

# WOMEN'S ISSUES

---

# WOMEN'S PERSPECTIVES

Edited By

**Zaleha Kamaruddin**

**Zeenath Kausar**



Women's Affairs Secretariat  
International Islamic University Malaysia

0.6  
W  
5

**WOMEN'S ISSUES:  
WOMEN'S PERSPECTIVES**

**Edited By:**

**Zaleha Kamaruddin  
Zeenath Kausar**

**Women's Affairs Secretariat (WAFSA)  
IIUM**

<b>INTERNATIONAL ISLAMIC UNIVERSITY LIBRARY</b>
Copy no.: .....
Date: .....

Published by  
 Women's Affairs Secretariat (WAFSA)  
 Students Affairs Division (STAD)  
 International Islamic University Malaysia  
 P.O. Box 70, Jalan Sultan  
 46700 Petaling Jaya, Selangor  
 Malaysia  
 Tel 7903677, 7552418 Fax: 7588153

© Women's Affairs Secretariat (WAFSA)

Perpustakaan Negara Malaysia Cataloguing-in-Publication Data

Women's Issues women's perspective / edited by Zaleha Kamaruddin  
 Zeenath Kausar  
 ISBN 983-9727-01-X  
 1 Women in politics. 2 Feminist theory. 3 Women - Employment.  
 4. Wives - Effect of husband's employment on. 5. Divorce - Law  
 and legislation. 6 Married women - Legal, status, laws, etc. 7. Women  
 in the performing arts - Malaysia. I. Zaleha Kamaruddin. II Kausar,  
 Zeenath.  
 305.4

Year of publication. 1995

DTP and printed by Origin Media Communications Sdn Bhd.

## CONTENTS

<b>About Contributor</b>	iv
<b>Acknowledgement</b>	v
<b>Preface</b>	vi
<b>The Status And Role Of Women in Feminist Political Theory and Islam</b>	1
<i>Dr. Zeenath Kausar</i> <i>Department of Political Science</i>	
<b>Couples' Preferences for Employment, The Division of Family Labour and Women's Distress</b>	17
<i>Dr. Noraini Mohd. Noor</i> <i>Department of Psychology</i>	
<b>Women and Divorce: Legal Response</b>	37
<i>Dr. Zaleha Kamaruddin</i> <i>Kulliyah of Laws</i>	
<b>Malaysian Women in the Performing Arts and the "Non" - Issue of Female Stereotyping</b>	75
<i>Dr. Nur Nina Zuhra and Janet Pillai</i> <i>Department of English Language and Literature</i>	

## WOMEN AND DIVORCE : LEGAL RESPONSE

### Introduction

The purpose of this study is not to make detail proposals but rather to indicate a new direction in which the government could help support and protect the family. The Prime Minister of Malaysia, Dr. Mahathir Mohammad has emphasized in his Vision 2020<sup>1</sup> that society has a sound and reasonable interest in actively promoting the nuclear family as the chosen shelter for bringing up children who will take charge of the future.<sup>2</sup> To achieve these objectives, proposed reforms relating to divorce should be targeted with a view to relieve any problems relating to women and children. This proposal arises from the fact that, under the present divorce laws, the terms of exit from marriage are disadvantageous for almost all women in traditional or quasi-traditional marriages in Malaysia.

Practically, women have a share in promoting the nuclear family, since they bear a disproportional share of the hardship of its failure. Economically and socially, women everywhere are made vulnerable, by the historical correlation of female responsibility for bringing up children with female subordination and dependence.

The current practices of marriage itself contribute to economic inequalities between women and men. Okin suggested that the arrival of a child is most often the point where the wife becomes economically dependent.<sup>3</sup> Although this economically subordinate situation of women frequently remains concealed during marriage, it becomes instantly obvious on marriage breakdown, at which point the poverty of women develops into a public problem.<sup>4</sup>

Women carry far greater responsibility for domestic duties and children, whether or not they work outside the home. Constraints built into society limits women in their efforts to be successful providers for their families (Low level jobs and low-level wages typically paid to women employees keeps them from earning incomes that would adequately support them and their children).<sup>5</sup> The combination of domestic duties and unrewarding employment act as a strong deterrent to women working outside the home and so actually discourage them from doing so. Therefore, a woman's weak position in the labour market, which is itself a consequence of women's domestic role, in turn reinforces their subordination in the home.