the former deputy for his alleged homosexual activities.⁵ (In fact, six months later, many seem to have forgotten, or perhaps are determined to forget, how and why Anwar Ibrahim had become unacceptable to begin with!)

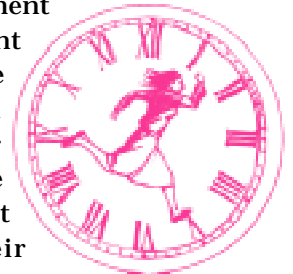
The absence of any organised challenge to the allegations of sexual impropriety is best understood as an inability and/or unwillingness to do so. It is not every day that homosexuality hits the front page of local newspapers. Although it is not a phenomenon alien to Malaysia, there is limited knowledge about it because, in general, sex and sexuality are taboo subjects in this country. So while it is not altogether uncommon for friends to talk about these topics, or for the media to bombard us with all kinds of sexual imagery, most Malaysians do not discuss sex and sexuality openly, much less freely raise questions in relation to these.

Rather than inspiring protests against the homosexual community, the Anwar episode has resulted in sodomy-related jokes being in vogue, in the process confirming the unease of many Malaysians in dealing with such issues. Put differently, an absence of discussions on sex and sexuality meant that people simply did not know how to openly challenge the State for using

homosexuality to tarnish the hitherto clean and pious image of the former leader. Most have been brought up to view homosexuality as a disease, a perversion and an unnatural state of being. How then could they effectively combat accusations that stemmed from the same premises?

The country's civil liberties movement was confronted with similar problems. At least two types of organisations—human rights groups and women's groups—should have been able to address the negative portrayal and stereotyping of homosexuals just as they would have challenged the same if it had occurred to any other marginalised community here.

Likewise with some prominent individuals who in different circumstances would have questioned such unjust and oppressive forms of behavior or action. Instead all were silent because they have not been able to extend their analysis of discrimination to encompass the right of all human beings—homosexuals included—to live freely and be treated with respect.



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Only several weeks later, when several politically-motivated individuals threatened to form PASRAH⁶—an organisation vowing to eradicate homosexuality—did we see some kind of response against the increasing hatred and intolerance towards a group of people whose sexual preference is different from that sanctioned by the rest of society. Two non-governmental organisations, the Malaysian Aids Council (MAC) and SUARAM (a human rights body), came out to condemn those behind PASRAH for inciting hatred and violence against their fellow Malaysians. MAC for example, argued that there was no benefit in being intolerant towards others, and how this was not in line with the spirit of a caring society which the State was trying to promote. It, however, was also careful to insist that its stand had nothing to do with “advocating homosexuality as a way of life” in this country.

The fact that those behind PASRAH could think of coming together to formalise their opposition to homosexuality demonstrates an

even greater need for the silence around homophobia to be questioned. Civil liberties bodies, by not speaking out at the time when homosexuality was used to justify Anwar Ibrahim's removal from power, sent out a message that they did not believe that this community of people deserved the right to live free from discrimination. Worse still, their silence could have been construed as support for actions against homosexuals. Groups like PASRAH will come about precisely if such silence is left unchecked and if value systems continue to select which forms of prejudice and discrimination are acceptable and which are not.



Asiapix Photo/Satchai Varanuvra

Malaysia's politically embattled former deputy prime minister, Anwar Ibrahim, pleaded innocent to charges of corruption and illegal sex acts and revealed he was beaten while under police custody.

Progressive women's organisations in the country⁷ have also been disappointing in their silence. They too were unable to see the interconnectedness between their various

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causes and the right of homosexuals in Malaysia to exist free from harassment and persecution. Again this is not surprising because it is only of late that the larger issues of sex and sexuality have been openly discussed within this circle. If sexuality has at all been addressed in the past, this has been limited to a form that deals with male sexual violence, and more recently HIV/AIDS. It is the missing discourse on women's sexual behavior and orientation that has contributed to the inability of women's groups to understand and deal with sexuality from a human rights perspective.

Even so, it would not be fair to criticize these

women's groups for remaining silent in the Anwar incident without acknowledging the circumstances in which they operate. There are well-founded fears, which prevent organisations from openly supporting some types of actions. There is, for instance, a fear of losing State-endorsed legitimacy, which has come about from years of hard work. Already NGOs share a very tenuous relationship with the State. Therefore it is understandable that such bodies would hesitate to do anything that may easily be used to discredit them. In addition, there are fears of repressive legislation being employed against those who step out of acceptable lines of inquiry. As such, major decisions taken by the leadership of these organisations, especially on issues that are "morally" questionable, almost always need to consider the implications in relation to the laws that operate.

In a multiracial society, there are also fears among women's groups whose membership are predominantly non-Muslim, of contributing further to existing racial polarisation by taking positions that are deemed culturally inappropriate to the majority of the Malaysian population.⁸ Time and again these groups engage in a form of self-censorship in the name of respecting the boundaries of culture. While there is a need to appreciate that cultural differences exist, it is also imperative to recognise that in agitating for change, we have

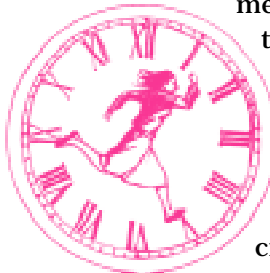
to learn to be inclusive and not privilege one community or group over another. This is far from an easy task but not an impossible one.

In fact, civil liberties groups and women's organizations alike must start thinking of ways in which they can overcome the above-mentioned constraints, rather than hide behind the pretext that it is not the right time to deal with this issue. Such a position inevitably elicits a "When will it ever be the right time?" response from its critics. After all, some of these organisations can and have challenged a range of other concerns which used to be or even still are, contentious.⁹ It is this which makes one wonder if the reluctance to speak out against the discrimination of people whose sexual preferences are different, is also motivated by an unwillingness to do so. In turn this unwillingness may partly be related to fear but it may also be a result of unquestioned prejudices against homosexuals and other marginalised sexual groups who do not conform to the imposed heterosexual norm.

In a country whose leaders advocate discriminating against and persecuting people whose sexual preferences are different, it is understandable why homosexuals themselves did not speak out during the Anwar incident. Given this, it is all the more important for other groups to stand up to the State in this matter. There are women's groups already working from the principle that women have a right to control their own bodies. Together with other organisations that deal with human rights issues, they are best placed to lead the challenge against homophobia and heterosexism that threaten to detract from their larger goals of creating a free, democratic and just society. The question however remains, when will they? ♡

Tan beng hui has been actively working with women's groups in Malaysia since 1990. She is presently involved in a project on sexuality rights which aims to address some of the issues she has raised in this article. She also welcomes all feedback at hak_seksualiti@hotmail.com.

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and see two articles "Out of the Closet and Into the Courtroom: Some Reflections on Sexuality Rights in Malaysia" by Alina Rastam; and "The Hot Potato: Sexuality Rights Advocacy in Malaysia" by Nadiah Bamdhaj. Beng Hui has written more extensively on the regulation of women's bodies—including an explanation of how this has evolved in this decade—and how women's groups need to step-up their challenges to this aspect of our lives. See Tan Beng Hui (1997) "Dressing Like a Man in Malaysia: The Discourse on Asian Values and the Regulation of Women's Sexuality" unpublished MA paper, The Hague: Institute of Social Studies.

Acknowledgements:

My deepest thanks to Alina Rastam and Sharon Bong for their encouragement and thoughts without which this article would never have materialised.

¹ Until then Malaysians had by and large shown restraint in questioning their system of governance. Supporters of Anwar however have since taken to the streets and organised public agitation across the nation as part of what is more popularly known today as the *reformasi* (reformation) movement.

² Sodomy is criminalised under the Malaysian Penal Code.

³ For the most part, my article is based on observations of the middle-class urban population of the nation's capital city, Kuala Lumpur.

⁴ This is the Malay term referring to sexual relations between male persons.

⁵ At the time of writing, the former Deputy Prime Minister has just been through a long-drawn-out trial on four charges of corruption. Significantly, even though he was also charged with sodomy, the prosecution did not choose to deal with these charges first.

⁶ PASRAH stands for *Pergerakan Sukarela Rakyat Anti-Homoseksual* or the People's Anti-Homosexual Volunteer Movement.

⁷ Here I am referring to groups whose understanding of women's issues is influenced by feminism and who agitate on a wider range of concerns including workers' rights, land rights and human rights, to name a few.

⁸ Malaysia has a multiracial and multireligious society, with Malay-Muslims comprising the dominant racial and religious grouping. The other two main racial groups—the Chinese and Indians—make up just under 40 percent of the populace.

⁹ For instance, more than ten years ago, domestic violence was not an easy issue for women's groups to raise and there were attempts by opponents to delegitimise efforts to raise it publicly by labelling women in these groups as "home-wreckers." Nonetheless they persevered and today more and more Malaysians have come to believe that domestic violence is unacceptable.