Malay Muslim Academic Women in Dual-Career Families: Negotiating Religious and Cultural Identities and Practices

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Abstract

This study focuses on Malay Muslim academic women in dual-career families in Kuala Lumpur and Selangor, Malaysia. I conducted semi-structured, in-depth face-to-face interviews with ten married academic women, five single female academics and three single male academics, while ten husbands of the married women were interviewed via email. The context in which modern Malay Muslim women operate is a complex one. On the one hand, Islam and the Malay *adat* (customary law), constructed as central to the ethnic identity of Malay Muslims, prescribe specific gendered expectations for women and men in both the private and public spheres. On the other hand, the state and global competition demand that women participate in the economy as well as in broader societal contexts. I explored how my respondents strategised in both employment and family life within the boundaries of their identity as Malay Muslim women. My study emphasised central aspects of Malaysian modernisation in relation to women, namely: education, employment, marriage and family, as well as family and working responsibilities and coping strategies. I found that access to education and the acceptance of women in employment had led my participants to pursue careers. With a recognised educational and career background, they had a degree of independence within marriage and in the formation of a family. After marriage, all these women had to abide by the accepted norms of gender, accepting their secondary position within and outside the family. At the same time, they revealed the importance of support networks in terms of family members, spouses and government policies, as well as being dependent on other women's reproductive labour (*e.g.* childcare centres or domestic helpers), in helping them to balance their family and career commitments. I argue that the women had some autonomy based on their education and employment, but this remained a subordinated category. Complications arose because the women still needed to manage and negotiate their position within their identity as Malay Muslim women and the patriarchal system ingrained in their culture. While Malaysia's drive for modernisation has improved women's lives, it has not radically transformed the patriarchal order.

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Background to the Study: Ethnic Identity, Gender and Family in Malaysia

Introduction

The purpose of this chapter is to contextualise the study in relation to the history and culture of Malaysia. The chapter is organised into two main sections. In the first section, a brief discussion of the background of multi-racial Malaysia is presented because it is this which has led to the construction of Malay identity. I begin with an historical overview of the Malaysian population, focusing on the arrival of various ethnicities, particularly during the era of British colonialism. I shall explore the impact of colonialisation on the existence of a pluralist society prior to and after Malaysian independence. This will be followed by a discussion of how citizenship within this pluralist Malaysian society was constructed during the colonial and post-colonial eras, and how it has given certain privileges to Malay citizens. I shall also discuss how religion and *adat* Melayu (Malay custom) have been acknowledged as symbolic elements in constructing the Malay Muslim identity. I shall emphasise the way in which the constitution defines what it means to be Malay, and how this has become the official ideology of Malay citizenship.

In the second section, I will explore the socio-cultural, political and economic landscape of Malaysia and how it relates to the official discourse on gender equality, which leads on to a discussion of the position of women in the public sphere. I shall concentrate on women's participation in education and employment and the interconnection between them, which has opened up many opportunities for women to make considerable progress in their lives. It should be noted that, although the government of Malaysia wants to be part of a modern globalised world by promoting gender equality and women's empowerment, the implementation of these aims is still somewhat limited. The discussion covers how the government is encouraging Malaysian women to be involved in employment and giving them more opportunities to enhance their own lives through various national policies and programmes, but it is also still seeking to maintain women's traditional position in the family.

Consequently, although many women have been actively participating in the paid labour force, at the same time they are also far more likely than men to be managing the household chores. Furthermore, the discussion acknowledges that the Malaysian government does not encourage a diversity of family forms as this is considered to contradict the religious and cultural norms of Malaysian society.

Malaysia's population

Malaysia[2] is made up of two main regions: Peninsular Malaysia (West Malaysia) and Malaysia Borneo (East Malaysia), and achieved its independence on 31 August 1957. On 16 September 1963, Malaysia consisted of Malaya, Singapore, Sabah and Sarawak. In 1965 Singapore left Malaysia, and today the country consists of thirteen states[3] and three federal territories[4] (Ruslan *et al.*, 2005; Hassan and Basri, 2005). The Malaysian population today is multi-racial, multi-religious and multi-cultural as a consequence of the arrival of immigrants from various ethnic groups at different times throughout the centuries (Andaya and Andaya, 1982; Ruslan *et al.*, 2005; Abdullah, 2010).

Malaysia as a nation is based on the *Sistem Kenegaraan Melayu* ("Malay Polity"). Between the sixth and tenth centuries, the history of *Sistem Kenegaraan Melayu* began with the term *Melayu* ("Malay") or *Tanah Melayu* ("Malay Land") (Sunharalingam and Haji Ismail, 1985; Abdullah, 2010). The word *Melayu* was originally associated with place, and it referred to the

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[2] The government of Malaysia practises Parliamentary Democracy, a Federal Constitution and an Elective Monarchy. Under this system, Malaysia has a three-tier government, consisting of federal, state and local levels. *Yang DiPertuan Agong* (King of Malaysia or Supreme Head of the Federation) is the head of state and the Prime Minister is the head of the federal government. At the state government level, nine of the states have hereditary rulers called the *Sultan* or *Raja* (Ruler or King), and four states, Pulau Pinang, Melaka, Sabah and Sarawak, have a *Yang Dipertua Negeri* (Governor), who is the Head of State as appointed by *Yang DiPertuan Agong*. Each state has its own constitution, and each state government is headed by a *Menteri Besar* or *Ketua Menteri* (Chief Minister) (Saleh, 2003).

[3] The region of Peninsular Malaysia includes the states of Pulau Pinang, Negeri Sembilan, Johor, Perak, Kelantan, Selangor, Pahang, Kedah, Perlis, Terengganu and Melaka; Malaysia Borneo comprises Sabah and Sarawak (*see* Appendix A).

[4] The three Federal Territories are Labuan, Putrajaya (the seat of the Federal Government) and Kuala Lumpur (Malaysia's capital city).

Malay Archipelago (Abdullah, 2010) or the Malay world,[5] which consisted of several Malay kingdoms[6] (Fee, 2001). Only in the eleventh century did it begin to refer to an ethnic group called Malays, who were the indigenous people of the Malay World (Wariya, 2010). The term Malay as a *bangsa* ("race") was widely used during the European colonisation of the Malay world.

In order to gain a deeper understanding of the reasons for the existence of this ethnically pluralistic society and the Malays' position in Malaysia, it is necessary to look at British colonial rule in *Tanah Melayu*.[7] Several studies of the multi-ethnic population in Malaysia have stated that British colonialism had a very significant effect on the construction of Malay identity (*e.g.* Baharuddin, 2001; Cheah, 2002; Ibrahim, 2004; Wariya, 2010; Wan Husin, 2011). The Malay World was divided into two territories when the Dutch and the British signed the Anglo-Dutch Treaty of 1824, whereby Indonesia was given to the Dutch and *Tanah Melayu* to the British. After that, *Tanah Melayu* was known as the Lands of the Malays or Malaya,[8] and the term became popular among the Malay people in the 1920s in the contexts of politics and colonialism (Wan Husin, 2011).

Prior to the British colonisation of *Tanah Melayu*, the Malays and Orang Asli[9] were the main indigenous ethnic groups, with the Malays forming the overwhelming majority. During the Malacca Sultanate era in the late fourteenth and early fifteenth centuries, trade and religious missionary activities brought Chinese, Indians, Arabs and others to the Malay Peninsula due to

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[5] The Malay World consists of Peninsular Malaysia, the east coast of Sumatra, Borneo, Indonesia, the Philippines, South Thailand and Cambodia (Purcel, 1962; Moorhead, 1963; Ryan, 1967; Andaya and Andaya, 1982).

[6] Historically, the kingdoms of Srivijaya, Majapahit and Melaka were among the original Malay polities during the golden aged of Malay civilisation (Purcel, 1962; Moorhead, 1963; Ryan, 1967; Andaya and Andaya, 1982).

[7] *Tanah Melayu* is known as Peninsular Malaysia today.

[8] During the colonisation of Malaysia by Britain in 1874, the term "Malaya" referred to three types of governance: the Unfederated Malay States, the Federated Malay States and the Straits Settlements (Hirschman, 1972: 486).

[9] There are three indigenous groups: Negrito, Semang Proto-Malay and Deutro-Malay, who are believed to have been the earliest inhabitants (Means, 1986; Fix, 1995; Comas *et al.*, 1998; Andaya, 2001; Adelaar, 2004). The majority of the Malay population is believed to be descended from one of these three indigenous groups (Winstedt, 1947; Ginsburg and Robert, 1958; Henderson *et al.*, 1970; Carey, 1976; Benjamin, 1985). According to Comas *et al.* (1998) and Fix (1995), the mixing through intermarriage between Proto-Malays and Siamese, Javanese, Sumatran, Indian, Thai, Arab and Chinese traders made them the ancestors of Duetro Malays, who are currently known as the Malays of the Malay Peninsula.

its geographically important position on the major Asian trading routes.[10] These peoples did not come as invaders or large-scale migrations, but many of them gradually mingled and inter-married with the Malays (Andaya and Andaya, 1982; Chaudhuri, 1990; McCloud, 1995; Mamat, 2007; Hussin, 2008; Hatin *et al.*, 2011). During this period, the Malay people had already accepted Islam as their religion,[11] used the Malay language in communication as the *lingua Franca*, and at the same time they continued to practise the Malay *adat* (traditional custom) in their daily lives (Wariya, 2010; Baharuddin, 2001), which was long established prior to the arrival of Islam in the fifteenth century (Hanami, 2002).

The original composition of the population in Malaya changed during the period of British colonial expansion from the middle of the nineteenth century to the early decades of the twentieth. During that time, there was a substantial influx of Chinese and Indian immigrants who worked as labourers in the plantations and mining industries and brought their cultures, religions, beliefs, education and family systems with them. This substantially transformed the social landscape of Malaya. In addition, to secure economic power, the British instituted a divide-and-rule policy which resulted in the socio-economic segregation of the Malayan population and an ethnic hierarchy, with the Chinese at the top, the Indians in the middle and the Malays at the bottom (Abraham, 1997; Jomo, 2004). Both the Indians and the Chinese were wage labourers: the Chinese lived in urban areas and worked in many modern occupations whereas the Indians lived and worked on palm-oil and rubber estates. Most Malays were engaged in subsistence agriculture and were concentrated in rural areas (Arasaratnam, 1970; Hirschman and Aghajaniam, 1980). When the British introduced the classification of the Malayan population using the term "race" to refer to *bangsa*, the term "Malay" came to refer to *bangsa* rather than to a place or *kerajaan* ("kingdom"). For example,

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[10] In the late fourteenth and early fifteenth centuries, Malacca was established and became known as the strategic hub of an international port and trading centre. It was situated at the midpoint along the Malacca Strait, linking Malacca to countries such as India, China, the Middle East, Sumatra, Java and Indochina. These factors attracted traders from those countries to Malacca (*see* Purcel, 1962; Moorhead, 1963; Ryan, 1967; Andaya and Andaya, 1982; Chaudhuri, 1990; McCloud, 1995; Mamat, 2007; Hussin, 2008; Hatin *et al.*, 2011).

[11] During the pre-Islamic period (between the second and thirteen centuries AD), Malay society, particularly in the northern part of the Malay Peninsula, is believed to have accepted the concepts of government, customs, religion and the arts brought by the civilization of India. Many aspects of Malays' lives were influenced by Hinduism (Moorhead, 1963; Ryan, 1967; Andaya and Andaya, 1982; Hatin *et al.*, 2011) but then their ways of life were replaced by Islamic civilisation, although some of them have retained the Malay culture, and have been categorised as non-Islamic elements (Andaya and Andaya, 1982; Baharuddin, 2005).

the term *bangsa Melayu* referred to a people who "belonged to a single community, sharing a common sense of identity and destiny" (Fee, 2001: 865). Mushi Abdullah[12] used the term Malay as *bangsa* to refer to "the primary community or collective identity" distinguishing Malays from others (the Chinese and Indians), particularly in the context of discussing Malays' economic status, their residential area, as well as their anxiety that Malays might be ruled by the Chinese and Indians (Fee, 2001: 865).

The most significant impact of the British policies was that the descendants of the Chinese and Indians stayed on after the colonial period, creating the pluralist society that exists in Malaysia today (Ibrahim, 2004). After independence, the term "race" as signifying *bangsa* established by the British for identifying the three main ethnic groups (Malays, Chinese and Indians) as the citizens of *Tanah Melayu* was adopted by the post-colonial government. This plural society also came to include the tribal minorities from Sabah and Sarawak when these provinces joined with the country in 1963 (Ibrahim, 2004; Abdullah, 2010). The interpretation of the term Malay as a *bangsa*, however, continues to emphasise that *Tanah Melayu* or Malaya was the "Lands of the Malays", belonging to and originally populated by a race called Malays (Abdullah, 2010). In fact, the modern name for the country, Malaysia, also clearly maintains this idea of *Melayu* (Wariya, 2010).

The ethnic diversity of modern Malaysia has been increased by the more recent arrival of immigrant workers from other countries, particularly Indonesia, Bangladesh, Sri Lanka, Pakistan, India, Burma and the Philippines, who have been attracted by the upturn in the Malaysian economy (Kassim, 1987). Today, the Malaysian population is classified into two main categories by the Malaysian government: Malaysian citizens and non-Malaysian citizens (*see* Table 1).

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[12] He is one of the most popular authors in Malaya; he lived in the Straits Settlements in the first half of the nineteeth century and worked as a languaged teacher. He was of mixed Arab and Tamil descent.

Table 1: The division of the Malaysian population by citizens, ethnic group and gender, 2010

Ethnic Group		Male	Female	Total
Malaysian citizens	*Bumiputera*	8,833,150	8,690,358	17,523,508
	• Malays	7,145,985	7,045,735	14,191,720
	• Other *Bumiputra*	1,687,165	1,644,623	3,331,788
	Chinese	3,289,411	3,103,225	6,392,636
	Indians	957,012	950.815	1,907,827
	Others	96,696	92,689	189,385
Non-Malaysian citizens		1,386,369	934,410	2,320,779
TOTAL		14,562,638	13,771,497	28,334, 135

Source: Department of Statistics, Malaysia, 2010

Malaysian citizens were further divided into new categories: *Bumiputra*, Non-*Bumiputra* and Others (Abdullah, 2012) in everyday usage, legislation and population censuses (Frisk, 2009). This further distinction reinforced the idea that Malaysia really belongs to the Malays, thus privileging them above all other citizens. Malays and the small number of aboriginal people in Peninsular Malaysia and the native groups of Malaysia Borneo were grouped together as *Bumiputra*[13] (which literally means "the sons of the soil"), whilst the Indians and the Chinese became known as non-*Bumiputra* (Suryadinata and Siddique, 1982).[14] "Others" consist of people who are not members of any of the three main ethnic groups and a small number of people such as Eurasians, Thais and Europeans. At the time of the 2010 census, the Malaysian population was more than 28 million; Malaysian citizens constituted the vast majority and *Bumiputra* were dominant, with Malays being the largest ethnic group of *Bumiputra*. Of the minority groups, the largest were Chinese and Indians (Department of Statistics, Malaysia, 2010).

In discussing Malaysian pluralist society, the history of country offers evidence that the construction of this society was not an historical accident. It was the result of various waves of

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[13] Although the aborigines and natives groups were classified as *Bumiputra*, they preferred to be categorised by their individual tribes (Baharuddin, 1996). Whilst the terms *Malay* and *Bumiputra* are commonly used interchangeably in Peninsular Malaysia, the term *Bumiputra* is only applied to aboriginal ethnic groups in Malaysia Borneo. Sometimes, the terms *anak watan* and *peribumi* are also used in Malaysia to refer to these indigenous ethnic groups (Suryadinata and Siddique, 1982: 663).

[14] I shall explain about *Bumiputra* and non-*Bumiputra* in greater detail in the discussion of Malay citizenship later on.

immigration, the introduction of the term *bangsa* by the British during their colonial rule, and its continuation as a result of the policies of the post-colonial government (Gomez, 2000; Muis *et al.*, 2012). Since my study focuses on the Malay Muslim community, it might be helpful to describe in greater detail how Malay identity has been constructed and is popularly understood today.

The citizenship of Malays in Malaysia: their identity as *Bumiputra* and Muslim

In the Malaysian context, the issue of citizenship was first raised by the British as part of their plans to establish a Malayan Union in 1946, when they returned to Malaya after the occupation by Japan ended in 1945. The idea of a Malayan Union was seen as another threat to the Malays after the divide-and-rule policy which had led to the economic dominance of immigrants and the socio-economic distinctions between the major ethnic groups (Wariya, 2010). The British wanted to grant citizenship with equal rights to the Chinese and Indian populations without any discrimination, based on the principles of *jus soli*.[15] The Malays were anxious about the loyalty of both ethnicities to *Tanah Melayu* as they were also allowed to hold their own country's nationality. The British also planned to abolish the power of *Sultan Melayu* (Malay rulers) and to place all Malay states under one government. In addition, the extremely harsh treatment of the ethnic minorities, especially the Chinese, during the Japanese occupation had added to the tension and conflict between the Malays and other ethnic groups. As a result, the British plans were rejected by the Malays because they greatly reduced their rights as indigenous people (Zainuddin *et al.*, 2010). At the same time, some aspects of the policy were also criticised by the Indians and Chinese (Rahim *et al.*, 2013).

On the one hand, the introduction of the Malayan Union stimulated the Malays' awareness of their position as the original inhabitants and their desire for protection, while the other ethnic groups wanted to be part of Malaya as their homeland. On the other hand, the Malays and other groups had been exposed to modern political culture and this became a platform for them to campaign for Malayan independence through co-operation. This resulted in the dissolution of the Malayan Union and led to the establishment of the Constitution of the

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[15] The principles of *jus soli* are based on two main criteria: the operation and the application of law. This automatically gave immigrants a right to citizenship which did not distinguish them from the Malays.

Federation of Malaya in 1948. An important part of the negotiations in formulating the Constitution of the independent Federation of Malaya was the agreement to protect the interests of Malays while not neglecting other ethnic groups (Mahdi and Mohd Fauzi, 2000; Baharuddin, 2005; Wariya, 2010; Ramli and Jamaluddin, 2011).

These negotiations resulted in "a bargain" by which those Chinese and Indians who were born before and after Independence Day were accepted as Malayan citizens[16] (Carnell, 1952; Mahdi and Mohd Fauzi, 2000; Baharuddin, 2005; Wariya, 2010; Ramli and Jamaluddin, 2011; Muis *et al.,* 2012). In return, they acknowledged *ketuanan Melayu* (Malay dominance), which gave several "special positions" to Malays, as stated in Article 153 of the Constitution of the Federation of Malaya. The privileges granted to Malays favoured them in positions, in education and government services, acknowledged Islam as the official religion, accepted the governance of *Raja-Raja Melayu* (Malay rulers) and established the Malay language as the official language (Baharuddin, 2001: 364; Rahim *et al.,* 2013: 40). This agreement was the product of a consensus between the British and the leaders of ethnically-based political parties, namely the United Malays National Organisation (UMNO), the Malaysian Indian Congress (MIC) and the Malaysian Chinese Association (MCA). It laid the foundations for the post-independence constitution, overseeing several issues, including: ethnic relations, power sharing, citizenship and the system of state administration. All these provisions are defended by the *Yang Pertuan Agong* and therefore cannot easily be questioned (Haque, 2003).

One crucial effect of the creation of Malayan citizenship was the dichotomous classification of *Bumiputra* and non-*Bumiputra* within the pluralistic society in order to distinguish between the native community and other ethnic groups. Identifying Malays' ethnicity in term of *Bumiputra* reflects their identity as the aboriginal peoples and the largest ethnic group, who are entitled to "special rights," a status which differentiates them from non-Malay and non-indigenous people (non-*Bumiputra*) (Mahdi and Mohd Fauzi, 2000; Baharuddin, 2001; Rahim *et al.,* 2013). The term was created by the first Malaysian Prime Minister to recognise the

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[16] Under the Constitution of the Federation of Malaya (1948), immigrants were granted citizenship according to the duration of their residency in Malaya. However, this condition was liberalised in 1952, when they were automatically granted citizenship by registration and naturalisation. Today, Malaysian citizenship is granted by operation of law, registration and naturalisation (Wariya, 2010, *see also* Appendix B).

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Malays and indigenous people in Peninsular Malaysia who are entitled to special rights under Article 153 of the Constitution of Malaysia, without neglecting the rights of the Chinese and Indians as non-*Bumiputra*. This dichotomy has ensured that the social, economic, political and cultural interests of the Malay people were protected. After Sabah and Sarawak combined with Malaya on 16 September 1963 to form present-day Malaysia, the Constitution of the Federation of Malaysia replaced the Constitution of the Federation of Malaya, with some amendments, but Article 153 remained, and was extended to the native groups in Sabah and Sarawak, who were also included in the category of *Bumiputra* (Loo, 2009).

Although, most of the time, Malaysian citizens seem to accept the provisions of the Federal Constitution, the country has not escaped ethnic conflicts. For example, after independence, the were "Race Riots" on 13 May 1969 due to the economic and political disparities between ethnicities, particularly between the *Bumiputra* (the Malays) and non-*Bumiputra* (the Chinese), in which many people died or were injured. This tragedy prompted the government of Malaysia to plan a range of integrated programmes and policies that were more tolerant to ensure that such ethnically motivated incidents did not happen again, and, so far, major conflicts have been avoided (Ramli and Jamaluddin, 2011). In spite of such plans, Malaysia is still experiencing a disparity of income between the major ethnicities as well as unemployment problems, and it is possible that these issues may lead to conflicts and tensions. Having addressed this potential for conflict between the various elements of the multi-ethnic society in Malaysia, it is important to note that Malaysian citizens are constantly reminded about all the provisions in the constitution that need to be respected and understood because it is not only a social contract, but also a supreme law, which is seen as the basis for communal harmony (Hickling, 1995; Ibrahim, 2000; Ali, 2008; Muslim and Samian, 2012).

Malaysian identities are also based on religion, culture and language. According to Geertz (1963), religion and language are crucial elements in the formation of ethnic identity and this can be clearly seen in the Malaysian case. For example, in general, all Malays are Muslims and speak Malay, almost all Chinese are Buddhists or combine Taoist and Confucian practices and speak Chinese dialects, and Indians are Hindu and speak Tamil (Lee, 1997; Haque, 2003). There are also some Indians, Chinese, and indigenous people who have converted to

Christianity or Islam, and a minority of Malaysians who practise Sikhism or Animism (Henderson *et al.*, 1970). Malaysia also officially defines one ethnic group "the Malays" using religion (Ali, 2008). This became evident when the definition of a Malay was institutionalised in the Federal Constitution of Malaysia (Hassan, 2007). Only Malays were given the exclusive right to have their ethnicity defined in relation to their indigenous status.

According to Article 160 (2) of the Federal Constitution (2010: 168), the term *Melayu* (Malay) refers to people who adhere to and profess the Islamic faith, practise the Malay *adat* (customary law) and habitually speak the Malay language as their mother tongue (Omar, 1993; Kling, 1995; Mahdi and Mohd Fauzi, 2001). This constitutional provision therefore defines a Malay as a Malaysian citizen on the basis of religion, culture and language, which indicates that these three symbols are actually the central indicators of being Malay. This has become a core and common identity which has formed a bond of unity for Malays that did not exist among other ethnic groups in Malaysia (Henderson *et al.*, 1970; Andaya and Andaya, 1982). Although there are different dialects and cultural practices among Malays in different states in the country, under this definition, they are seen as a homogeneous group (Gomes, 1999).

This official definition of Malayness has come to be used together with the term *Bumiputra*, and therefore the position of Malays has been strengthened to support the preferential policies (special rights) in favour of the *Bumiputra* (Brown, 2010). Frith (2010) endorsed this view, saying that, in the context of modernity, the construction of Malay identity has provided a space for the Malays to receive economic and political advantages, particularly when dealing with non-Malays and non-Muslim communities. Here, I would like to make it clear that the definition in Article 160, Clause 2, only applies to Malays in Malaysia and not to other Malay people in other Southeast Asian countries.[17]

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[17] Southeast Asia is the vast maritime-riverine complex that is also known as the Malay world, which consists of 250 million Malay speakers, of whom the majority is Muslims. Malaysia is one of the countries in the Malay world or Islamic world within this region. The Malay world of Malay-speaking Muslims has been divided into components and citizens of different nation-states in Southeast Asian countries. Malay Muslim people can be seen as dominant in countries such as Indonesia, Brunei and Malaysia, and they have also become minorities in countries such as the Phillipines,Singapore, Kampuchea and Thailand (Baharuddin, 2005). Thus, the definition of people who regard themselves as Malays in other Malay World countries could be different from the definition of Malay under the Constitution of Malaysia because the term "Malay" can be configured in diverse and complex ways (for example, Malays in Singapore and Indonesia) (*see* Lim, 2004: 118; Milner, 2008: 84).

Another issue that is central to the discussion of the Malay identity based on Article 160 (2) is the idea that being Malay automatically means being a Muslim (Haque, 2003; Mouser, 2011). Several scholars have indicated that the coming of Islam had a major impact on the socio-cultural life of Malays so that the two identities became intertwined, and this then shaped the identity of Malay Muslims in most of their daily activities (Nagata, 1986; Esposito; 1987; Derichs, 1999; Hooker, 2003; Aziz and Baharuddin, 2004; Rahim, 2005; Ismail *et al.*, 2012). For instance, Nagata (1986: 37) noted that the Islamic religion is "the tone of life" and "one of the principle sources of identity of Malay Muslims," and this notion is consistent with that of Aziz and Baharuddin (2004: 351), who stated that Islam is an "ethnic identifier" for every Malay individual.

Because Islam is so closely and strongly connected to the Malays (Yaacob, 2012), the understanding of the meaning of Malay has led to the construction of an ethno-religious identity (Haque, 2003). In this regard, Islam seems to represent a religious identity only for Malays, although Islam itself is understood as a religion for the *ummah*[18] worldwide. For example, Shome (2002) noted that a Malay in Malaysia has to be a Muslim, but to be a Muslim is not necessarily be a Malay. Martinez (2006) found that more than 50% of Malaysian Malays claimed their primary identity as Muslim. Thus, because of the religious construction of Malay identity, the term "Muslim" is used interchangeably by non-Malays to refer to Malays and also by Malays when talking about themselves (Beng, 2000; Yahya, 2001; Yousif, 2004; Zaki, 2008; Abdullah, 2010; Frith, 2010). Hence, for Malaysian non-Malays, to convert to Islam is in fact to become *Melayu* (Malay) (Roff; 1980; Gullick, 1988). Among non-Malays, there is a common tendency to worry about losing their own ethnic identity when they convert to Islam (Woon, 1989; Abdullah *et al.*, 2010).

It is believed that this situation came about because the ethnicity and the religion were categorised together as a "cultural cluster" (Woon, 1989, cited in Frith, 2010: 128). Woon, who studied the Chinese Muslim Dilemma in Malaysia (1989), found that the way in which ethnicity was being coded with religion had made Chinese-Muslims "other" instead of Malay because Islam had become associated with a Malay religious identity in the Federal

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[18] *Ummah* is an Arabic word that refers to all Muslims around the world. The universal nature of Islam does not limit it to any particular ethnicity but emphasises that Islam is a religion for all people.

Constitution (*see also* Roff, 1980; Gullick, 1988). It is evident that the understanding of an ethno-religious cluster exists when Malays are reluctant to associate Islam with "the-not-so-other" (Chinese Muslims) because Islam is a marker for Malays. Although they live in the era of modernity, the Malays are still conscious of their religious identity and therefore religion remains pervasive in identifying Malaysian Malays (Firth, 2010).

Another example of ethno-religious identity was demonstrated in the case of Lina Joy, a Malay woman who converted to Christianity (Brown, 2010). Although Article 3 (1) of the Federal Constitution (2010) states that Islam is the official religion, Article 11 explains that other religions can be freely practised. Yet Article 11 (4) further states that "state law and, in respect of the Federal Territories of Kuala Lumpur and Lubuan, federal law may control or restrict the propagation of any religious doctrine or belief among persons professing the religion of Islam" (*see* Appendix C). This provision dictates that Muslim Malay cannot convert out of Islam, in comparison with the non-Malay/non-Muslim population, who can apply any religious practice in their lives (Houben, 2003; Aziz and Baharuddin, 2004; Baharuddin, 2005). Thus, those who are born Malay cannot change their religion because they are automatically Muslim on the basis of ethno-racial descent (Mutalib, 1990; Bari, 2005). Constitutionally, a Malaysian Malay is not considered to be Malay if they are not Muslim (Roff, 1980; Gullick, 1988). For this reason, Lina Joy's appeal to remove the word "Islam" from her identity card was rejected by a High Court judge in reference to Article 160 (2). She was born Malay and that article determined that she must remain a Malay Muslim throughout her life. According to Brown (2010), Lina Joy's status as a Malay was the main reason why she did not win her appeals.

In addition to Islam, the Malay *adat* is also a defining element of Malay identity. The term *adat* was taken from an Arabic word and it has been used to explain the concepts, rules and codes of morals and manners in the life of Malays. According to Hooker (1970, cited in Wan Husin, 2011: 132), *adat* is the "System of Law for the Malay community." It is often referred to as being synonymous with "customs" (*upacara Amal*) or "culture" (*budaya*) (Karim, 1992: 14). The Malay *adat* is most commonly applied to all aspects of social life; for example, styles of dress, rules of social interaction and etiquette, and birth and marriage ceremonies. The role

of *adat* is often seen as a guide to social behaviour in areas which Islamic teachings may not touch upon. Kling (1995: 4) claimed that "*adat* was reinterpreted to mean the distinctive and traditional cultural configuration of society as differentiated from purely Islamic elements." For instance, a wife is encouraged to shake hands and kiss the hands of her husband in the family as a mark of respect, a behaviour that is not found in Islamic teachings.[19] Nevertheless, Islam has played a vital role in restructuring and transforming the Malay *adat* and allows it to be practised by the Malay people as long as it does not contradict Islamic teachings (Nicolaisen, 1983). Thus, Islamic beliefs became the basis for the Malays' traditional values and, together with the Malay *adat,* have shaped the Malay way of life (Nagata, 1974a, 1974b, 1994; Kling, 1995; Omar, 1996).

Although the Malay-Islamic identification has become the most crucial symbolic element of Malaysian Malay identity, there are Malay people who do not adhere to Islamic teachings, such as by having pre-marital sexual relationships, eating while the sun is up during *Ramadhan* (the fasting month), drinking alcohol in public and /or not wearing the *tudung* (headscarf). The definition of Malay in the Federation Constitution as Muslim and practising the Malay *adat* does not mention any obligation to implement both elements of identity in the life of every Malay person. However, because religion is seen as belonging to the public domain and is considered to be a collective rather than an individual and private matter, action will be taken by the Islamic authorities against those who are caught breaking the rules of Islamic teachings, and punishment will be meted out (Fealy, 2005).

It is evident that the historical, social and cultural factors of the pre-colonial, colonial and post-colonial eras, as well as the tensions, conflicts and negotiations within this multi-ethnic society, have all contributed to the ways in which the Malay identity was incorporated into the constitution. Indeed, numerous scholars have agreed that the idea and practice of Malay-Malayness in Malaysia was created by the British colonial presence (*e.g.* Baharuddin, 2001; Mahdi and Mohd Fauzi, 2001; Samah and Jawan, 2004; Hassan, 2007). Whilst the pre-independence social contract between ethnic groups ensured that the Malays' and indegenous peoples' special position as the native community is protected by the constitution of Malaysia,

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[19] It is also common to see young people shake hands and kiss the hands of elderly people as a mark of respect in Malay society.

at the same time the Indians and Chinese were free to engage in socio-economic and political activities, as well as to practise their own religions and cultures. Both indirectly and directly, this "bargain" led to the construction of the identity of Malay people as *Bumiputra* and Malay-Muslim to distinguish them from other ethnic groups under particular provisions in the constitution, and also created a national identity for Malays (Hamayotsu, 1999).

The Federal Constitution has played an important role not only in securing and maintaining the ethnic identity of Malays, but also their positions, rights and privileges, which can be seen to be implemented through government policies. As Milner (1998) and Ishak (2006) have argued, the construction of *Bumiputra* and Malayness has their own history and this is very significant in explaining how the identities were invented and contested. As will become clear, understanding the construction of the Malay identity is important in order to make sense of gender, the position of Malaysian women and the modern family in Malaysia; in particular, how these are bound by religious and cultural identities. It is also necessary to explore how socio-economic development and government policies have contributed towards increasing the number of women in employment in terms of national economic development and social empowerment.

National socio-economic development and its relation to gender and the modern family

> Malaya under the administration of the British government
> pursued a conservative policy of social reform and
> development. Aspects of modernity emerged during this time
> and there was an increased awareness of the need to modernise.
> (Hee, 2003: 304)

Hee's (2003) explanation of Malaysia's development is clearly associated with the modernisation which began under British colonialism during the period from 1874 to 1957 and was the starting point for the post-colonial government's shaping of its own modernisation. At the same time, the colonial economic and political systems continued to exert some influence. Many third-world post-colonial countries, including Malaysia, focused on economic and social development after their independence in order to enhance the well-being of their populations (Zain, 2000; Baharuddin, 2005). Successive post-colonial

Malaysian governments introduced a series of five-year plans, focusing particularly on the economy that pursued the aim of becoming a developed and modernised country (INTAN, 1988; Hussain, 1996).

The New Economic Policy (NEP) was launched in 1970[20] with the purpose of restructuring society and reducing the disparities between *Bumiputra* and non-*Bumiputra* as well as eradicating poverty (Stoever, 1986; Houben, 2003; Haque, 2003; Jomo, 2004). This policy was necessary because there was a socio-economic imbalance between the Malay community and the Chinese and Indians under British rule, since the Malays were mostly concentrated in rural agricultural areas and were not given the opportunity to enhance their socio-economic status[21] (Hirschman and Aghajaniam, 1980; Abraham, 1997). Indirectly, the aim of this policy was also "to raise the level of Malay participation in the modern economy" (Houben, 2003: 159). With the special privileges bestowed by the Federal Constitution, Malays were given extra advantages in employment, university enrolment, ownership of productive resources and access to bank loans and credit, as well as being encouraged to become involved in business[22] (Article 153 of the Federal Constitution) (Stoever, 1986; Houben, 2003; Shuib *et al.*, 2009). This policy has benefited the Malaysian population, particularly the rural Malay community, who have become involved in plantations and businesses, aided by the government, which has provided low-interest loans and some incentives to help them to progress (Shuib *et al.*, 2009: 97). This can be seen not only to have improved the economic situation of Malays so that they could have a better quality of life, but also to have produced a new Malay middle class (Embong, 2000; Jomo, 2004).

During the early 1980s, the progress and the structural transformation of the economy in manufacturing, the service sector, exports and employment (Ahmad, 1998; Embong, 2000) were taken as a sign that the process of modernisation had begun vigorously in Malaysia,

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[20] This policy has played a major role in enhancing the lives of Malays because it further expanded the Malay special privileges in education, investment and capital ownership.

[21] In order to preserve their interests in Malaya, particularly in securing economic wealth, the British had implemented a system called "divide and rule." This system had created an imbalanced ethnic division of labour and residential areas among the Malayan population (Abraham, 1997; Jomo, 2004).

[22] For example, forestry products and fisheries.

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