

BATTERED WOMEN IN MALAYSIA

Prevalence, Problems and Public Attitudes



Pashidah Abdullah

Rita Raj-Hashim

Gabriele Schmitt

A Summary Report of Women's Aid Organisation Malaysia's
National Research on Domestic Violence

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The Research Group acknowledges the important contribution of Dr. Noraini Abdullah and Associate Professor Dr. Rohany Nasir, as the two core researchers. It was their excellent idea to link up with Survey Research Malaysia (SRM) in order to carry out a nationally representative study on the prevalence of woman-battering. They also gave much time to listen to the sad life stories of 60 battered women.

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Background

Between 1990 and 1992, Women's Aid Organisation (WAO), Malaysia, carried out a national research study on battered women. This was the first major research of WAO, which has, as one of its constitutional aims, "to encourage research into the causes or ways of preventing the suffering of battered women". WAO, which was established in 1982, provides temporary residential refuge and support services to battered women and their children, a telephone and counselling service, and a residential childcare centre for women living independently.

When the research was planned in 1989, no national studies existed on the issue of battered women. There was also no reliable data on the prevalence of the problem or public attitudes to battering. Few micro studies had been done and of these, only two studies were known to have actually interviewed battered women themselves. No research had been carried out with agencies that battered women turn to for assistance such as hospitals, the police and legal services. This research is thus the first of its kind in Malaysia and provides benchmark data on the extent of the problem of battered women, public attitudes and the experiences of public agencies.

Terminology

The term 'battered women' is used in this research because these women are the clientele of WAO, and the term is thus familiar to the public and the relevant agencies. The concept of battered women includes both married and unmarried women, therefore this term is preferred to 'battered wives' which excludes women in de-facto and other intimate relationships.

WAO understands battering to mean repeated and habitual physical and mental abuse. The focus of this research, however, is physical abuse, since physical abuse is easier to verify and most often used in statistics on woman-battering. The terms 'physical abuse', 'physical assault' and 'beating' are also used to describe acts of violence which on a continuum, range from one hit or punch to repeated assaults or battering. The term 'battering' is therefore referred to in this report interchangeably with physical abuse and other such terms, and is understood to mean the same.

The other broad term known in Malaysia is 'domestic violence'. Woman-battering (wife abuse) is only one kind of violence however which occurs in the domestic or family domain. The Domestic Violence Act 1994 of Malaysia also refers to violent acts against a child and against an adult who is not a spouse. Besides an act which causes physical injury, domestic violence in the Act also includes threats of injury, force in sexual acts, and confining or detaining a person against their will.

Research Objectives

The research had the following objectives.

- To assess the extent of woman-battering in Malaysia and the factors related and contributing to the problem within a multi-cultural context.
- To document the problems and obstacles experienced by battered women when they approach agencies for help and to understand better the perspectives and attitudes of agency personnel towards battering.
- To discuss and disseminate the research findings widely to the public and the relevant agencies, towards improving agency assistance to battered women, advocating law reform and reducing the extent of battering.

Researchers

The research was planned and co-ordinated by the WAO Research Group which was responsible to the WAO Executive Committee. The following researchers were commissioned to carry out the research.

- Dr. Noraini Abdullah, Head of The New Straits Times Research and Information Services Section (at the time of the research).
- Associate Professor Dr. Rohany Nasir, Senior Lecturer, Psychology Department, National University of Malaysia (UKM).
- Ms. Gabriele Schmitt, a Social Pedagogue.
- Ms. Salbiah Ahmad, Lawyer and Programme Associate with the Asia-Pacific Women, Law and Development Forum (APWLD), Kuala Lumpur.

Dr. Noraini and Dr. Rohany interviewed 60 battered women and liaised initially with Survey Research Malaysia (SRM), a well known social marketing company in Malaysia, in the planning of the national survey. Dr. Rohany also conducted some agency personnel interviews in Kelantan. Gabriele Schmitt completed an annotated bibliography of reviews of Malaysian and international research, and carried out both the police and hospital surveys in the Federal Territory and the State of Selangor, plus a study of WAO case records. Salbiah Ahmad carried out interviews with personnel of the Muslim and civil legal agencies. In addition, the Women's Crisis Centre in Penang, in particular, Joanne Lim Siew Thoe, conducted interviews with agency personnel in Penang.

The joint co-ordinators of the WAO Research Group between 1989 and 1994 were the following WAO members:

- Ms. Rashidah Abdullah, Co-Director, Asian-Pacific Resource and Research Centre for Women (ARROW).*
- Ms. Rita Raj-Hashim, Co-Director, Asian-Pacific Resource and Research Centre for Women (ARROW).*
- Ms. Gabriele Schmitt, Lecturer at the Language Centre of University of Malaya

(Note *: During the research fieldwork stage, they were both Senior Programme Officers at the Gender and Development Programme of the Asian and Pacific Development Centre.)

They shared responsibility for managing the research project in terms of liaison with researchers and the Executive Committee, conducting meetings, analysis of findings and overall report-writing. Besides the researchers and co-ordinators, the Group also had contributions over the years from a number of WAO members and staff, including Nalini Tharmalingam, Wong Yut Lin, Shanthi Diariam and Ivy Josiah.

Research Areas and Methodology

The research areas and methods used were as follows.

- A nationally representative random survey of adults in Peninsular Malaysia, both men and women, above 15 years of age, was commissioned to Survey Research Malaysia (SRM). Eight questions were integrated into SRM's monthly market research survey. This survey used a strict random probability sampling procedure to ensure true representation of the population in terms of age, ethnicity, gender and rural/urban location. The survey was carried out in 1990 and 1,221 people were interviewed (see Annex I for the questionnaire).
- In-depth interviews with 60 battered women were conducted in 1990/1991. The women were identified by agencies such as WAO, the Kuala Lumpur Religious Department (JAWI), the Women's Crisis Centre, Penang, the Good Shepherd Home and the Kuala Lumpur Town Council Flats counselling service (see Annex II for sources of referrals and questionnaires).
- Interviews with 77 police, hospital, and civil and Muslim legal agency personnel were carried out between 1990 and 1992. Thirty police personnel from the States of Selangor, Penang, Kelantan and the Federal Territory were interviewed including local police stations, district offices and the state headquarters. The hospital personnel comprised 37 doctors, psychiatrists and social workers from the Kuala Lumpur General Hospital, the University Hospital, Kuala Lumpur and the Kajang District Hospital in the State of Selangor. The ten legal agency personnel interviewed, included those from the Magistrates Court, the High Court, and the Legal Aid Bureaux (all civil agencies), the Syariah Court, the Syariah Prosecutor and the Religious Department Muslim agencies in the States of Kelantan, Selangor, Penang and the Federal Territory (see Annex III, Agency Personnel Interviewed and Questionnaires).

- Collection and analysis of official statistics provided by the police, hospitals, legal agencies, Department of Welfare Services and women's organisations on complaints by battered women or services rendered from 1989 to 1992 (see Annex IV, National Statistics on Battered Women by Agency).
- Analysis of 38 case records of WAO battered women residents who stayed at the WAO Centre in 1991 and 1992 (see Annex V for details).

Other than the nationally representative random survey carried out by SRM, the interviews and analyses were not representative of the whole country. They do, however, provide insight into situations which appear common throughout Malaysia.

Efforts were made to also include the Department of Social Welfare in the agency survey. One interview was granted. However, this was excluded in the analysis.

The Research Report

This report provides a summary of the main research findings and analyses, comparisons with similar Malaysian and international research, and key recommendations for action. Findings have been put in bold typeface in order to highlight them. Based on five in-depth reports of the findings of individual researchers, this report was originally intended to be the overview and summary chapter of a larger publication which would include the individual reports. It was decided, however, to publish this summary report separately with a shorter and more readable presentation. This will hopefully encourage greater utilisation of the research findings.

Prior to this publication, the research findings have been presented in Malaysian, regional and international conferences and have been used in Malaysia by policy makers, lawyers, women's organisations and the media in support of the urgent need for legal and other institutional and social reform to address the problem of woman-battering. The data on the prevalence of physical abuse of Malaysian women was included in the 1994 World Bank Publication *Violence Against Women: The Hidden Health Burden* (Heise et al). The findings were also one of the inputs in the ten year campaign of women's organisations for a Domestic Violence Act. The Act was finally passed by the Malaysian Parliament in mid-1994. At the time this publication was printed, the Act had not yet been enforced, pending the development of the Act's Regulations.

2

Prevalence of Physical Abuse

Nationally Representative Data

Many people gave advice. The next door neighbour is [a] Malay — most of the people in this village are Malays. Sometimes they help me. One day I slept at a neighbour's house. They told me to make a report. They said if people [were to come and] ask them, they could answer 'We have seen, we have eyes...'. There's one Malay neighbour at the back of my house. He said, 'If your husband beats you again, run over here... I will take you to the clinic and to make a police report. Come and I will help you'. Many people spoke like that. They had seen for themselves my husband beating me.

Interviews with battered women

Malaysia has a high level of physical abuse of women by husbands and boyfriends. 1.8 million women or 39 per cent of women above the age of 15 years are estimated to have been physically beaten by their husbands or boyfriends in 1989.

These figures were projected from responses to the following question in the nationally representative SRM Survey.

"In the past year, how many women do you personally know who have been physically beaten by their husbands or boyfriends?"

Nine per cent of the adult population of Peninsular Malaysia knew at least one such person. Projected to the adult population of Peninsular Malaysia, this means 847,000 adults knew at least one woman who had been beaten. Half of the respondents knew of more than one battered woman, and the number known ranged from two to more than five women. Almost half (48 per cent) of the women known were a close friend or a close relative, such as a sister or a mother.

Adults from all classes and ethnic groups residing in both urban and rural areas personally knew women who had been beaten. More Indian respondents (22 per cent), however, knew of such women compared to 9 per cent of Chinese adults and 8 per cent of Malays. This implies that there may be a higher prevalence of woman-battering in Indian communities, even though it cannot be assumed that the different ethnic groups personally knew only battered women from their own community.

Agency statistics show a trend of more Indian women seeking services related to battering compared to the other communities. In police statistics, although the largest group of women reporting marital violence are Chinese, Indian women are overrepresented by more than double their number in the population (Zaman Khan, 1993). The statistics on marital violence cases of the Department of Social Welfare of the Ministry of National Unity and Social Development show that more than half of the women seen were Indian (Department of Social Welfare, 1987-1992). The annual statistics of Women's Aid Organisation reveal a similar trend, with more than 60 per cent of women residents being Indian. Although it is a common speculation that more Indian battered women need welfare and WAO services due to their lack of economic and social resources in comparison to other communities, these service statistics do seem to point out that Indian women may experience higher levels of physical abuse.

Comparison with Other Research

- Malaysia** This is the first research in Malaysia which is nationally representative. Prior to this research, there was no reliable estimate of the prevalence of woman-battering. Statistics from agencies in contact with battered women were used to estimate the extent of the problem.
- International** Compilation of current research in 35 countries by the World Bank has revealed that between one-quarter and one-half of women have been physically beaten by their partners (Heise, 1994).

(See Figure 1: Prevalence of Wife Abuse in Selected Countries).

Agency Statistics

- Accuracy of Statistics** It is not possible to accurately estimate the prevalence of woman-battering based on statistics from the police, legal agencies, hospitals, social welfare or women's organisations. The police, social welfare and Muslim legal agencies have attempted to compile national figures on woman-battering but very few battered women seek help from these agencies. In addition, only the police, social welfare and a few legal agencies have a specific recording category called wife abuse (domestic violence). These agencies do not appear to give priority to identifying battering cases in their recording procedures. This results in underreporting and inaccuracies evident in annual fluctuations and large differences in the statistics of individual states (see Annex IV, National Statistics on Battered Women by Agency).
- Police Statistics** Extremely few battered women report incidents of physical abuse to the police. Between 1990 and 1992, the average number of reports made nationally was 452 (Bukit Aman, 1991 and Zaman Khan, 1993), and this figure remains the current trend. The SRM Survey showed that 1.8 million women were estimated to have been beaten by their husbands or boyfriends in 1989, whereas during the same year, only 909 women actually reported this kind of assault to the police. This implies that only 0.05 per cent of battered women in 1989 made a police report.

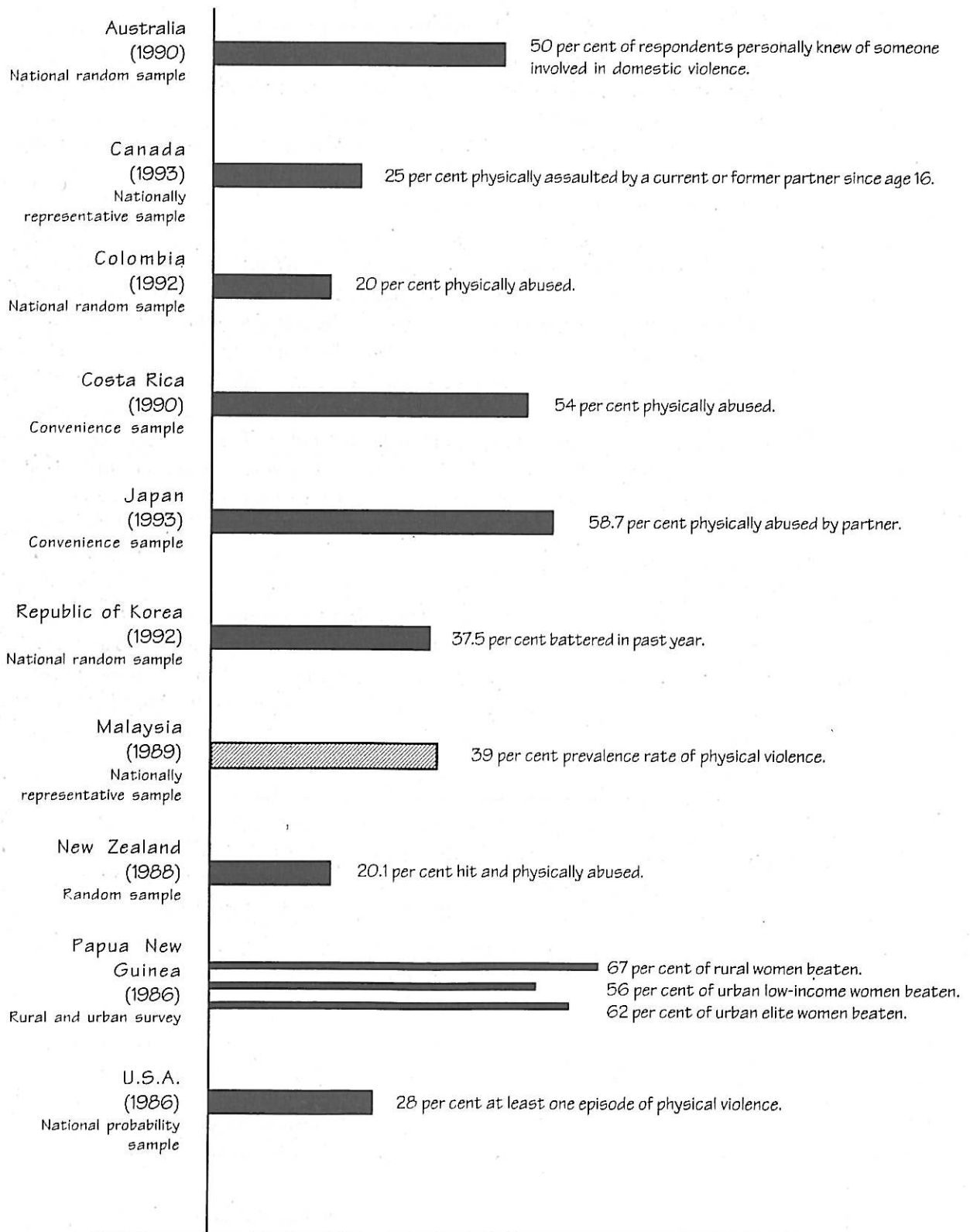
I can't hit him back.
If I retaliate, he hits
me harder. I can't
fight back.

Interviews with
battered women

A number of factors are thought to contribute to this low reporting. These include the reluctance of battered women to make their problem public and seek assistance due to shame, fear of retaliation from their husbands, lack of family and social support, unawareness that physical abuse is a crime, and the belief that the police and the legal system cannot help them. Findings on public attitudes support this speculation.

Only 22 per cent of the public stated that a woman who has been physically abused by her husband or boyfriend should make a police report (SRM Survey, 1990). This attitude suggests underlying beliefs that such abuse is not a crime, and/or that police and legal intervention is not necessary as the problem is a private family matter.

Figure 1
Prevalence of Wife Abuse in Selected Countries



Data Sources:

1. Heise (1994) for all countries excluding Australia and Malaysia.
2. Commonwealth of Australia (1992).
3. Survey Research Malaysia (1990).

Comparison with Other Research

Malaysia No previous national research has been done to analyse agency statistics or to find out attitudes towards woman-battering and the level of reporting of physical abuse to the police. Women's organisations, however, have known from discussions with battered women who seek their services, that very few women make reports, that this is usually done when the women cannot take the abuse anymore, and that often these reports are not taken down by the police who see the conflict as domestic.

The All Women's Action Society Malaysia (AWAM) jointly conducted a newspaper survey on Domestic Violence with The Star, an English daily, in 1989. Out of 715 people who responded to the questionnaire, 88 per cent of the public agreed to the statement that "A battered woman can make a police report and charge the husband for assault". This is a large percentage differing from this research which found that only 22 per cent of the public thought battering should be reported to the police. The two surveys cannot be strictly compared as the AWAM-Star survey was not a random sample, but biased through self-selection as people interested in the issue responded. Also, the SRM Survey question was attitudinal and open-ended ("What should a battered woman do?").

International Global analyses such as that of the United Nations, 1989, contend that statistics culled from police records and other official sources, while indicating that wife abuse is a problem, notoriously only present the tip of the iceberg. The reasons given for this are similar to those suggested by this research on page 6.

The percentage of police reports made by battered women varies in other research in Western countries, ranging from 2 per cent to 12 per cent of the violent incidents (Smith, 1989). Malaysia's estimate of 0.05 per cent is very low in comparison to these figures. As the issue of battered women has been publicly discussed in western countries for two decades and in Malaysia for only a decade, this could account partly for the difference.

3

Effects of Physical Abuse

Physical Injuries

Type of Violence

After the children came, he began to beat me. He beat me all the time... One night, when I came back from work, he stabbed me with a knife. He tied up the children with raffia... I called the village headman to ask him to help report to the police.

Interviews with battered women

Battered women in Malaysia are subjected repeatedly to physical abuse, extending from beatings and kicks, to attempted strangulation, stabbing and threats with a knife or sharp instrument. Of the 60 battered women interviewed:

- 92 per cent had been kicked, punched or slapped.
- 22 per cent had suffered attempts of strangulation.
- 10 per cent had been stabbed or threatened with a knife or sharp instrument.

In the study of the 38 WAO case records of battered women in 1991 and 1992, it was found that:

- 70 per cent had been beaten by hand, with a bamboo, a stick, an iron pipe, a broom, a chair, and wood.
- 50 per cent had been threatened with bodily injury with similar objects described above plus a knife, chopper or scissors.

Abuse in Pregnancy

Battering during pregnancy appears common. Of the 60 battered women interviewed, 68 per cent had been beaten when pregnant. Seven per cent of the 60 women had their abdomen stepped on when pregnant. In the study of the 38 WAO case records, 3 per cent of the women reported miscarriage as an outcome of physical abuse and 3 per cent had to be hospitalised during pregnancy.

Sexual Abuse

Sexual coercion and abuse appears frequent. In interviews with the 60 battered women, 50 per cent reported the husband had used physical force during sexual intercourse. In the study of WAO case records, the percentage was 26 per cent.

Injuries

Most common injuries battered women had sustained were bruises and swelling (50 per cent), whereas a smaller proportion experienced cuts (8 per cent), head injuries (5 per cent), burns (5 per cent), fractures (3 per cent) and miscarriage (3 per cent) (WAO Case Record Survey). Police statistics show a similar pattern of injuries. Of the 1,357 reported cases of wife-battering between 1990 and 1992, 7 per cent were classified as 'grievous hurt' or 'causing hurt by dangerous weapons or means' which could include injuries with outcomes such as loss of sight, hearing or a limb, permanent

disfigurement, bone fracture or severe bodily pain (Zaman Khan, 1993). Applying 7 per cent to the projected figure of 1.8 million Malaysian women beaten in 1989 (SRM Survey), 126,000 women suffered moderate to severe injuries or grievous hurt. This is a large number of women, revealing that battering has serious health outcomes for many women and therefore has extensive implications for the health care system. Injuries seen by doctors of Accident and Emergency Departments of the government hospitals included bruises, burns, broken ribs and fractures.

Frequency of Abuse

Most battered women are frequently beaten by their husbands or partners. The WAO case record study found that 16 per cent of battered women reported daily violent incidents, 18 per cent weekly incidents and 11 per cent infrequent incidents, ranging from several times per year to once a year. Thus, even if the injuries resulting are slight such as bruises and swelling, the trauma of fear, anxiety and domination repeatedly experienced has damaging psychological effects.

First Occurrence of Battering

For the majority of battered women interviewed (55 per cent), the first incident of physical abuse occurred between the second to the fifth year of marriage. A large number of women (35 per cent) reported the first incident in the first year of their marriage. Physical abuse by the husband thus begins early in the marriage. This is also supported by the WAO case record survey.

Comparison with Other Research

Malaysia

He has beaten me when I was pregnant. I think I was eight months pregnant when one night he wouldn't let me come in. He [had] locked all the doors. I stayed outside the whole night. In the morning, he opened the door because the other teachers were coming to school.

Interviews with battered women

The findings of this research in terms of the type of physical abuse, injuries sustained, frequency of abuse and the first occurrence of battering in the marriage, are similar to other micro studies. For example, Chopyak and Abdullah's (1986) study of case records of 26 residents of WAO found that these women had suffered from repeated assault, some for more than ten years. The women had been punched, kicked, bitten, and beaten with a cane, belt, iron chain or iron bar. Several had been threatened with a knife or gun, one had boiling water thrown at her, and one was tied up and forced to drink pesticide. Several women were kicked in the abdomen when pregnant and several had miscarriages as an outcome.

What is different in the 1992 WAO research is the methodology of interviewing battered women directly. The findings, therefore, validate previous indirect studies of case records of battered women. This research highlights the fact that pregnant women are vulnerable to battering, and also that sexual abuse and rape within marriage are common occurrences.

International

The physical injuries of Malaysian women who are battered and the nature of the violence (type, frequency, etc.) are the same as reported in other countries such as the United States, Kuwait, Kenya and Chile (United Nations, 1989). The occurrence of sexual violence and rape with the physical attack is also noted in this United Nations report and other literature reviews (Smith, 1989). Andrews, 1987, in Smith, 1989, found that women reported more severe beatings when they were pregnant and were twice as likely to experience miscarriage or stillbirth than women who were not beaten. Heise's (1994)

He would force me [to have sex], like an animal — standing up, sideways, on my hands and knees, on my back... This is what makes me most sad. If I don't want to, he forces me... If I don't do what he wants at the time, he [would] punch me in the face. If I put on a sour face, he punches me... When I'm in the middle of cooking, he tells me to come into the bedroom. I must go into the room even though I'm half way through cooking and the children are crying... He says [things like], 'I can marry four [wives]. My desire is strong. You don't realise. Look for women for me'.

Interviews with
battered women

global review for the World Bank confirms that pregnant women are prime targets for abuse. Heise refers to a large study in Baltimore and Houston, in the U.S. (McFarlane et al, 1992), which found that one in every six pregnant women was battered during their present pregnancy. Studies in Mexico City and Costa Rica also confirm that battering during pregnancy is high and that miscarriages occur subsequently. Dobash and Dobash (1989) in their United Kingdom research found that violence entered the relationship early; half of the women were assaulted in the first year of marriage or cohabitation, and there were very few cases in which violence began after the first three years.

There is almost universal agreement that physical abuse escalates in frequency and intensity over time, that weapons are often used, and that if violence occurs once, it is likely to happen again (Smith, 1989). Other studies have shown that psychological effects are common. Psychological battering in the forms of verbal abuse, restriction of social mobility, and material deprivation often accompanies physical abuse. Battered women are more likely to suffer stress, anxiety, panic attacks, depression, suicide attempts, and post trauma stress reaction which results in helplessness and low self-esteem (Smith, 1989; United Nations, 1989).

4

Why are Women Physically Abused?

Acceptability of Violence

I don't know [why he gets angry]... He gets angry quickly... He says [that] I don't know how to serve him (layan dia), I talk big (cakap besar) in front of him, I don't know how to take care of men.

Interviews with battered women

"Is it right to physically abuse a woman?" When this question was asked in the SRM Survey, it was found that 15 per cent of Malaysians, both men and women, believe and openly admit that physical abuse of a woman is acceptable. More Malays (22 per cent) hold this view compared to 8 per cent of Indians and 6 per cent of Chinese. When 15 per cent is projected to the adult population, this means 1.3 million people have this belief. This is a large proportion of the population.

Acceptable Circumstances for Physical Abuse

"In what circumstances is it right to physically abuse a woman?"

For the 15 per cent of the public who believed it is right to physically abuse a woman, their main responses to the above question in the SRM Survey were:

- When the woman is not faithful (72 per cent).
- When she does not obey the husband/do as she is told (58 per cent).
- When she refuses him sex (4 per cent).
- When she does not follow the religious tenets (3 per cent).
- When she does not perform household chores (3 per cent).
- When she leaves home without the husband's knowledge (3 per cent).
- When she overspends (2 per cent).
- When she dominates the husband; is talkative; stubborn; beats the children; retaliates; behaves indecently; gambles; does not take care of the family (1 per cent each).

When I want to go out, I ask him... If I don't, when I come back, he is angry.

Interviews with battered women

These circumstances were common responses for both genders (men and women), and respondents from all ethnic groups, with some interesting differences shown in Table 1, reflective of gender attitudes and culture.

Analysis of acceptable reasons for physical abuse shows that the common basis is when the woman is not acting as she is expected to or should in her role as a wife (e.g. being faithful, obeying the husband, agreeing to sex) or in her role in the family (e.g. carrying out household duties, caring for the family, etc.). It can be inferred that people who believe a woman must obey her husband do not believe in the equality of men and women and the mutuality of their roles in the marriage and family, but expect men to be the dominant gender. When women do not subordinate themselves to the authority of men or play

I work as a part-time seamstress. Why don't I want to live with him anymore? Because he doesn't even take care of our food needs (tak tanggung makan kita). He depends on me. I go out to earn money for food and buy him cigarettes. I pay for everything. Then when I come home, he hits me. He tortures me. He says, 'You have another man'. He says things like that. Then he hits me again. If a male neighbour comes to the house to invite us all for a feast (kenduri), he says [that] I'm interested in following the man.

Interviews with battered women

Table 1
Selected Acceptable Circumstances for Physical Abuse of a Woman
(in percentages)

Types of Circumstances	Male	Female	Malay	Chinese	Indian
Is not faithful	76	67	77	55	33
Does not obey husband	62	53	63	26	55
Does not perform household duties	1	6	1	—	40
If beats children	—	2	—	—	10
Does not take care of family	—	2	—	10	—
Leaves home without husband's knowledge	1	5	4	—	—
Refuses husband sex	3	5	5	—	—
Does not follow religious tenets	2	4	4	—	—

Source: SRM Survey, 1990

Notes:

1. People gave more than one circumstance.
2. The data refers only to the 15 per cent of the respondents who said physical abuse of a woman is acceptable.

the expected role, it is then believed that men have the right to beat them in order to control them or compel them to act in specific ways.

Not being faithful to the husband is the highest ranked acceptable reason for abuse, inferring that infidelity is the most unacceptable behaviour of a wife. This is not surprising as it reflects the norm in Malaysian society that marriage is a monogamous agreement for the woman, and that for the woman, being sexually faithful is the most important requirement of marriage.

It is possible that respondents who did not believe it is right to physically abuse a woman could also have believed that a woman is subordinate to a man and should obey her husband. They did not, however, condone violence to enforce this. Other non-violent methods of social control may have been used. More research in this area is required.

Perceptions on "Why Do Men Batter Women?"

Public Beliefs

The SRM Survey found that the main reasons given by the public for "Why do men batter women?" were jealousy (41 per cent), alcohol (32 per cent), financial problems (27 per cent), stress of work (24 per cent), "husband/boyfriend has an uncontrollable temper" (8 per cent). Only 3 per cent gave "wife is not faithful" and 2 per cent "wife disobeys husband's instructions" as perceived reasons for battering, whereas these were the top acceptable circumstances for battering given by 15 per cent of the public in response to a later question. There was little variation in responses by gender or ethnic group. One difference was that the Chinese and Indians' main reason was alcohol. In terms of gender roles, only 2 per cent of the public believed the man's "sense of superiority" was one of the causes.

**Battered
Women's
Perceptions**

The 60 battered women also gave the main reasons for violence as jealousy (42 per cent), followed by "husband has another woman" (23 per cent), financial problems (22 per cent), problems with in-laws (18 per cent) and drug addiction/alcoholism (13 per cent). Work stress as a reason was given by only 1.7 per cent of the women as was "husband wants to exert power over wife".

**Perception of
Police Personnel**

When interviewed, police personnel working at police stations gave alcoholism as the main reason for physical abuse of women, followed by financial problems, jealousy and "husband has another woman/wife". Beliefs of the police working at this operational level, were thus the same as the general public (SRM Survey); only the order of the reasons given differed. Police officers at the National Headquarters of Bukit Aman gave two explanations. First, the misconception of men that in certain religions (presumably Islam), they have the right to beat their wives if they think their wives have done something wrong. Secondly, the misconception of women that they are subservient to men (that is, to husbands) and should play a passive role in the home (Bukit Aman, 1991, Questionnaire for WAO). Senior police officers at Bukit Aman thus expressed an understanding of the causes of battering focused on gender roles and relationships rather than individual psychology and social environmental stress. This difference in police beliefs could be related to differences in the educational level and exposure to the problem of violence against women amongst the police. For example, the Bukit Aman Headquarters has a special all women unit dealing with rape and domestic violence.

He hit me when he drank [alcohol], but sometimes also, he hit me when I wore attractive clothes. He was jealous! He didn't like it when I dressed up, my hair looked nice and I put on make-up... he would get angry!

Interviews with
battered women

Although the police headquarters expressed the view that there is a misunderstanding that religion (Islam) allows men to beat their wives, some other officers at station level believed the opposite as the following response shows, "In Islam, the husband can beat his wife. Not very hard but just to show her the way". The fact that 22 per cent of Malays in the SRM Survey were found to believe that physical abuse of a woman by a man is acceptable (by far the highest proportion amongst the communities), seems to show that a large number of Muslims may believe that Islam condones wife abuse. Whereas in The Islamic Family Law Act (1984), cruelty by a husband to a wife, including physical abuse, is a punishable offence in its own right as well as grounds for divorce in most states. There are, however, many views on what constitutes cruelty and battering, and a Malaysian women's organisation has interpreted the relevant verses in the Qu'ran to mean that a man is not permitted to hit his wife (Sisters in Islam, 1991).

**Explanations for
Battering Given
by Hospital
Personnel**

Hospital personnel gave alcoholism as the main reason, followed by financial problems, extra-marital relationships and nagging by women. When asked what were the deeper underlying reasons, they referred more to culture and societal values, including the dominance of men and the submissiveness of women, and the accepted norm that it is permissible to beat one's wife. Social workers and psychiatrists were found to be more likely to give these underlying reasons.

Analysis of 'Triggering' Factors

Most agencies' personnel responded to the question of "Why do men batter women?" by giving perceptions on the immediate causes of conflict which led to battering. This research has called these 'triggering' factors and has grouped them into the following categories for analysis.

Psychological Factors

- A man's personality and behaviour: use of alcohol and drugs; jealousy; man has another woman/wife; uncontrollable temper; gambling.
- Woman's personality and behaviour: man has another woman/wife; jealousy; nagging.

Social/Environmental Factors

- Financial problems; work stress; problems with in-laws.

Gender Roles and Relationships

- Belief that men are superior; wife not performing household duties; husband wants to exert power; belief that certain religions accept wife-beating.

The public, battered women, and the police and hospital personnel interviewed, generally explained why men batter women by referring to psychological factors, followed by social/environmental factors. Few referred to gender roles and relationships, specifically the unequal distribution of power of men and women in marital relationships. This explanation was more common among the senior police or hospital staff, rather than personnel at the operational level.

Comparison with Other Research

- Malaysia** There is no Malaysian research which has previously examined nationally representative beliefs of the public on why men batter women. AWAM, with The Star newspaper, carried out a newspaper survey on domestic violence in 1989 which included responses to statements given on why men beat their wives. Sixty-nine per cent of the public agreed that "the husband beats his wife because he is mentally ill", 72 per cent disagreed that "women are beaten because they disobey their husband" and 40 per cent agreed that "some women are beaten because they are constant naggers". These findings, although not nationally representative, indicate a tendency to view causes of battering to be in the personality of the individuals such as mental illness and nagging rather than social structural or gender role causes.

The micro studies of Chopyak and Abdullah (1986), Hoon and Yusoff (1987), Chin et al (1988), and Al-Hadi (1990), which examine case records or interview battered women have come up with similar immediate reasons or 'triggering' factors of violence, including the use of alcohol, jealousy, extra-marital relationships, financial problems and the husband's personality. Each study mentions some of these factors. Chopyak and Abdullah's analysis also included the structure of the marital relationship; the attitude of men that they have the authority to control their wives and the hierarchical structure of men and women in the family and society, with men having more power. Studies by psychiatrists and counsellors such as Hoon and Yusoff and Chin and Ong emphasised psychological and social stress factors in their analysis of causes of battering whereas social worker-women activists Chopyak and Abdullah stressed social structural factors interrelated with gender inequality.

International

Psychological factors. Much of the early research in the 1970's into the causes of battering focused on the personality of the man and woman as victims. Gayford, 1975, in Smith, 1989, for example, concluded that men in the U.K. who abused their partners were pathologically jealous, and badly brought up. Storr, 1974 reported in Smith, 1989, wrote that nagging, aggressive women are often unconsciously seeking what they fear most.

Two other causes which have often been suggested are the use of alcohol by abusers and the cycle of violence, in which people who were victims or observers of family violence in childhood are more likely to become abusers or victims in their adult life. Alcohol has been repeatedly associated with wife-battering (Gelles, 1974; Roy, 1982; and Dobash, 1979) in Smith, 1989. Researchers such as Kantor and Straus, 1987 and Pahl, 1985 (Smith, 1989) argue that there is no simple cause and effect relationship in the use of alcohol and that excessive alcohol consumption may be used more as an excuse for violence rather than a cause.

If I'm in the wrong, I will admit it... But don't say things about me that upset me. Don't say that I am an animal, a curse, mad... I am a human being like him also.

Interviews with battered women

Regarding the cycle of violence theory, researchers such as Roy, 1982 and Kalmuss, 1984 (Smith, 1989) found evidence to relate childhood experience of violence with adult domestic violence for the abuser but not for the victim. As not all of the abusers experienced childhood violence, nor are all who experienced childhood violence abusers themselves, the explanatory power of this theory is only partial. The excessive use of alcohol and the inter-generation cycle of violence are seen as contributory factors or a co-existing condition, but not direct or primary causes of battering.

Socio-structural factors. More empirical studies by Straus (1982) and Gelles and Cornell (1985) summarised in Smith 1989, argued against such an individualistic explanation. Their research found that men who hit their wives do not have a particularly high incidence of psychological problems. Straus' (1987) most recent analysis of wife-beating (Smith, 1989), found that the greater degree of equality between men and women, the lower the rate of wife-beating. Straus and other sociologists emphasise socio-structural factors which include the acceptance of men's domination and the role of men as the head of the household, and the expectation of women to be good wives and mothers. Gelles' (1983) theory is that inequality in the family is brought about by the acceptance of this power structure as a norm in society.

He hits me with his hands, sometimes he uses wood. He holds on to my hair (my hair is long) so I cannot move, then he would hit me. He likes to punch my face with his head... he likes to punch. When he has enough, he pushes me outside. He says, 'Go out, don't come inside the house and he locks the door'. I wait outside until nighttime... at times like that I don't know what to do... I wait until two or three in the morning until he thinks of the cold. Only then he opens the door.

Interviews with battered women

It is reinforced by the lack of societal control over family relationships which thus limits the 'costs' of violence in relation to its 'rewards' for men. Gelles argues that when these social factors combine with the man's individual motivation factors, then wife-beating occurs.

Gender factors. Other explanations coming from research done by the women's movement, critique both psychological theories and social structure explanations. These researchers reject a solely psychological explanation. The fact that battering is so prevalent in most societies, they believe, shows that it is not due to personality problems of the male or female (Kersti Yllö, 1988). Recognising that social structure factors are very important, gender researchers contend that these theories do not adequately explain why violence is seen as the appropriate response to conflict. Dobash and Dobash (1979) found that the 'triggering' factors most often leading to violence were husbands' jealousy, difference in expectations regarding the wife's domestic duties, money and alcohol. (These factors are very similar to the perceptions in this Malaysian research). Husbands in abusive relationships seemed to use the control of money as part of a general attempt to control their wives. Any attempt by wives to assert themselves or question the authority of men was interpreted as wives getting above themselves and therefore they had to be put back in their place.

The analysis of some sociologists (Dobash and Dobash, 1979; 1984), psychologists (Walker, 1984) and lawyers (Freeman, 1984) reported in Smith 1989, is that generally violence is a reflection of unequal power relationships and that wife-battering therefore reflects the unequal power of men and women in society and in their personal relationships. Dobash and Dobash explain women's subordinate status with reference to the institution of patriarchy which has two components. Societal institutions which define and maintain women's subordinate position and thus prevent them from influencing the social order and ideology and the values and attitudes in the socialisation process which ensures acceptance of that order.

Reviews of gender researchers' analyses of battering by Yllö and Bograd (1988) and Smith (1989) contend that gender researchers and theoreticians do not dismiss the relevance of psychological and social stress theories. These researchers argue that the explanations are not sufficient to answer the question of why women most frequently are the victims of physical abuse by their husbands and partners. They connect psychological theories and social structural explanations with an understanding of patriarchy. What is not yet understood is why some men may choose not to abuse their power and beat their wives.

David Levinson's (1989) cross-cultural study of family violence in 90 societies provides important insight into significant factors. The factors that predict low or no family violence (including wife-beating) are monogamous marriage, economic equality between the sexes, equal access to divorce by men and women, frequent intervention by neighbours and kin in domestic disputes and norms encouraging the non-violent settlement of disputes outside the home. In this anthropological study, wife-beating was correlated with male domestic and economic authority. This evidence supports the gender inequality theory

He has hit me from behind with the broom and the mop. He has hit me with anything he can [use], like a belt. He doesn't care if it's a sharp [object] or not.

Interviews with battered women

of domestic violence and the idea that some societies (or communities) develop a culture of violence.

National analyses: Canada and Australia. Governments are currently moving towards a more complex understanding, based on research, of the high prevalence of physical abuse of wives. This includes the issue of gender inequality (United Nations, 1989). Canada and Australia are at the forefront of national research and innovative action programmes on violence against women. The Canadian Report *Changing the Landscape: Ending Violence Achieving Equality* (1993) states: "It is our belief that all social institutions, from the family through to the legal-judicial system, are characterised by unequal power relations between men and women..... In the family, these power imbalances may express themselves in various ways, from an unequal division of household work or child care, to violent verbal, psychological, physical or sexual attacks."

Australian Government's Stand

The Australian National Committee on Violence Against Women's Position Paper (1992) states: "Male violence against women needs to be understood in its entire social context rather than being analysed individualistically. Violence against women is a product of the social construction of masculinity; the set of traditions, habits and beliefs, which permit some men to assume dominance and control over women, and thus, to assume the right to use violence as a means of exercising that dominance and control..... The commonly quoted causes of violence alcohol consumption, stress, emotional trauma, conflict or provocation by the victim serve as excuses for the violence, which are used to justify the violent behavior. Yet, many men and women consume alcohol, become emotionally traumatised or experience stress without deciding to resort to violence." Australia has developed a National Strategy on Violence Against Women (1992) which reflects this position. Australia is the only country known to the WAO Research Group to have carried out a nationally representative research on public attitudes towards battering. One in five Australians were found to accept physical force by a man against his wife in certain circumstances (Commonwealth of Australia, 1992).

5

What Should Battered Women Do? Public Responses and the Realities

Public Attitudes

The public were asked in the SRM Survey, "What should a woman do when her partner batters her?". The main findings are given.

Reporting Battering to Agencies

Only 30 per cent of the public stated that a woman should report the beating to the police, religious authorities (for Muslims), social welfare or women's organisations. There were cultural differences, with more Chinese and Malays (both 32 per cent) believing this action was necessary compared to only 14 per cent of Indians. No gender differences were apparent.

Women are culturally bound to stay in the family... Only a brave woman can break out.

Interviews with doctors

Only 22 per cent of the public stated that the woman should specifically make a police report. Malays gave almost equal importance to reporting battering to the religious authorities (14 per cent) as to the police (18 per cent). Thirty-two per cent of Chinese mentioned a police report compared to only 14 per cent of Indians.

Less than 1 per cent of the public said that a battered woman should approach the Department of Social Welfare or women's organisations.

Seek Family Assistance

Thirty-two per cent of the public thought a battered woman should "speak to the elders" in the family. More Malays and Indians (27 per cent) held this view compared to only 12 per cent of the Chinese.

Be Patient or Fight Back

More people mentioned that an abused woman should "be patient" (15 per cent) compared to those who said "retaliate" (2 per cent) or "tell her husband/boyfriend not to do it again" (5 per cent). Indians (20 per cent) believed in patience more than other communities (14 per cent and 15 per cent for Malays and Chinese respectively), but there was no gender difference. More women than men thought fighting back was a good idea, and more Chinese held this view.

Take No Action

Eight per cent stated that a woman should "do nothing" with slightly more women and Indians holding this view.

I was really troubled... I spoke to his adik (younger brother or sister), 'I want to leave now'. 'Go', they said, 'tonight or tomorrow. Make a police report, get the police to come. Call the police and tell them your story about your husband [beating] you'. He knew who was in the wrong. But the police can't come when we call them. How can they come? I've told them all about myself. The police said, 'This is a husband and wife affair; it's because he drinks'.

Interviews with battered women

Taking Action

SRM respondents gave only one main response to the question "What should a woman do when her partner batters her?". This response can therefore be regarded as an opinion on the most important action a woman should take. A majority of 65 per cent thought a woman should seek assistance of some kind (reporting battering or speaking to family elders) which shows the positive view that outside help is needed. The fact that only 30 per cent, however, recommended approaching agencies for help reveals that most of the public appear to believe that battering is a problem which should be resolved within the family itself. This is validated by the high proportion (22 per cent) who said that the woman should seek help from the older family relatives. A significant proportion (23 per cent) of the public advocated no action from the battered woman. It was thought she should be patient (15 per cent) or do nothing (8 per cent). Speculation can be made as to whether people holding these opinions also believe the man has a right to beat his wife. The low percentage of the public (22 per cent) recommending that a police report be made leads to the speculation that besides the belief in the privacy of family matters, many people do not know that spouse assault is an offence under the Penal Code.

Public Responses

"What did you do when you were aware that a woman had been physically abused?". This question asked of the public in the SRM Survey revealed that 60 per cent of people who knew of a woman who had been abused "did nothing". Twenty-two per cent "gave advice to the couple", but only a small number of people (24 per cent) took any concrete action to intervene in the situation. This consisted of "tried to stop" the violence (8 per cent), "reported to the police" (2 per cent), and "informed elders in the family" (7 per cent). Seven per cent also sought help from other family members, neighbours, or friends. Only 1 per cent of the public contacted women's organisations. In interpreting these findings, it needs to be remembered that 50 per cent of the women known by the respondents to be battered were acquaintances or distant relatives. Direct intervention to assist these women therefore may not have been possible or appropriate due to the gap in time between the occurrence of the actual incident and knowing about it, and the location of the battered woman. It is not known what proportion of the acquaintances were neighbours living nearby.

Comparison with Other Research

Malaysia

The few micro studies interviewing battered women have not included a focus on actual assistance given by relatives, friends, or the public to battered women.

International

Dobash and Dobash' (1979) interviews with battered women found that while relatives and friends were usually sympathetic when they knew a woman had been battered, the advice that was given was on how to cope with the violence rather than how to change or leave the relationship. The researchers saw this as reflecting various beliefs regarding the privacy of the home, the hierarchical relationship between husbands and wives, the realities of women's economic dependence and responsibility for children, and the lack of alternative accommodation.

Dobash and Dobash found most neighbours unsupportive, distant and unlikely to inform the police. In their study, only 7 per cent of police contacts related to woman-battering were made by neighbours. Neighbours often justified their inaction by referring to their fear of being assaulted themselves.

Pahl (1985) and Bowker (1983), reported in Smith (1989), record battered women being more satisfied with help given by friends rather than by family members, most of the friends being female. Within the family, these researchers noted that it was mothers and sisters that women usually turned to for help. Direct confrontation of the husband by the family members occurred rarely in the Bowker and the Dobash and Dobash research.

Battered Women's Initiatives

Reporting to the Police

When she comes to the station, she wants to make a report. After sweet words from her husband — you know our Malaysian women are very soft-hearted, and the men are smart — she will withdraw [the report].

Interviews with police personnel

As mentioned earlier, extremely few women were found to report incidents of physical abuse to the police. In 1989, only 909 women nationally made police reports whereas the projected prevalence of physical abuse of women was 1.8 million. This means only 0.05 per cent of battered women made a police report. Inaccuracy of recording and reluctance of some police officers to take down reports of women who suffered minor injuries are thought to be contributing factors to this low figure.

Both the interviews with police personnel and the Bukit Aman Questionnaire revealed that the police know that when a woman comes to the police station to make a report, it is not the first time that she has been battered. Most women who seek help from women's organisations have never made a police report and only do so after advice from the staff. Bukit Aman personnel stated that women "want police intervention to call up their husbands and advise them to stop battering their wives". They consider this is why women approach the police for protection rather than to initiate prosecution of their husbands.

Prosecution of the Husband

Civil Assault. Between 1990 and 1992, 1,234 or 91 per cent of the total number of women who made police reports were referred by the police to the Magistrates Courts to prosecute their husbands if they wished (Zaman Khan, 1993). This entailed hiring their own lawyer and full payment as civil cases are not eligible for legal aid, and long delays. Statistics on the number of women who actually went ahead with this action and the actual outcome were not available from the courts.

Criminal Assault. Only 6.2 per cent of the police reports battered women

made during 1990 to 1992 were assessed to be criminal cases which involved serious injuries or the use of dangerous weapons. At the end of 1993, only seven or 0.5 per cent of these criminal cases had been brought to court and the remaining 5.7 per cent were still under investigation (Zaman Khan, 1993), indicating that there may have been insufficient evidence or some other problem in the majority of the cases.

**Complaints to
the Islamic
Religious
Department**

Muslim women who have been beaten by their husbands were found to have approached state religious departments for help. Statistics on the number of these women, however, are not reliable. For example, the WAO researchers were informed that for 1989, the Kuala Lumpur Counselling Unit of the State Religious Department of the Federal Territory recorded 151 cases of wife-battering and that in the Kota Baru district, in the state of Kelantan, there were 35 reports. National figures, however, supplied by the Federal Islamic Centre (Pusat Islam) for 1989 were only a total of 217 cases (see Annex IV, National Statistics on Battered Women by Agency).

**Assistance from
Women's
Organisations**

The number of battered women who sought assistance from women's organisations for advice, counselling, or temporary accommodation, appears low in comparison to the projected estimate in the SRM Survey, of the number of women who have been beaten by their husbands or partners. Between 1990 and 1992, WAO provided accommodation for an average annual number of 68 women, and individual face-to-face counselling to 263 women (WAO Annual Reports).

**Assistance from
Accident and
Emergency
Departments**

I didn't want to go back [to him]. He came and forced me, and quarrelled with my family. He took me and came down here.

Interviews with
battered women

A sizeable number of battered women were estimated to be seeking medical assistance from the Accident and Emergency Departments of government hospitals in Kuala Lumpur. Doctors interviewed from the A & E Department of the General Hospital estimated they each saw between one to three battered women per week. Six out of 20 A & E doctors were interviewed. In University Hospital, the two most senior doctors of the total of 12 A & E doctors recalled respectively that they had treated one battered woman per day to three to four women per week. For Kajang Hospital, two to three cases involving battered women out of about 20 assault cases were estimated to be seen each month. The actual figures are thought to be higher, as at the time of the research, no specific statistics were required to be routinely collected on battered women. Compared to the number of 208 police reports recorded of battered women in the Federal Territory and the State of Selangor for 1990 (Zaman Khan, 1993), the women estimated to be seen at hospitals is a higher figure. This supports the finding that very few battered women make a police report.

**Leaving the
Husband or
Partner**

Only 1.5 per cent of the public stated in the SRM Survey that a battered woman should leave her husband either temporarily or through divorce. Of the 60 battered women interviewed, 40 per cent had left the husband once or twice, 18 per cent three to eight times, and 8 per cent more than nine times. The main reasons they returned home were as follows:

- For the children's sake (47 per cent).
- The husband pleaded or promised that he would not beat her again (17 per cent).

I haven't kept count [how many times I have left him], but it must be about six times... But he is clever at persuading me, appealing to me to go back... Just before, my aunty also appealed to me to go back because I'm not yet divorced... 'It's not good to leave the house', she said, 'It's wrong!'

Interviews with battered women

- Parents' and in-laws' persuasions (9.5 per cent).
- Due to economic reasons (7.5 per cent).

At the time of the interview, 68 per cent of the women were working outside the home and 32 per cent were working at home as housewives. These figures were found to be closely related to the women's marital status at that time. More than half (52 per cent) were separated, 17 per cent divorced and 32 per cent were still married and currently living with the husband.

A close relationship can therefore be inferred between the occupational status of the women and their marital status as all separated or divorced women interviewed were working outside the home. It is not known, however, how many of the women were working when they were married and to what extent the work rate increased when they separated from their husbands.

The 60 women interviewed appeared to be better educated and therefore, to have attained higher paid occupations than the average Malaysian woman. For example, 10 per cent of women employed were in administration and managerial positions, and 6.7 per cent had professional or technical jobs compared to 2.3 per cent and 7.9 per cent respectively in the 1990 census.

The majority of women in the WAO case record survey had left their husbands, eight of them once and 15 of them twice or more.

Comparison with Other Research

Malaysia

I don't want to go back. I think I've been here [at WAO] nine days now. I feel tonight my life is a bit easier. But I'm thinking of my two children. I'm afraid that he may come here. Everything else is okay.

Interviews with battered women

Some of the micro studies carried out in Malaysia looked at battered women's initiatives or the lack of it, in changing their situation. A study initiated by the Accident and Emergency Unit of the General Hospital, Kuala Lumpur, interviewed 186 battered women seeking hospital services from February to July, 1993 (Abu Hassan Asaari, 1993). Studies looking at battered women generally included the question of: why women returned to their husbands after having left for shelter or other resources and/or why they remained in a violent marriage for so long. Reasons for remaining and returning were more or less the same: for the sake of the children, because of economic dependence, not being able to cope with the status of a single mother, obligation to keep the family together (Chin, Ahmad and Ong, 1988; Chopyak and Abdullah, 1986; Al-Hadi, 1990). Only two studies mentioned resources the women turned to (other than the place where they were contacted by the researchers). Chin et al (1988) found that apart from the hospital, help was mostly sought outside the family, at agencies or from friends.

International

International research has examined 'help-seeking' behaviour of battered women more in terms of the resources the women approached and the services given (Smith, 1989). Little research has focused on talking to the women themselves. The Dobash and Dobash interviews with 109 battered women is one of the most detailed research into 'help-seeking' behaviour and is still relevant today (Dobash and Dobash, 1979; Smith, 1989). Although very few women in the Dobash and Dobash research had never approached anybody at all, it was not known how frequently they did seek help. Women tended to

Before, there were so many times I left the house. Many times... I would leave for one day and go back the next. Once, I left three times in the same week!

Interviews with battered women

confide in friends and family members first and as the violence increased over time, they finally approached agencies where hospitals and doctors were the most common source. Police, welfare departments and women's organisations were other sources. The authors stress the importance of an adequate response from agencies at the right time. Ninety per cent of the women have left their husbands temporarily and most of the women developed a characteristic complex pattern of staying, leaving and returning home. At first, they returned in hope of their husbands' reform; later, because of their children, for the sake of the family, and because they had no other alternatives. The most common reason for staying and leaving was the children.

There is no doubt that the police's role in wife assault is ambiguous and the task very difficult. Much of the ambiguity arising from the conflicting view of their role as counsellor or law enforcer is a reflection of ambiguities in society itself. Part of society regards wife abuse as criminal activity, while part is of the view that a man has a right to do as he wishes with his wife. Again, part of society thinks whatever happens within the confines of the home should be private and not open to public scrutiny, while the other part is of the view that a crime is a crime no matter where it occurs.

United Nations, 1990, pg. 57.

6 Problems Faced by the Police, Hospitals and Legal Agencies

The Police

The police play a key role in providing assistance to battered women. As a law enforcement agency concerned with protection of people and property, the roles they play are determined by the law itself and the specific procedures required to implement the law. As a public agency accessible to the community all over the country from city to district level and providing a 24-hour service, the police are in a very good position to help battered women. The research found, however, a number of serious problems which hampered the police from playing a more effective role.

Inadequate Powers

I am very cautious when a family dispute takes place..... if you interfere, the husband may sue you.....; the police always get it.

Interviews with police personnel

The main problem perceived by the police personnel themselves was found to be their inadequate power under the law to intervene in most woman-battering cases. This was revealed in interviews with the police at operational level as well as in responses by the National Police Headquarters in Bukit Aman to the WAO questionnaire.

Assault of a woman by her husband or intimate partner is an offence under the Penal Code as is any kind of assault. However, a report by a victim of battering does not legally or administratively require immediate police investigation or action. The police have the power to intervene only in those cases of assault which are classified by the legal term of 'seizable offences' and in cases where a special order is issued by the Deputy Public Prosecutor. In layman's terms, assault cases are only investigated by the police in the following circumstances:

- serious injuries were inflicted (e.g. fractures, loss of hearing or sight);
- injuries were inflicted with dangerous weapons;
- criminal intimidation was used (e.g. the threat of the use of dangerous weapons); or
- a special order is issued.

Assaults which do not occur in these circumstances are classified as 'non-seizable', meaning the police have no power to investigate or arrest. Cases are referred to the Magistrate Courts which are civil courts, for further action.

In the police agency survey, it was found that attitudes of the police to this situation varied. Some police were particularly sympathetic to battered

women. They explained that battered women do not usually make a police report the first time that they have been beaten, and that such women are often assaulted and threatened regularly. The police thus went out of their way to help, not following procedures strictly. Other police personnel said that they followed the law and did not visit the home and investigate, especially as husbands tend to see this as interference.

Role of Police

Whilst the police know their legally mandated role in relation to battered women, the police interviews revealed the perception that the public often did not understand the role and powers of the police. Battered women who made police reports, for example, expected the police to intervene in their situation and tell their husbands or partners to stop assaulting them.

I believe in counselling and sometimes it helps; the fellow changes and the couple comes back to me thanking me for my advice.

Interviews with police personnel

Police response to battered women's requests varied. A few reported that they did interview the husband, even though it was not their role if the assault was a minor one. Some others recalled mediating by giving advice to women "to think again" before making a police report, particularly if it was the first time their husbands had beaten them. Thus, although it is compulsory for the police to take down the report of an offence by a member of the public, not all police did so with battered women's cases. Other personnel took on the social welfare role of mediator, giving advice to the couple "to patch up the relationship", telling the wife "to take better care of the husband" or to the husband "to not do it again".

The problems with this mediator role is that the attitudes of the individual police personnel determine their advice and action rather than a required procedure. The police are not trained to give advice on marital conflict or wife-battering, and therefore, do not have the necessary knowledge and skills in this area. Although well-intentioned, they could be prolonging the suffering of battered women and their children, and also be placing them at risk through their advice to "be patient". The message given to women is that their problems are not serious, there is no legal solution, and that they should resolve their own conflict. Above all, if nothing is said to the women or their husbands on the non-acceptability of the use of physical force in the relationship, then the police are condoning and reinforcing such violence.

Some police expressed frustration when battered women wished to withdraw the police reports they had made, or to drop the criminal charges against their husbands, after police investigations were complete. This frustration biased the police in their future dealings with battered women as they did not regard report-taking and prosecution as seriously as they should, due to the possibility of the women changing their minds.

This frustration is understandable. However, those police personnel who know the reality of battered women's lives the fear of their husbands' retaliation, some women's economic dependence on men, and the lack of social support, would understand the dilemma of such women as to whether or not to take legal action against their husbands.

Limitations of the Law

The last time he beat me, I couldn't take it anymore. I didn't have any money. I was crying and didn't know what to do... I went to the police, and they came here and arrested him. I told them it was a drug case — for drug cases, the police are different.

Interviews with battered women

The police saw one of the related problems being the law itself. The questionnaire completed by the Federal Police Headquarters, Bukit Aman, (1991) pointed out that the current law does not differentiate between assault by a stranger, neighbour or husband, in terms of police powers and intervention, and that "our laws are perhaps inadequate in that there are no specific provisions for wife battery".

"Perhaps organisations such as yours [WAO] could make recommendations to the proposed Domestic Violence Act to empower the authorities more swiftly" (Questionnaire, Bukit Aman, 1991).

The above statement implies that police headquarters understand that the nature of wife battery is different from common assault between strangers or acquaintances which is usually a one-off event. Wife-battering, on the other hand, is often habitual and comes together with psychological abuse and damage due to the abuse of the intimacy of the relationship. Thus, although the physical injuries are not serious in many of the cases, the psychological effects of repeated violence are, and as assault re-occurs, there is the chance of serious injuries in the future. This is why Malaysian police at policy and planning level, have supported initiatives to pass a Domestic Violence Act. The law at the time of this research (the Penal Code) has the underlying assumption that physical abuse of wives by husbands is not a serious crime as long as the injuries are minimal.

Police Attitudes towards Battering

But sometimes it is the woman's fault too. After a long day's work, the husband comes home and the wife starts grumbling. Let the man cool down first. You must be diplomatic..... If not, you deserve a slap.

Interviews with police personnel

Police attitudes to "Why do men batter women?" were discussed in detail on page 14 of this report. As mentioned, police personnel at station level were found to have similar attitudes to the general public as to why husbands physically abuse their wives. Some police blamed the husband's personality, others the wife's behaviour and some believed that Islam allows a man to beat his wife.

These attitudes would invariably be expressed in the advice given to couples by the police and the action police take or do not take to record or investigate a complaint. Without in-depth orientation or training on the problem of wife-battering, the attitudes of some police personnel will remain obstacles to preventing battered women receiving the assistance they need.

Lack of Appropriate Classification Terms

Terms used for battered women's cases referred by the police to the Magistrate Courts were 'misunderstanding' or 'quarrel' which were given as the reason for the assault and written on the top of the referral report. These terms trivialise the circumstances and efforts of battered women to change their situation.

It is a husband and wife matter as long as there are no serious injuries.

Interviews with police personnel

Another term used by all police officers when discussing battering is 'family matter' or 'private matter'. These terms are spontaneously used, often together with: "The police cannot do much, it is a family matter." This is also said to battered women which makes them believe that the public cannot help them and that the problem has to be solved within the family. The terms thus do not convey the fact that domestic assault is a crime under the Penal Code and that legal action can be taken.

Comparison with Other Research

Malaysia

There is no Malaysian research known to have interviewed the police in order to understand their attitudes towards battered women and the problems they face in carrying out their legal role, as well as in assisting the women generally. Women's organisations, however, in particular WAO and the National Committee on Domestic Violence, have been in regular formal and informal dialogue with all levels of the police since 1985 when the need for a Domestic Violence Act was first proposed. Through these dialogues, meetings and seminars, the police have expressed similar problems, such as inadequacies in the law and police powers, and inadequate public understanding of police roles in domestic violence cases. This research thus validates and documents these problems. What is new from the research, is a deeper understanding of the dilemma faced by the police, restricted by inadequate laws on the one hand and yet being requested by battered women to take a more active role in protecting them and stopping their husbands' abuse.

International

A number of studies in Britain and the United States have shown that police officers believe that domestic violence is not proper police work but is rather a matter for the civil law (e.g. Pahl, 1982 and Edwards, 1986, referred to in Smith, 1989). This belief reflects an underlying assumption that wife-battering is a domestic private matter. On the basis of interviews with U.K. police, Edwards (1986) concluded that police regard domestic violence as a normal occurrence in family life. Intervention was considered necessary only when a weapon was used or when there was serious injury. Other studies (Mc Cabe and Sutcliffe, 1978, in Smith, 1989; Dobash and Dobash, 1979) have recorded genuine concern and sympathy felt by the police for battered women. A common belief, however, is that the marital relationship should be preserved.

'Victim reluctance' to go ahead with legal action against husbands is a frequent reason given in the research literature for lack of police intervention in wife-battering cases (Smith, 1989). Some studies have pointed out, however, that the evidence is unclear as to how frequently this occurs and to what extent the police themselves influence whether a complaint is withdrawn.

In terms of the role of the police, studies show that in cases of wife-battering, police practice is to attempt to counsel or mediate towards reconciliation rather than to fulfill a role of law enforcement (United Nations, 1989). This is explained as having its roots in police training which conveys the message that violence in domestic circumstances is less a criminal than a social issue. These perspectives are reinforced by a number of factors including women's reluctance to press charges.

Hospitals

As mentioned on page 22, a sizeable number of battered women are estimated by this research to go to government hospitals for assistance. Thus the role of hospital personnel in helping battered women is crucial, particularly that of the Accident and Emergency (A & E) units to which women first go. A number of problems were found in hospital services.

Identification of Battered Women

You can easily tell she has been battered from the way the accompanying relatives will look at each other if the woman says, 'I fell down the steps'.

Interviews with doctors

It was found that the three hospitals (University Hospital, General Hospital and Kajang District Hospital) did not have any specific policy, procedures or reporting formats aimed at identifying women who have been assaulted by their husbands or intimate partners. In a number of cases (50 per cent was mentioned), women were referred to the A & E units of the hospitals by the police in order to obtain a medical report, thus making it clear that the injuries were inflicted by battering. Apart from this, identification depended on whether or not the woman voluntarily gave such information and how interested in or sensitive the doctor was to the problem of woman-battering. Most doctors (eight out of twelve) from the A & E units stated that, time permitting, it was not too difficult to identify a woman as battered as this depended mainly on: (a) the nature of the injuries; (b) the type of explanation given by the woman; and (c) the timespan between injuries inflicted and the woman's visit to the hospital. However, lack of time was the main reason why identification was not being done routinely.

No Classification of Woman-battering as a Health Problem

Classification systems of hospital case records were found to not include the specific problem of wife or woman-battering. The problem was classified as 'assault' or 'alleged assault', in the A & E units which follow World Health Organization classification guidelines. Hospital psychiatrists and social workers also were found to use classifications of illness or injury which did not include wife-battering. No official category was available. Battering was usually included in the category of 'marital discord'. The outcome was that hospitals were not able to provide statistics on the number of battered women they treat for physical, mental or social problems, the seriousness of the problem is trivialised, and referral is made more difficult and ineffective.

Few Referrals Made

Hospital personnel stated that only a small number of battered women were referred by A & E units to other relevant hospital departments, as well as to the police, legal aid, social welfare departments and women's organisations. Psychiatrists and social workers seldom have women referred to them directly due to battering. This indicates a low awareness of the role of other departments and agencies and of the need to refer battered women for assistance.

At all units, it is a common standing procedure to advise the woman to make a police report. All hospital staff knew of this. Most of the doctors did give this advice but because of the woman's reluctance due to fear and shame to follow this advice, they did not probe further.

Out of 36 hospital staff interviewed, 21 had heard of WAO, but did not necessarily have the contact number to provide to the woman. The staff of the University Hospital were the most familiar with WAO because of their close working relationship. Sixteen staff had referred women to WAO, with regular referral from University Hospital and no referral from Kajang.

Minimal Marital Counselling Provided

Attempts were made by psychiatrists and social workers to provide marital counselling if the battered woman agreed to involve her husband. However, frequently, the woman was too afraid to do this. Due to lack of time of both social workers and psychiatrists, only minimal counselling was given with no follow-up after one or two sessions.

Attitudes towards Battered Women

There is this woman
who comes again
and again,
assaulted by her
husband... She is
always going back.
Where else should
she go?

Interviews
with doctors

The research found that the majority of hospital personnel have an adequate understanding of the situation of battered women, and the cultural and social barriers which make it difficult for them to take action to change their circumstances. Social workers, particularly in University Hospital, expressed an in-depth understanding (see also the section, Perceptions on "Why do Men Batter Women?" on page 14).

Comparison with Other Research

Malaysia

At the time this research was completed in 1992, no other study had been done on hospital services provided to battered women. Studies such as Ong et al (1981) focused on battered women who received hospital services. In 1993, the A & E section of the General Hospital, Kuala Lumpur, conducted a similar study which also showed problems in the services provided to battered women, such as lack of referrals (called 'networking'), insufficient emergency accommodation, and inadequate hospital management of battered women cases (Abu Hassan Asaari, 1993).

International

In the United States, battering is reported to be the most common cause of injury to women, more common than automobile accidents, muggings and rapes combined (Stark, E.D. and Flitcraft, A., 1988, in JAMA, 1990). However, the U.S. emergency department records show that most battered women are discharged without any arrangements made for their safety. They thus return to the same abusive relationships that caused their injuries (JAMA, 1992).

A study by Warshaw (1987) at a large urban hospital in the U.S. found that in 90 per cent of doctors' interactions with women who were unquestionably deliberately injured by another person, doctors failed to obtain a psychosocial history, to ask about a history of sexual or physical abuse, and about safe living arrangements (in JAMA, 1990).

Until now, I haven't seen him since the last time he stabbed me with the knife. I don't know where he is, these last three years. My children are big. I can work. I go wherever people ask me to work. That's my work but the work is honest work... cooking, making fried mee [noodles]. I look after my children.

Interviews with battered women

The Kadi [Islamic Judge] called the two of us. First, he advised my husband, then me. He asked what was the problem, what was the cause. Then he called both of us together. In these matters, he said, 'The husband shouldn't act like this, in the interest of the family and children. The wife also, if it's a small matter, be patient and go along with the situation. This is how peace can be reached'.

Interviews with battered women

Standard Procedures and Services

Warshaw (1987) also found that although procedures existed for referral of battered women by nurses to social work or psychiatric hospital departments as well as outside agencies for shelter, legal services and counselling, this was not done in more than 90 per cent of the cases. Even police reports were filed in less than 50 per cent of the cases. This indicated that nurses, although aware of abuse, were either reluctant or unable to spend time on referral as they did not see this as their responsibility.

Other studies in the U.K., the U.S. and Canada (Dobash and Dobash, 1979; Pahl, 1979; Nutall et al given in Smith, 1989) found that due to shame and fear, when battered women seek medical treatment for injuries, most do not voluntarily reveal to the doctor that they have been beaten by their husbands. This implies that sensitivity and probing are required in order to identify the problem.

Warshaw 1989 (reported in Heise, 1994) in evaluating medical records of women seeking aid for injuries at an emergency department, found that physicians identified only 2.8 per cent of those women as battered. On closer examination of the records, at least 10 per cent could be positively identified as battered and another 6 per cent as highly suggestive of battering. A similar study in Johannesburg, South Africa, found that in 78 per cent of the assault cases, the identity of the perpetrator was not recorded (Heise, 1994).

Studies have shown that with proper training and procedures, sensitivity to woman-battering can greatly improve. After the Emergency Department of the Medical College of Pennsylvania introduced training and procedures, the percentage of female patients found to be battered rose from 5.6 per cent to 30 per cent (McCleer and Anwar, 1989, in Heise, 1994).

Legal Agencies

There are two basic kinds of family law legislation in Malaysia: the law relating to non-Muslims (The Law Reform Marriage and Divorce Act 1976) and the law for Muslims, the Islamic Family Law Acts, which are individual state, and not federal laws. Implementation of the law is similarly divided into civil legal agencies such as the Magistrates Court and the High Court, and Muslim agencies such as the State Religious Departments under which the Syariah Court and the Kadi's office function. The government Legal Aid Bureaux provide subsidised legal services in both civil and Muslim law.

Agencies for Muslims

In Muslim family law, in most Malaysian states, abuse of a wife or cruelty is grounds for divorce and is also an offence in itself. An injunction or protection order against molestation by the husband can be applied for in most states, but only if a divorce is pending.

Although the number of battered women making complaints of abuse by their husbands to Muslim legal authorities appears high, it was found that there were no standard procedures and services. Seeking assistance from the State Religious Department or the Syariah Court was complex. Services

So many times I've given him another chance, not once or twice, but many, many times. I love my children, but when I stay with him, I have to send the children to my mother's house or his father's house. Here and there... everywhere they stay. Now, I can look after them myself. One person can take care of the children.

Interviews with battered women

provided varied from state to state and no information materials existed to guide the woman on which agencies to approach.

In Kuala Lumpur for example, the Syariah Court prefers battered women to first approach the Religious Department (JAWI) or Legal Aid Bureau for information and advice, before applying to the Syariah Court to charge their husbands with cruelty, or to request a divorce or a protection order. JAWI, in Kuala Lumpur, has a counselling unit of trained counsellors which provides marital counselling, legal advice and referrals. Women are referred to the Syariah Court if necessary.

However, in Kota Baru, in the State of Kelantan, women with complaints of battering can approach either the Kadi (the Judge) or the Syariah Public Prosecutor as there is no counselling unit in the Religious Department. The Kadi 'counsels' battered women and their husbands using the Islamic process of 'consultation' (shura). He is nevertheless not a trained counsellor. The lack of standard procedures and services was found to affect the quality of services provided to battered women as shown in the following related problems.

Difficulties in Proving Allegations

Officials reported that frequently women were not able to 'prove' that their husbands had been beating them and the complaint therefore had to be dropped. This usually occurred when the case had not been documented (that is, police and medical reports obtained) and women approached the Syariah Court officials directly without obtaining legal or other assistance.

Frequent Withdrawal of Battering Allegations

Syariah Court officials in Kuala Lumpur reported that women often change their minds and withdraw their complaints of battering from the Syariah Court. This is usually due to husbands successfully persuading their wives to do so. The court officials found this very frustrating, as investigation and documentation of the case ready for prosecution took much time.

Interpretation of "battering" under Muslim Law

In the Selangor Family Law Act, battering of women is defined as 'habitual beating' (iadzim menyakti). It is up to the Syariah Court judge to interpret what constitutes habitual beating. Legal Aid Bureau officials reported that they knew of some cases in which the woman had been beaten twice and had sustained obvious injuries of lacerations and bruises. The incidents were not regarded by the judge, however, as serious enough or habitual to take legal action.

This implies that Muslim Syariah Law in Selangor can be interpreted to allow a husband to beat his wife as long as it is not frequent or does not cause serious physical injuries. The lack of definition of what constitutes 'habitual' in the law allows for many interpretations.

Enforcement of Protection Orders (Injunctions)

When a man breaks the Syariah Court order to not harrass or molest his wife, and if he fails to appear in court as requested, the Court can order a warrant for his arrest by the police. Lawyers reported that this order is usually not acted on, as the Syariah Court's requests are not given priority. The police are also reluctant to act in such family matters and do not see them as a problem. As an outcome, battered women do not obtain the protection they need.

Civil Agencies

In civil law, violence is grounds for divorce. An injunction against molestation by the husband can also be granted, but only if divorce proceedings have been initiated. An injunction can only be granted in the High Court located in the capital of each state.

Difficulties in the Magistrates Court

For the majority (more than 90 per cent) of battered women who make police reports and who are then referred to the civil Magistrates Court, the process was reported in interviews as slow and difficult. The woman has first to appear in court on her own in order to make a complaint. No printed information is available to inform on the court location and procedures, and she is not entitled to legal aid which is given only in eligible criminal cases. It takes an average of four months from the time a woman appears before the magistrate to the actual court hearing. This means a woman may be subjected to physical abuse by her husband for a prolonged time.

This slow process can be expedited if a special request is made in view of continuous beating. The magistrate can also ask for a bail bond for the husband (about RM500) for good behaviour until the time of hearing. This bond was reported to be a good deterrent but how often it is requested and approved is not known.

High Court Problems

Battered women have to wait a long time to have their cases heard in the High Court. Any case in the High Court has a wait of about three months after the complaint is 'filed' (initiated). If the husband fails to appear in court on the specified date, further action takes another three months.

Comparison with Other Research

Malaysia

The Research Group did not have access to any other Malaysian study which interviewed lawyers and court officials regarding wife-battering.

International

Specific studies are not commonly referred to in this area. Smith (1989) and the United Nations (1989), however, have reviewed the literature. Smith outlines the problems of varying legal interpretations and practices related to wife-battering in the U.K. Although the legal system provides adequate remedies, Smith contends that it fails in the application, operation and interpretation of legislative provisions.

The U.N. publication outlines the different systems in various countries and assesses that in practice, the criminal law provides little assistance to battered women as legal officials are reluctant to view domestic assault as a crime comparable to assault by strangers. The legal system is believed to understand little about the dynamics of domestic violence. For example, the fact that the victim continues to live or be in contact with the abuser and is therefore susceptible to threats and pleadings to withdraw the case, is important in the practice of the law. The problem in most countries is thought to be the implementation of the law, particularly the attitudes of personnel in the legal system such as the reluctance to intervene, and the preference to mediate rather than to prosecute.

7

Recommendations

National Policy and Programme

I stayed at Puduraya bus station for five days. I didn't know where to go — I came from Negeri Sembilan state. No one helped me and there was no more money for my son to buy [food]. I didn't work because people scolded me, saying I was pregnant [eight months] and they were scared... I only saw one church there — the St. Paul's Church. So I went there and they helped me, and I met other women who had been battered.

Interviews with battered women

There is an urgent need to design and implement a National Policy and Programme to Prevent and Reduce Domestic Violence, specifically woman-battering, with research findings, including battered women's experiences, as one of the main inputs. The policy and programme on domestic violence would also function within existing policies such as the National Policy on Women (1989) and the proposed National Policy on the Family.

The goal would be to prevent and reduce domestic violence (woman-battering) through the following strategies.

- **A national education campaign** using all formal and informal communication channels (e.g. the education system and mass media) on the non-acceptability of violence in intimate and marital disputes; the moral and legal rights of women and the role of the public and specific agencies and professionals in provision of services.
- **Gender-sensitisation and orientation** on the issue of woman-battering to be included in the basic and refresher training of all related agency personnel at all levels, including doctors, nurses, social workers, psychiatrists, the police, social welfare staff, lawyers, counsellors, Religious Department officials, magistrates and judges. Information materials in the National Language and English to be developed for specific groups of personnel as part of the training.
- **Collection and analysis of annual national statistics** on battered women by all relevant agencies and co-ordination by one body. This would necessitate the setting up of national data recording and collection systems first in each of the government Ministries and Departments concerned such as the Health Ministry, Department of Social Welfare, the Islamic Centre (Pusat Islam), the Justice Ministry etc. as well as NGO service providers.
- **Review/development and documentation of specific agency policies and procedures** for providing assistance to battered women for the police, hospitals, social welfare and legal agencies to ensure that the role, responsibilities and duties of these agencies are clear. Procedures could include identification of battered women, recording and classifications, terms and concepts, services to be provided including referrals, and monitoring and evaluation of services.
- **Development and dissemination of specific informational pamphlets for battered women for each relevant agency**, explaining the role of the agency, the mandate in the National Policy, services provided, and other information which will make services more accessible and effective.

- **A National Co-ordination Committee for the Programme** to be formed, to include both government and significant NGO representatives, to meet regularly, and to be mandated for planning, monitoring and evaluating the National Programme. The Committee should be headed by the Department of Women's Affairs with a co-chair from women's NGOs who is actively engaged in the area.
- **In-depth research** to be conducted regularly at both the national macro level as well as the micro level. Themes of priority include: the effect of current police and legal interventions in stopping or reducing violence; evaluation of shelter and counselling services for battered women: what are they achieving and costing, what is their impact on battered women and their children; attitudes to gender relations of the public and specific agencies, e.g. extent of beliefs in male supremacy including culture and religion; and problems faced by agencies in providing services to battered women. National attitudinal surveys such as the SRM Survey in this research need to be repeated every five years in order to measure change and programme effectiveness.

In the event of the formulation of a National Policy and Programme to Eliminate Woman-Battering being delayed, each of the specific strategies can be implemented partly by each relevant agency.

Services

Until domestic violence is eliminated, there will be a need for crisis and support services for women and their children. The following services are urgently needed.

- **Emergency accommodation and counselling services**, adequately funded in every state of Malaysia.
- **More one-stop hospital services** for battered women. Based on their study, the A & E section of General Hospital, Kuala Lumpur has developed a very innovative inter-agency support system which has mobilised all agencies concerned to work together more effectively.

Finally, there is a need to ensure that the Domestic Violence Act (1994) and its procedures adequately address the problems and concerns documented in this research and to closely monitor and evaluate the implementation of the Act by the police and other agencies.

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SRM National Survey Questionnaire

1. In the past year, how many women do you personally know who have been physically beaten by their husband/boyfriend? (specify in numbers)

2. Among these people, were they:

A close family member

A close friend

An acquaintance or distant relative

Others (specify)

3. If close family members

Who is this person in your family?

Sister

Mother

Your spouse's sister

Your mother-in-law

Others (specify)

4a. What did you do after knowing the woman you mentioned above has been battered by her husband/boyfriend?

Give advice to the couple

Report to the police

Inform elders in the family

Report to the headman/imam, etc.

Stop visiting them

Seek assistance

Do nothing

Others (specify)

4b. If "seek assistance"

If you seek assistance, please indicate who from:

Parents

Family members

Friends

Neighbours

Women's organisation

Others (specify)

5. In your opinion, what should a woman do when her partner batters her?

Report to the police

Be patient

Speak to the elders

Tell her husband/boyfriend not to do it again

Seek assistance

Do nothing

Others (specify) .

6. In your opinion, why does a man beat up his wife/girlfriend?

Stress of work

Influenced by alcohol

Jealousy

Financial problems

Partner deserves it

His sense of superiority

Others (specify)

7. Is it right to physically abuse a woman? (Yes/No)

(Note: For those who answered "yes", the next question was asked.)

8. In what kind of circumstances is it acceptable for a man to beat a woman?

When she does not obey/do as she is told

When she is not faithful

When she overspends

When she refuses him sex

Others (specify)

Note: This is the English version only. The questionnaire was also available in the National Language and Chinese, and interviewers were proficient in Tamil. Besides these questions, socio-demographic information was requested.

Interviews with Battered Women; Referral Sources and Questionnaire

i) Sources of Referral

The 60 women interviewed were contacted through various sources: 24 women were former or current residents of the Women's Aid Organisation (WAO), at the time of the interviews; 10 women were referred by the Religious Department in Kuala Lumpur, nine women were not associated with any organisation, seven women came from the Women Crisis Centre in Penang, seven from the Town Council Flats in Kuala Lumpur, and three women were referred by the Good Shepherd Institution, Kuala Lumpur.

ii) Questionnaire (translated from the National Language)

A. Socio-economic Background

1. Respondent's code number
2. Ethnicity
3. Age
4. Number of children
5. Highest qualification obtained
6. Are you working?

B. History of Violence

1. How long have you been married?
2. Type of violence?
3. After your wedding, when did the violence occur the first time?
4. Are you separated or divorced from your husband?
5. Before this, have you ever left your husband?
 - a) how many times?
 - b) why did you return to your husband?
6. Did violence occur between your parents?
7. When you were small, were you physically punished by your parents?

C. Causal Factors to Violence Against the Wife

1. Have you been battered by your husband during pregnancy?
2. Did your husband take drugs?
3. Does he drink?
4. Did your husband take any drugs/alcohol when he battered you?
5. Have you been sexually assaulted (raped) by your husband?
6. Do you know why your husband battered you?

D. Facts About the Husband

1. Ethnicity
2. Age of your husband
3. His highest qualification
4. Is he working?
5. Do you know of violence between his parents?

Note: These were the standard questions to be covered in all interviews. A more anthropological approach was taken however, by the researchers, who also encouraged the women to talk freely about their life.

Agency Personnel Interviewed and Questionnaires

The following agencies were involved in the survey: the police, hospital, and legal agencies, both civil and Muslim.

The Police

Open-ended interviews with the Police were carried out at the following places:

- In Kuala Lumpur at the Police Headquarters;
- In the State of Selangor at two district offices and three police stations;
- In the State of Penang at the Headquarters and one police station; and
- In the State of Kelantan at one district office and one police station.

The questionnaire (see below) was also completed by the National Police Headquarters at Bukit Aman in Kuala Lumpur. Altogether, 30 police personnel were interviewed. These included all officers in charge of the respective district offices and stations, one Superintendent, women officers in charge of assault cases against women, sergeants and constables on regular duties, and one administrative officer. Amongst the 30 persons interviewed were nine women.

Questionnaire for the Police Survey on Domestic Violence in Malaysia

1. How many cases of battered women do you see (come to the police station, call you in an emergency, etc.) per week, per month, during the last year. (Collected statistics/estimation). Profile of the women (ethnic group, income group, age).
2. How are the cases classified and records kept?
3. When a woman comes to you/is referred to you and says that she has been battered, what do you do? State steps and procedure (any policy/legal procedure etc.). What do you do if she is not certain what to do?
4. What do the police do when a woman calls the police station and reports that the husband has just beaten her?
5. What is the cause of wife-battering?
(a) related by women (b) in your opinion
6. Do you think it is sometimes justified to beat one's wife?
7. Why do women who are battered return to their husbands? Why do they turn to the agencies late?
8. Have you heard of/referred any women to WAO?
9. In your opinion, what effective services/measures/legal measures can your agency provide in order to help battered women? Is your service adequate?
10. In your opinion, how can the problem of wife-battering be solved? What more can be done in your agency and generally in regard to domestic violence?

11. Do you regard wife-battering as a crime?
12. How many suicide cases are connected with battering?
13. Is there a difference in procedure if the woman has been assaulted by a stranger or neighbour, etc. or by her husband/partner?
14. When and why do women retract their reports?

The Hospitals

Interviews were carried out at the following hospitals:

- General Hospital, Kuala Lumpur (Accident and Emergency Unit, Department of Psychiatry and Department of Social Work).
- University Hospital in Petaling Jaya (Accident and Emergency Unit, Department of Psychological Medicine, Department of Social Work).
- The District Hospital in Kajang, Selangor (Accident and Emergency Unit, and interviews with doctors from the various wards since this hospital does not have a Psychiatry or Social Work Department).

Altogether, 37 hospital staff were interviewed including all heads of the respective departments: 12 medical officers from the Accident and Emergency Units, 11 medical officers from the Departments of Psychiatry/Psychological Medicine, six social workers and eight medical officers from the hospital in Kajang.

Questionnaire for the Hospital Survey on Domestic Violence

1. How many cases of battered women did you see per week, per month, during the last year? (statistics or estimation)
2. How are the cases classified and records kept? (statistics available, profile of woman and husband)
3. Would you know if a woman who comes in for medical attention or treatment has been battered?
4. When a woman comes to you/is referred to you and says that she has been battered, what do you do? State steps and procedure.
5. What is the cause of wife-battering?
(a) related by the women (b) in your opinion
6. Do you work closely with other hospital units/other agencies? Do you refer women?
7. When is a case referred/reported to the Police?
8. Have you heard of/referred to WAO?
9. In your opinion, what effective services can a hospital/your unit provide in order to help battered women? Is your service adequate?

10. In your opinion, how can the problem of wife-battering be solved?
11. Do you regard wife-battering as a crime?

Additional questions for Social Work Unit and Psychiatry/Psychological Medicine Department.

1. Is the husband included in the treatment/counselling? What is his response?
2. What is the outcome of the treatment/counselling? How many women reconcile with their husbands? Is there a follow-up of the cases?
3. Are there certain personality factors which correspond with the problem?
4. How many suicide cases do you know of involving battered women? How many attempted suicide cases?

The Legal Agencies

The following legal agencies were included in the survey:

A. Civil legal agencies

1. High Court, Kuala Lumpur
2. Magistrates Court, Kuala Lumpur
3. Legal Aid Bureau, Kuala Lumpur
4. Legal Aid Bureau, Shah Alam, Selangor

B. Muslim legal agencies

1. State Religious Department, Kuala Lumpur
2. Pusat Islam Counselling Division, Kuala Lumpur
3. Syariah Court, Kuala Lumpur
4. Syariah Public Prosecutor's Office, Kuala Lumpur
5. Syariah Public Prosecutor's Office, Kota Baru, Kelantan
6. Kadi's Office, Kota Baru, Kelantan
7. State Religious Department, Penang

Questions for Legal Agencies

Below is a summary of the questions asked at the various legal agencies.

- Estimated cases of battering dealt with at legal agencies.
- Statistics and recording procedures.
- Procedures to deal with cases of battered women (detailed).
- Reasons for battering.
- Co-operation with/referrals to other agencies.
- Suggestions for improvement of services for battered women.
- How to solve the problem of woman-battering.

National Statistics on Battered Women by Agency

Year	Police Reports (2)	Department of Social Welfare (3)	Women's Aid Organisation (1)		Pusat Islam (4)
			Residential Services (Refuge)	Non-residential Services (Counselling)	
1982	—	—	} 130	—	—
1983	—	—		—	—
1984	326	—		—	—
1985	400	—	53	—	—
1986	402	—	50	—	—
1987	487	230	58	—	—
1988	567	242	69	—	—
1989	909	247	72	92	32
1990	472	252	68	58	43
1991	419	262	74	80	—
1992	466	212	62	80	—

Sources:

1. WAO Annual Reports, various years.
2. Zaman Khan (1993).
3. Annual statistics, female marital violence cases, Headquarters, Department of Social Welfare, Ministry of National Unity and Social Development.
4. Pusat Islam (Islamic Centre), Prime Minister's Department. Data provided to WAO researchers.

WAO Case Record Study

WAO case records of battered women who sought shelter at WAO between 1991 and 1992 were analyzed. Case records beginning in 1991 were included because a new recording system was introduced at that time. Thus, the number of case records available for the study was 38. The following information was collected from the records:

- length of marriage;
- battering: duration, frequency, form of battering, weapons used and injuries obtained;
- police reports made; and
- if the woman had left her husband before the current visit to WAO.



opened Malaysia's first refuge for the victims of domestic violence in 1982. The aim was to provide a full service for women suffering mental and physical abuse. The scheme was initially funded by the late Tun Tan Siew Sin who made a donation to the organisation of RM30,000 in 1979.

WAO Philosophy The fundamental belief of Women's Aid Organisation (WAO) is that no one deserves to be battered. We believe that all human beings have the right to self-determination and should have control over the conditions that shape their lives. WAO does not make *a priori* judgement that it is either the men or women who are solely responsible for the battering of women in our society. Instead, WAO encourages dialogue between the parties involved in the search for a just solution.

However, by rendering its services to battered women and their children, WAO deliberately chooses to focus on the battered women rather than the male attackers. This is because WAO believes that being the victims, battered women desperately need immediate protection from any further physical assault. In addition, WAO considers it only fair that battered women are given access to the necessary advocacy services, information and support required for a final solution to the problem.

WAO Services ☐ **The Refuge Centre**
This is both a shelter for battered women and their children, and a centre for all WAO activities relating to family, women and violence.

☐ **Face-to-Face Counselling**
Professional social workers offer counselling sessions to women who may not necessarily seek shelter but want counselling.

☐ **Telephone Counselling**
Telephone counselling is available at any time to deal with crisis situations and basic legal queries.

WAO Support Services ☐ **Anak Angkat Programme**
A Child Sponsorship Programme for the children of ex-residents. Monthly donations are made for the school expenses of a needy child.

☐ **Support Group for Ex-residents**
Continued support in the form of monthly sessions amongst ex-residents and volunteers.

☐ **The Child Care Centre**
A centre for the children of ex-residents who have decided to live independently. The children are given a home, education at local schools and a support system.