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## Big 'aye' for equal rights

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KUALA LUMPUR, Tues. - Women's groups say aye to the plan for equal rights, but they want this to be followed up with a review of laws and legal procedures.

The Government's proposal to amend the Federal Constitution should only be the first step, they say. The real test of equality will lie in laws and the way justice is sought and implemented.

"Equality is not just changing laws but ensuring that justice is served quickly, fairly and according to appropriate procedures," National Council of Women's Organisations vice-president Professor Fatimah Hamid Don said.

Yesterday, Prime Minister Datuk Seri Dr Mahathir Mohamad announced that the word "sex" would be added to Article 8(2) of the Constitution. Currently, the Constitution only bars discrimination on the grounds of religion, race, descent or birthplace.

The amendment will be tabled in the current meeting of Parliament.

Fatimah said women's rights advocates had called for adding the word "sex" since the 1960s.

"At the time, we were told it was better not to be so specific. Now the amendment shows political will and the willingness to change with the times," she said.

However, the amendment would place a greater onus on society to be more vigilant. "Discrimination is subtle. Even if our laws reflect equality, justice can be subverted in the implementation."

She cited delays in Syariah law cases which ended up in favour of the male party, causing suffering to the woman and her children.

She also called for faster adoption of uniform Syariah procedures in all States, and the creation of a Family Court.

"NCWO has brought this to the Government many times but nothing has been done."

Meanwhile, the Women's Aid Organisation called for the revision of certain laws to be consistent with the amendment.

"There is a pressing need to look into laws relating to citizenship, family, domestic violence, foreign domestic workers, rape and sexual harassment," WAO president Meera Samanther said.

"Legislation, policies and attitudes must reiterate that women and men are equal in all spheres," including joint responsibility in raising children.

The Human Rights Commission of Malaysia (Suhakam) has also urged the Government to incorporate the amendment into all domestic laws and mechanisms.

The Government should also adopt Suhakam's recommendation that any action which has the effect, and not just the intention, of discriminating, should be defined as a discriminatory act.

Echoing this, Sisters in Islam said this applied to laws which did not intend to discriminate.

"If the effect of its implementation denies equality between men and women, then that law has discriminated against women," SIS said in a statement.

SIS also expressed concern that religion was used to discriminate against Muslim women, for example, in the Guardianship of Infants Act by recognising only men as guardians.

DAP national deputy chairman Karpal Singh welcomed the proposed

amendment and said State Constitutions should also include similar provisions.

This would prevent gender-based discrimination in the employment of civil servants.

Welcoming the amendment, the All Women's Action Society said "the Constitution's silence on this matter condoned the continuation of practices that relegate women as second-class citizens".