

## ABSTRACT

The current study, in combining Butler's (1999) performativity theory and Reisigl and Wodak's (2009) discourse-historical approach, attempts to ascertain the discursive practices that help shape and construct the identities of Malaysian transsexuals. The study examines editorial and opinion editorials that were published in two English print media in Malaysia to understand the way argumentation schemes and linguistic means are deployed in the construction of transsexuals' identity.

The analysis of the data depicts that the print media have generally intensified the representation of transsexuals as heavily discriminated group through the use of negative and emotionally charged language. Although the articles were written in sympathetic tone, transsexuals were mostly portrayed as victims and those involved in vice trade. Besides, the same level of prominence was not provided for transsexuals and other individuals represented in the print media. It was also found that the print media have focused more on male-to-female transsexuals and have excluded female-to-male transsexuals. The analysis also shows that the print media have structured their opinions on a neutral ground when comments were made on the legal system and other issues pertaining integration of transsexual.

The study concludes that the representation of transsexuals in the print media was conditioned by the socio-cultural setting in Malaysia. The way transsexuals were portrayed in the print media may have been influenced by the dominant culture. The study concludes that further studies are important to shed light on the way discourse constitutes and is constituted.

## ABSTRAK

Kajian ini menggabungkan teori performativiti Butler (1999) dan pendekatan wacana-sejarah Reisigl and Wodak (2009) untuk memperlihatkan cara bahasa diskursif memainkan peranan dalam membentuk dan membina identiti transeksual Malaysia. Kajian ini meneliti penyuntingan dan pendapat penyunting yang telah diterbitkan dalam dua media cetak bahasa Inggeris di Malaysia untuk memahami cara skema perdebatan dan cara linguistik telah diatur kedudukannya dalam membentuk identiti transeksual.

Analisis data menunjukkan media cetak telah secara umumnya menyokong kuat perwakilan transeksual sebagai kumpulan yang telah didiskriminasikan menerusi penggunaan bahasa negatif dan penuh beremosi. Walaupun artikel telah ditulis dalam nada bersimpati, transeksual telah ditunjukkan dalam adab yang kurang penting sebagai mangsa dan mereka yang terlibat dalam perdagangan tidak bermoral. Media cetak juga mendapati telah menumpukan perhatian yang utama kepada transeksual lelaki kepada wanita dan mengecualikan transeksual wanita kepada lelaki. Analisis menunjukkan bahawa media cetak telah menstruktur pendapat mereka dalam latar neutral apabila komen dibuat mengenai sistem undang-undang dan isu lain berkaitan integrasi transeksual.

Kesimpulan kajian menunjukkan representasi transeksual dalam media cetak telah terlazim oleh ketetapan sosiobudaya di Malaysia. Cara transeksual telah digambarkan dalam media cetak berkemungkinan telah dipengaruhi oleh budaya yang dominan. Kajian susulan penting untuk menunjukkan cara wacana membentuk dan dibentuk.

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# CHAPTER ONE

## INTRODUCTION

### 1.0 Problem statement

Gender is one of the “most ingrained categories that we live by”, and was once regarded to be “biological essences inherited at birth” (Toolan, 2001, p. 2). In the past, gender roles were assigned and individuals were expected to act according to the pre-determined characteristics. Men, for instance were expected to be decision makers and breadwinners whereas women were expected to be submissive caretakers and elegant being.

The evolution and modernisation of society, however, has caused cultural elements to seep into the discursive construction of ‘gender’ and has ‘revolutionised’ the very basic essence of a human being. In the modern era, individuals have the opportunity and option to make choices about their own roles in a society (Gauntlett, 2008). However, these choices are limited and differ from one group to another.

Butler (1999) postulates that “speakers obligatorily gender themselves” since their discourse, seen in their utterance or performance, inadvertently shape the people they become, thus giving rise to her performativity theory. Performativity theory proposes that gender roles are socially assigned entities that can be challenged. Gender is described as an ‘act’ or performance that may or may not be consciously reinforced through repetition. However, when individuals adopt practices that do not conform to the normal expectations of their gender, they become a socially ostracised group.

Transsexuals, for instance, are one such group that are either labelled as sexual deviants or sympathised for being born with mental disorders. A transsexual is generally

defined as an individual who emotionally feels like a member of the opposite sex and may go or may have the desire to go for a sexual reassignment operation to change his or her sexual organs (Hornby, 2010). Numerous research has been carried out to understand transsexuals from both the medical and social perspective, “but the voices of transsexual people have been lost in the process” because of their inadequate and inaccurate representation (Tubbs, 2008, p. 9).

Transsexuals in Malaysia face many challenges in adopting their desired identity although gender discrimination is prohibited in Article 8(2) of the Federal Constitution. In 1983, a *fatwa* (ruling on a point of Islamic law) was implemented in Malaysia prohibiting sex change operations on all Muslims. Transsexuals, who undergo sex change, also face difficulties in changing their gender in their Malaysian identification cards or ICs, making life difficult for them, particularly in the areas of employment and education, since they are expected to perform according to the gender stated on their ICs (Teh, 2001).

Although, the law does not prohibit non-Muslims from going for sex – reassignment surgery, changing gender on their identification card involves bureaucratic process. The law requires non-Muslim transsexuals to obtain a court order to have his or her gender changed on the identification card. While Muslim transsexuals are often arrested by officers from religious departments for cross dressing, non-Muslim transsexuals, who have not changed their gender on their identity card may also be arrested for indecent behaviour (Teh, 2001). It should be noted that under section 21 of the Minor Offences Act 1955, cross dressing or impersonating the opposite gender is perceived as indecent behaviour and as such transsexuals, male-to-female transsexuals in particular, are often arrested and prosecuted (Teh, 2001).

Because of these issues, self-identified transsexuals often live in a close-knit group or hide their identity. Being explicit about their gender identity could expose

them to various constraints, including rejection, discrimination and imprisonment (Teh, 2001).

In Malaysia, a transsexual's story is often brought to the forefront by local print media, especially when some of them challenge the existing system. Fatine, who faced issues with the immigration department and finally obtained refugee status in Australia (refer to Appendix A7) and Aleesha Farhana, who died of a heart attack after her application to change her name on her identification card (refer to Appendix A11) was rejected by a state high court are some of those who made the news.

Media play a vital role in shaping one's perspective of the surrounding world. Despite media's claim on the objectivity of news reported, news items are also sensationalised. This evokes the following question: how do print media represent and construct identity of transsexuals in Malaysia?

Turner, Reynolds, Haslan & Veenstra (2006) claim that self-categorisation is "always constrained by the perceiver's values and knowledge, as well as by the social situation within which the perceiver defines himself or herself" (as cited in Hogg, 2008, p. 186). While language plays a significant role in shaping an individual and his understanding of the surrounding culture, the language itself is constituted by the existing social structure. This is also grounded on one of the main tenets of the discourse-historical approach (Reisigl and Wodak, 2009), an approach used in discourse-analytical studies, which highlights the existence of a dialectical relationship between the language used in discourse, and the social structures that frame the discourse (Fairclough, 1995). The use of language can be ideological and every instance of language use has the ability to reproduce and transform society. Studies on discourse are vital to determine the relationship between discourse and society. Critical Discourse analysts therefore are concerned with social inequalities and work to leave an impact on society by creating awareness on prejudice, discrimination and disempowerment.

The current study, therefore, in combining Butler's (1999) performativity theory and Reisigl and Wodak's (2009) discourse-historical approach, attempts to ascertain the discursive practices that help shape and construct the identities of Malaysian transsexuals.

## **1.1 Objective of the Study**

The study aims to analyse how identity of transsexuals in Malaysia is discursively constructed in two sources of English print media. Combining Butler's (1999) performativity theory and Reisigl and Wodak's (2009) discourse-historical approach, the study is designed to understand how argumentation schemes (topoi) and linguistic means are deployed in the construction of transsexuals' identity.

The study examines editorial and opinion editorials that were published in two prominent English print media in Malaysia to shed light on the way discourse constitutes and is constituted. Ultimately, it is hoped that this research will assist in understanding the reasons and motivating factors that cause transsexuals to be constructed in a particular way.

Language is often implicitly used as a means for domination and it is the objective of every critical discourse analyst to help increase consciousness "because consciousness is the first step towards emancipation" (Fairclough, 2001. p. 1). Thus, research using critical discourse approaches, such as this present research, is designed not only to bring major socio-political changes but also to raise awareness on the ways in which language implicitly disseminates prevailing ideologies.

## **1.2 Research Questions**

The research questions raised in this study include:

1. What are the argumentation schemes (topoi) employed by the print media to construct identity of transsexuals?
2. How does the use of linguistic means construct identity of transsexuals?

## **1.3 Significance of the Study**

This study attempts to understand how transsexuals' identity is constructed by the print media in Malaysia. Transsexuals in Malaysia are claimed to be a heavily marginalised community (Teh, 2001), particularly when the nation came under the spotlight after Fatine Young, a Malaysian transsexual was granted refugee status in Australia. This issue gained much attention from the international community, leading to many questions on the status of human rights in Malaysia (Appendix A7). As such, a study on representation of transsexuals in Malaysian print media is timely as it would help in understanding the way in which media construct and shape transsexuals' identity, and may lead to further corresponding studies.

Studies on identity construction, apart from assisting in understanding the way a person is perceived, also provides knowledge on what motivates such construction. This is vital because with identity comes various forms of privileges and discrimination.

In a modern society, identity has become an important issue and even those who have never consciously thought about their identity "will have been compelled to make significant choices throughout their lives, from everyday questions about clothing,

appearance and leisure to high-impact decisions about relationships, beliefs and occupations” (Gauntlett, 2008, p. 105). Identity construction is therefore a discursive practice which is “both a consequence and a cause of changes at the institutional level” (Gauntlett, 2008, p. 105). Since media play a significant role in disseminating information to a large audience, the way media construct a particular community may affect the way its members are perceived and treated in life.

Thus, the insights gained from the present study may help to increase understanding on the discursive nature of discourse and contribute to other similar researches.

#### **1.4 Scope and Limitations**

The current study, framed by the theory of performativity, views gender roles and identity as products of a cultural and socialisation process and utilises the discourse historical approach for precise linguistic analysis.

In this research, editorial and opinion editorials that focused on transsexuals were studied to analyse the way transsexuals were represented in Malaysian English print media. Articles published as editorials and opinion editorials were selected as the study focused on soft news. Soft news present opinions of editorial board and columnists and are regarded to be less objective than hard news (see chapter 3, section 3.2).

The editorials and opinion editorials used in the present study were collected from two English newspapers in Malaysia, The News Straits Times and The Star. These two newspapers were selected as they have the highest circulation and comprehensive online archives. The data comprise of 20 articles published from the year 2008 to 2012.

The five year timeframe allow the researcher to collect recent and sustainable amount of data.

A total of 53 articles that used the term transsexual were identified and articles that focused on transsexuals were selected. A total of 20 articles were selected for the analysis. The distinction between editorial and opinion editorial were not made in this study as the researcher did not make comparison between the two genres. The data were seen as soft news as a whole. The analysis of the data focused on argumentation scheme and linguistic means and was also substantiated with references to other documents deemed relevant.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.0 Introduction**

This chapter is divided to three main sections. In the first part, some major theories in the domain of gender identity are discussed. The discussion includes Butler's (1999) performativity theory and an overview of the relationship between language and gender. A definition of the term, 'transsexual' and an overview of the social and legal status of transsexuals in Malaysia are also included in this section.

In the second section, the focus is on the discussion of Critical discourse analysis and the approaches under its domain. Specific attention is given to the discourse-historical approach, an approach that will be employed in this study as the analytical tool. Apart from that, some studies that employ the use of the different CDA approaches, especially in the field of gender and sexuality, are also reviewed.

The third section is focused on media discourse, particularly the print media and the English print media in Malaysia.

#### **2.1 Gender Identity**

As postulated by Gilroy (1997), "we live in a world where identity matters" (p.301). Developmental psychologists generally see gender identity as the basic social categorisation in a child's life (Weatherall & Gallois, 2005). Gender identity is traditionally defined as "one's social identification as a boy or a girl, a man or woman" (Weatherall & Gallois, 2005. p. 487). As we no longer live in a world where we have to



fit ourselves into a social role that has been assigned to us, the concept of gender identity may now be more flexible than we think it to be.

The modernisation and advancement of telecommunication technology has turned the world into a global village where knowledge and exposure to different cultures and practices are available to everyone. Apart from that, “the decline of religion and the rise of rationality” in the western world especially, have changed the idea of marriage, relationship and sexuality (Gauntlett, 2008, p. 107). These factors have contributed to a change in the general understanding of gender identity (Leap, 2005). “While earlier societies with a social order based firmly in *tradition* would provide individuals with (more or less) clearly defined roles, in *post-traditional* societies, we have to work out our roles for ourselves” (Gauntlett, 2008. p. 105).

The modern society is far more self-centred compared to its previous generations and as such, one’s happiness and satisfaction have become central issues to an individual (Gauntlett, 2008). Personal happiness, often connected to physical relationships and one’s sexuality, has clearly become a predominant issue in the society today as it is commonly stressed in popular media including books, magazines, movies and songs (Gauntlett, 2008). As gender has become more malleable, individuals have more options in constructing their identity. However, it should not be forgotten that these choices too are influenced by various social institutions such as the media. Studies on how individual’s choices of gender identity are influenced by media and society in general, play an essential part in helping our understanding of the processes of gender identity construction.

### **2.1.1 Gender Theories – nature versus nurture**

Today, as we face challenges of modernisation, we witness societies undergoing rapid social changes which nevertheless affect the dichotomous notion of gender that was once constrained by tradition. The interdisciplinary study of gender has gone through various stages of evolution. Within the field of psychology, some theorists believe that biological factors are the determining factors in gender role development while others argue that gender is socially constructed and regulated (Cameron, 1997).

Social learning theory put forward the idea that gender behaviours are acquired through imitation and reinforcement (McLeod, 2011). Behaviours that are socially approved and accepted are maintained and continued while others are discarded. Individuals are seen as passive agents that copy and repeat acts that are deemed appropriate to function as a member of a particular society.

The cognitive-developmental theory was drawn from a similar basis. However, unlike the social – learning theory, in this approach, individuals are said to have more active roles in acquiring and constructing their gender personality (Martin, Lynn, Rubble and Szkrybalo, 2002). An approach under the domain of cognitive-developmental theory, known as gender schematic processing theory, (Martin, Lynn, Rubble and Szkrybalo, 2002) postulates that, in the beginning stage, children learn to fit themselves into the ‘masculine’ and ‘feminine’ mould and gradually regulate their gendered identity by focusing on activities or items that will enhance their identity. From this point of view, individuals play rather active roles in their self- development. Gauntlett (2008) argues that gender theories in the field of psychology are not extensively developed to demystify the intricacy of gender identity. Rather, the idea of fitting oneself into a pre-designed gender mould may result in having individuals who fail to conform to the normative expectation of their gendered identity to be diagnosed

with medical disorder (Gauntlett, 2008). In 1973, the official manual of American psychiatrists defined homosexuality as pathological, while in 1980, individuals that had a keen interest in non-stereotypical activities were labelled with a medical malady called “gender identity disorder” (Gauntlett, 2008).

The quest to understand how gender identity is formed continues especially in this modern age. In the field of sociology, studies on gender were initially divided into the ‘micro’ and ‘macro’ level. Studies at micro level were focussed on human activities, while at the macro level research was directed at understanding social forces. Anthony Giddens’s (1984) theory of structuration bridged macro and micro levels based on the ground that “social life is more than random individual acts, but it is not merely determined by social forces” (Gauntlett, 2008 p.102). According to Giddens, “human agency and social structure are in dialectical relationship with each other, and it is the repetition of acts of individual agents which reproduce the structure”, (Gauntlett, 2008 p. 102). As such, the possibility for change exists only if individuals begin to ignore, replace or reproduce the available social structure differently (Giddens, 1984). The era of late modernity provides choices of identity for individuals and these choices are influenced by the surrounding culture and mass media. As such, self is then reflexively made and not just inherited or fixed. Giddens also describes self as ones’ “reflexive project” where identity is formed, revised and constructed through biographical narratives (1984). As one narrates about himself to others, self is created and understood by the narrator himself although it may not be an objective account. In other words, identity is discursively constructed and regulated; therefore possibilities for resistance and contestation subsist.

This understanding is very much similar to Michael Foucault’s (1980) view on identity, discourse and power (as cited in Segal, 1997). Foucault proposes that “sexuality is a multiplicity of historically specific discourses, ways of mapping the

body's surface, which dictate how we must describe and hence experience those bodies" (Segal, 1997 p. 209). Foucault also argues that discourse affects the way we perceive the world which includes our own understanding of our sexuality and gender identity. Prevailing discourses are disseminated through mediums such as prominent media, and these discourses influence our way of perceiving and shaping our identity. The ability of certain institutions, such as mass media, to influence discourse shows that power is productive in nature and can be exercised. Foucault puts forward the idea that power is an important constituent in any social practices (Dore, 2010). His claim about power challenges the traditional view of power as a force held only by dominant groups. However, Foucault does not deny that there exist an asymmetrical power relation in social practices and this can be resisted and contested because according to him resistance to power is possible (Dore, 2010 p).

Most theories on gender identity postulate that identity is partly a product of language. When a person talks about himself, he consciously and unconsciously constructs his identity. This discursive act is influenced by various external agencies such as popular media. The ability of institutions in disseminating prevailing discourses that in turn influences an individual's way of perceiving the world shows that power can be exercised and it exists in all kinds of social processes. When exercised, power can sometimes cause unequal relation in a social environment and this always produces resistance. It is on these grounds that Judith Butler's (1999) theory of performativity is framed.

### **2.1.2 Theory of Performativity**

The Theory of Performativity was first outlined in Judith Butlers' book, *Gender Trouble*, published in 1990 and later revised in 1999. Judith Butler, philosopher and

feminist theorist, proposes that gender is an 'act', a performance rather than state of being, that is ritually repeated and regulated (Allen, 1998). Gender is then, simply an 'act', a set of behaviours that are performed at a particular time. These behaviours become a norm through their frequent repetition. As such, there is no 'real' male or female gender identity. There are only culturally-scripted patterns that have been turned into norms.

In accordance to the post-modernist view of gender as a system that is socially constructed by various social institutions, Butler defines 'performativity' as a socially constructed disposition which is generated by power through regular practices of norms (Allen, 1998). Like identity, gender is also not a fixed entity, but is understood as culturally constructed performance. Butler (1999, p. 178) postulates that

“as in other social drama, the action of gender requires a performance that is *repeated*. This repetition is at once a reenactment and reexperiencing of a set of meanings already socially established; and it is the mundane and ritualized form of their legitimation”.

Gender is therefore not biologically inherited characters but, a ritualised repetition of body (Butler, 1999). Body is presumed as an entity that is materialised by discursively constructed “sex”. “Sex” is understood as a norm, formed by highly regulated practices and this regulatory force has the power to govern the body (Allen, 1998). In other words, individuals construct their conceptual knowledge of gender by repeating acts that have already been fixed by cultural institutions as the most appropriate behaviour for the body. As such, “body is discursively regulated, cultural construction while gender is a performative that produces constative sex” (Butler, 1999. p.115).

The practice of 'drag', where men impersonate women by dressing in women's clothes in order to entertain people, is an illustration that "there is no gender behind the expression of gender" (Butler, 1999, p.25). The ability of a person to operate in a gender role, that is different from one's own, convincingly shows that gender is a set of masks that can be changed according to a person's desire. Although desire for self-identity is said to be the driving force behind gender performance, agents are constrained by hegemonic norm exercised by dominant institutions. However, the norm can be changed and transformed by challenging the existing power structures (Gauntlett, 2008).

Butler did not deny that there are potentials for resistance to hegemonic norm. She in fact, highlights that the conceptualisation of gender as performance allows opposition to monolithic power and the binary understanding of gender. As Butler (1999, p. 149) asserts,

If identities were no longer fixed as the premises of a political syllogism, and politics no longer understood as a set of ready made subjects, a new configuration of politics would surely emerge from the ruins of the old. Cultural configurations of sex and gender might then proliferate or, rather, their present proliferation might then become articulable within the discourses that establish intelligible cultural life, confounding the very binarism of sex, and exposing its fundamental unnaturalness.

The possibilities for subversion always exists as self is constructed discursively. The existence of transgender and homosexuals shows that the binary classification of gender can be challenged. While resistance to power is possible, it is important to note that social agents are always subjected to challenges. "Although individuals can break or stretch the rules without changing the structures surrounding human lives, individual

change will not have much impact on the structures and social structures often impede them” (Disch, 2009. p.31). Studies on people who have challenged the traditional setting may provide more insights to the dominant structures that impede them. This will in turn, help raise consciousness and possibilities for emancipation.

## **2.2 Gender as Performance – Researches on Transgender**

“No one is simply a man or woman ... each of us embodies intersecting statuses and identities, empowered and disempowered, including physical and demographic traits, chosen and unchosen” (Disch, 2009). Performativity theory put forward the notion that those who have stretched gender boundaries and challenged the dichotomous gender system are evidence for the fluidity nature of sexuality and gender identity. Studies on individuals who have challenged the traditional notion of gender will provide valuable insight on how these individuals challenge, resist and live against the existing culture.

Often there is a confusion between the definition of the terms ‘transgender’, ‘transsexual’, ‘transvestite’ and ‘cross-dresser’. Transgender is an umbrella term used to describe those who have challenged the dichotomous concept of gender. Transsexuals on the other hand, are those “who feel emotionally that they want to live, as members of the opposite sex, especially those who had a medical operation to change their sexual organs” (Hornby, 2010). Teh (2001, p. 2) categorises transsexuals as “both male transsexuals, that is males who want to be females in every aspect, and female transsexuals, that is females who want to be males in every aspect”. There can be male-to-female transsexuals or female-to-male transsexuals. Transsexuals may participate or wish to be involved in other-gender activities because they feel that they belong to the other gender group (Wilson, 2002). Some may try to live as the other-gender without

sex reassignment surgery while others feel incomplete if they do not change their physical appearance.

On the other hand, transvestites and cross dressers are defined as individuals who enjoy dressing as members of the opposite sex for sexual pleasure or personal satisfaction (Wilson, 2002). These individuals are not included in the category of those who believe that they belong to the other gender. Another group of individuals that has to be mentioned here is intersex individuals or hermaphrodite. The term is used to define those who are born with indeterminate biological sex and they are assigned “sex” after birth upon decision made by parents based on professionals’ advice (Wilson, 2002). As the possibility for such decision to be inaccurate is high, there are often cases whereby individuals feel that they have been trapped in a wrong body. In Malaysia, while Muslim transsexuals and transvestites are prohibited to go for sex reassignment surgery, intersex individuals are allowed to opt for the surgery.

Academics, particularly western scholars, have carried out studies from various perspectives to add knowledge to the complex issue of transgenderism and homosexuality. This includes the study utilising performativity theory (see chapter 2, section 2.1.2) conducted by Hall and O’Donovan (1996) on how Hindi-speaking *Hijras* switch their gender positions. The word *Hijra* refers to male-to-female transsexuals in India, a group that plays an important role in many cultural ceremonies of the Indian community, yet heavily excluded and marginalised. The study looks into how Hindi-speaking *hijras* address themselves and others at various communicative events. The researchers of the study (Hall and O’Donovan, 1996) highlighted that Hindi is a language that has morphological system to signal gender and it was discovered that the *Hijras* use “feminine grammatical markings” to signal solidarity and “masculine grammatical markings” to signal social distance although it may be assumed that the *Hijras* would address themselves as feminine. The researchers concluded that



“occupying an ambiguous position in a society ... the *hijras* are more attentive than their non-*Hijra* peers to the cultural meanings evoked by feminine and masculine markings...” (p. 444).

The study shows that gender is not a fixed identity but an ‘act’ or performance that is carried out at a particular time. The way one behaves and acts help define an individual and form his identity. In other word, one do not behave like a woman, it is the act that make her a woman.

In an almost similar research, Podesva, Roberts and Campbell-Kibler (2002) studied a participant who identified himself as a homosexual. The findings described the participant’s interest in establishing his identity as a professional lawyer in a formal setting, as he alternated between two speech styles, trying not to sound too gay. The study reveals that the participant changes his speech style when he is in his working environment and when he is among his friends. The researchers argue that this could be because of the lawyer’s interest in establishing his identity as an educated and competent representative of the profession and his conscious attempt not to sound too gay. It is important to note that activists and speakers in the gay community often explicitly highlight those who have identified themselves as gay to avoid revealing their identity when appearing in public as a precautionary act.

The lawyer’s act of switching his speech style accordingly is a conscious act that could have probably developed through years of practice. Although, identity particularly gender identity is said to be performance, it is not always done consciously. Many of us perform our gender unconsciously as it has been instilled in us and it becomes an almost permanent character.

A study by Tubbs (2008) helps in understanding how an individual construct his or her identity. While, identity construction may or may not be a conscious act, understanding the motivation behind the decision may help further researches on gender

identity to be carried out. Tubbs studied the autobiography of a male-to-female transsexual. She did an analysis of the personal narrative of the transsexual, employing “a form of narrative criticism created from the work of several rhetorical critics” (Tubbs, 2008. p.1). The study looks at narrative coherence and fidelity by examining both arrangement of events and use of terms. The study suggested that analysis of rhetorical genre provide valuable insight on how identity is shaped through successful forms of persuasions.

Jobe, (2013) carried out a study on representation of transgender on media. The study focused on twelve examples of news, television, and movies from 1975 and to 2013 to examine the way transgender community is represented. The analysis of the data shows that transgender characters are presented in joking nature in the media, thus making light of transgender struggles and reinforcing the general misconceptions. The researcher of the study concluded that transgender community is negatively represented and the general stereotypes are reinforced in the media.

As demonstrated by the studies discussed above, apart from revealing the performativity aspect of gender identity, these studies also show that analysis of language may shed more light on the how gender identity is discursively constituted.

### **2.2.1 Transsexuals in Malaysia**

In Malaysia, those who failed to conform to the typical gender convention are generally subjected to discrimination as they are often viewed as deviants. However, a study done by Teh (2001) estimates that the country has 10,000 transsexuals. It is difficult to state the exact details of transsexuals in this country because it is not possible to reach out to each and every self-identified transsexual. Transsexuals in Malaysia can be arrested for ‘indecent behaviour’ as cross dressing and impersonating opposite gender is considered

an indecent act. This deters many from disclosing their identity as that may subject them to prosecution. Besides, studies on transsexuals in particular are limited and previous studies on transsexuals in this country were restricted to the field of sociology and psychology. Studies under these domains have primarily focused on identifying transsexuals from medical perspectives or framing their experience as a psychological or social problem.

Transsexuals in Malaysia are termed as ‘mak nyah’, a local slang used to address male-to-female transsexuals. In Malaysia, transsexuals are generally understood as male-to-female transsexuals, although the term could also be used to address female-to-male transsexuals (Teh, 2001). History shows that transsexuals in Malaysia have been a part of the society particularly partaking the role of the “*mak andam*”, a Malay term for bridal make – up artist and hairdresser.

However, under the legal system, any acts that challenge the binary system of gender are prohibited in Malaysia and treated as illegal acts and indecent behaviours. Article 8(2) of the Federal Constitution clearly states prohibition of gender discrimination in Malaysia. However, gender in this context is interpreted as referring to the traditional binary division of male and female. Cross dressers and transsexuals therefore, can be arrested and charged under section 21 of the Minor Offences Act 1955. An amount ranging from RM 25 to RM 50 can be imposed for such offences. Meanwhile, Muslims who are caught with similar offences can be charged in the Syariah court for violating Islamic law and imposed a penalty of RM 800 to RM 3,000.

Malaysia, as a federal constitutional monarchy and a country that practices Islam as the official religion, has nine hereditary rulers of the Malay states who uphold authority over religious affairs. In 1983, the conference of Rulers imposed a Fatwa prohibiting sex reassignment surgery and cross-dressing for Muslim transsexuals. The ruling however, spells out an exemption for sex reassignment surgery for

hermaphrodites. Teh (2001) quoted Hadith in Sahih Bukhari and Hadith in Sunan Abu-Dawud to show Islam's stand on the issue of transsexuals.

Hadith in Sahih Bukhari (vol.7,Bk.72, No.774

Narrated Ibn 'Abbas:

The Prophet cursed effeminate men  
and those women who assume the manners of men,  
and he said, "Turn them out of your house.

The Hadith in Sunan Abu-Dawud, (Bk.32, No.4087) stated that:

Narrated Abu Hurayrah

The Apostle of Allah cursed the man who  
dressed like a woman and the woman who  
dressed like a man.

According to Teh (2001), most Muslim transsexuals in Malaysia are reluctant to go through sex reassignment surgery for fear that they would not be buried according to Muslim rites. Meanwhile, others give up the idea as they have promised their parents not to undergo sex reassignment surgery.

There are non-Muslim transsexuals who have successfully obtained court order to have their gender changed on their identification cards after their sex-reassignment surgery and hormone treatment. While non-Muslim transsexuals are not prohibited from undergoing sex reassignment surgery by any official religious rulings, the cost of the surgery often stops them from doing so. Besides, changing gender on identification card involves a long and slow bureaucratic process and for many this is not an affordable option. Non-Muslim transsexuals, who have yet to change their gender on their

identification card are often arrested by law enforcement officers for cross-dressing and charged for indecent behaviour (Teh, 2001).

Transsexuals in Malaysia are often offered help by the non-governmental bodies such as The PT Foundation. PT Foundation operates in the capital of Malaysia with the objective of educating and providing information and education regarding HIV (or AIDS) and sexuality. The organisation also runs a program called 'Mak Nyah' to take care of the welfare of transsexuals in Malaysia. The centre provides meals and place for rest to homeless transsexuals and also runs other beneficial programmes for them.

In the academic world, there are not many studies on transsexuals in Malaysia. One researcher that is frequently cited in this field is Teh. Teh (2001) carried out a study to examine the influence of culture and religion on male-to-female transsexuals in Malaysia. The research studied responses of 507 transsexuals, of which 88 per cent of them were Muslims, 5 per cent Christian, 3 per cent Buddhist and 3 per cent Hindu (Teh, 2001). The study shows that 74 per cent of the respondents had high school education and 3 per cent had tertiary education (Teh, 2001). 73 per cent of the respondent are claimed to have an income of less than RM 1000 a month, while 30 per cent of them earn an average of RM 450 per month.

The study indicates that transsexuals' identity and the decision that they make about themselves is influenced by the surrounding culture and their religion. Teh (2001) pointed out that there were some transsexuals that have reverted to wearing male clothing once they grew older to be able to be buried as Muslims when they die. Because of religious constraints, many of the transsexuals opted to be contented with just having the feel of being female and cross dressing (Teh, 2001). Teh (2001) suggests that the phenomena of transsexuals' cannot be adequately explained by social factors alone, thereby concluding that studies on transsexuals in Malaysia need to incorporate multidisciplinary perspectives.

De Alwis, David and Dumanig (2013) conducted a research on the use of language among male-to-female transsexuals in Malaysia. The study, conducted under sociolinguistic domain, focused on the way male-to-female transsexuals uses language to resist the discrimination that they encounter. The study concludes that due to social pressure, this group of transsexuals have created a language specific to them. The study shows that the socio-political condition in the country has encouraged male-to-female transsexuals to disassociate themselves from the majority and claim solidarity with their own group members.

In another study, Noraini Mohd Noor et al. (2005) carried out a research on effeminate male students in a local university. In the study, the researchers examined students' perception towards effeminate males, effeminate males' lifestyle and psychological profile of effeminates in comparison to other students. The study concludes that the effeminates were influenced by both nature and nurture.

The above studies highlight the influence of socio-cultural factors on the construction of transsexuals and effeminate males' identity. Many factors, including parenting is presumed to have influenced the transsexuals and the effeminates. The current study looks at transsexuals issue from a different angle. The aim of the current study is to examine how through various linguistic resources, language mediates as a mean of identity construction.

### **2.3 Gender Identity and Language**

The relationship between language and gender has always been an appealing yet challenging field of study over the last few decades. This has shifted the focus of gender theory to a new paradigm. Gendered talk is understood to be not mainly as a personal characteristic but as performance that can be shaped and constrained by cultural

institutions. Human beings are social beings and their identities and practices are produced from social resources. How gender identity is performed is highly influenced by the culture and the context surrounding the performer, making it a complex social phenomenon that cannot be explained in uni-directional ways. Thus, gender studies need an interdisciplinary framework to explain the complexity of the phenomena. Gender studies also involves various fields related to organisation, culture, media, politic and linguistic that overlap and influence each other (Wagner & Wodak, 2006).

Language plays an important role in all social practices as it is used as a mean to serve different interests in social relationships. Language is a powerful tool that is very often manipulated by the dominant group to construct reality that best suits them. Habermas (1977. p. 259) asserts that “language is also a medium of domination and social force. It serves to legitimize relations of organized power. In so far as the legitimations of power relations...are not articulated... language is also ideological” (as cited in Wodak, 2001. p. 2). A critical study of language will help increase understanding on the ways language can be manipulated and this awareness on the manipulative power of language may create possibilities for emancipation (Fairclough, 2000). Hence, the discursive construction of gender identity could perhaps be better understood if research on identity is carried from a discourse analytical point of view.

### **2.3.1 Critical Discourse Analysis**

Critical Discourse Analysis is a heterogeneous approach that attempts to analyse the historical dimension of discursive actions by exploring the ways in which particular genres of discourse are subject to diachronic change. The term Critical Discourse Analysis, henceforth CDA, became popular in 1990s with scholars such as Teun Van

Dijk (1998), Norman Fairclough (1992), Gunther Kress (1990), Theo Van Leeuwen (1999) and Ruth Wodak (1990) contributing to its theoretical foundation.

CDA and Critical Linguistic share a common goal that is to analyse “opaque as well as transparent structural relationships of dominance, discrimination, power and control as manifested in language” (Wodak, 2001. p. 2). Drawing upon Habermas’ view of language as ideological, CDA does not focus on text analysis alone but also pays crucial attention to the context of language use (Wodak, 2001). According to Fairclough (2001), language, like body language and visual images are semiosis - a meaning-making form that plays an important role in every social practice. Semiotic elements exist in any sort of social practices, be it economic, political or cultural and these social practices influence social life in one way or another (Fairclough, 2001). Studying social practices allows one to focus on structure and action. According to Fairclough (2001) “...practice is on the one hand a relatively permanent way of acting socially which is defined by its position within a structured network of practices, and a domain of social action and interaction which both reproduces structures and has the potential to transform them” (p. 122).

Fairclough (2001) suggests that social practices may include dialectically-related elements such as “productive activity, means of production, social relations, social identities, cultural values, consciousness and semiosis” (p. 122). The aim of CDA is to unearth this dialectical relationship between semiosis elements such as language and other aspect of social practices (Fairclough, 2001). “Social practices networked in a particular way constitute a social order, while the semiotic aspect of social order is labelled as an order of discourse” (Fairclough, 2001. p. 124). “An order of discourse is a social structuring of semiotic difference – a particular social ordering of relationships amongst different ways of making meaning that is different discourses and genre”. There may be asymmetrical relationship in the social structuring as a particular way of



making meaning could be inferior or superior to the other. However, this unequal relation can be challenged or transformed as an order of discourse is not a fixed entity. As such, CDA's ultimate focus is "the shifts in the social structuring of semiotic diversity (orders of discourse) and the productive semiotic work which goes on in particular texts and interactions" (Fairclough, 2001. p. 124).

CDA is an approach to discourse analysis and should not be viewed as a specific theory or school of research. CDA analysts take a rather explicit position to study social problems especially one on dominance and inequality. The objective of CDA is to provide different insights to social issues by adding critical perspective to discourse studies. CDA focuses on how particular "discourse structures are deployed in the reproduction of social dominance" (Van Dijk, 2001. p. 354). Hence, CDA draws on Giddens's (1984) theory of structuration and bridges micro and macro level of social order. While studies at micro level focuses on discourse and use of language, macro level analysis specifically looks into the larger context of society and dominant social forces.

The notion of context is important in CDA as any study under the domain has to be grounded on a strong "theory of context" (Meyer, 2001. p. 21). CDA does not focus on textual analysis only. As discourses are historically embedded and interpreted, any attempts to understand a particular discursive practice has to incorporate an interdisciplinary perspective by specifically studying various "extralinguistic factors" (Meyer, 2001. p 15).

Although a specific theoretical framework is not spelled out for CDA, Fairclough and Wodak (1997) has highlighted the eight main tenets of CDA:

1. CDA addresses social problems.
2. Power relations are discursive.
3. Discourse constitutes society and culture.

4. Discourse does ideological work.
5. Discourse is historical.
6. The link between text and society is mediated.
7. Discourse analysis is interpretative and explanatory.
8. Discourse is a form of social action.

The theoretical viewpoints in CDA have been adopted from various theories such as grand theories, middle-range theories and socio-psychological theories. Besides that, Foucault's concept of discourse and power, have also influenced the various approaches in the domain of CDA.

### **2.3.2 Approaches in Critical Discourse Analysis**

CDA is a problem-based approach with emancipatory objectives as it strives to shed light on the obstacles that are caused by the asymmetrical power relation in the society. There are many approaches under the domain of CDA and some of the prominent ones will be discussed here.

Taking a socio-psychological viewpoint, Teun van Dijk sees discourse as “ as a communicative event, including conversational interaction, written text, as well as associated gestures, face work, typographical layout, images and any other ‘semiotic’ or multimedia dimension of signification” (Van Dijk, 2001, p. 98). In this approach, socio-cognitive theory is utilized “in the critical analysis of discourse, communication and interaction” (Van Dijk, 2001. p. 97).

This particular approach highlights the role of social actors whose experience and knowledge are highly influenced by the existing social systems. Van Dijk's framework places importance to the theory of context and the theory of social

representation. Van Dijk developed “a concept of context models” which is “understood as mental representations of the structures of the communicative situation that are discursively relevant for a participant” (Meyer, 2001. p. 21). Based on this concept, context models are claimed to be in “control of the pragmatic part of discourse whereas event models are in control of the semantic part of discourse” (Van Dijk, 2001. p.112).

Van Dijk conceptualises the influence of socio structure via social representation and as such postulate three types of social representation that is vital to the comprehension of discourse; knowledge, attitude, and ideologies. As discourses are embedded within social context, studies on discourse have to take into consideration the social situation, the social roles of speaker and the societal structure (Van Dijk, 2001).

The discourse-historical approach, also known as the Vienna School of CDA, is one of the popular approaches of CDA. Developed by Ruth Wodak and Martin Reisigl (2001; 2009), the approach draws a socio- cognitive and historical viewpoint and defines discourse as;

“a complex bundle of simultaneous and sequential interrelated linguistic act, which manifest themselves within and across the social fields of action as thematically interrelated semiotic, oral or written tokens, very often as ‘texts, that belong to specific semiotic types, i.e. genres” (Wodak, 2001. p. 66)

The Discourse- historical approach is influenced by Habermas’ (1977) theories of language and society and critical theory (as cited in Wodak, 2001). A more detailed explanation of the framework under this domain is provided in the following section.

The Socio-Cultural Approach was made popular by Norman Fairclough (1992) and analyses language in relation to power and ideology. Fairclough’s framework focuses on structure and action and stresses that the objective of CDA should be to

bring changes or transformation in the society. To Fairclough, there are “dialectical relationships between semiosis and other elements of social practices” (Meyer, 2001, p.22). The semiotic feature of social order is labelled as ‘the order of discourse’, a concept drawn from Foucault. Fairclough’s analytical framework unites three levels of analysis; the text, the discursive practices and the social context. Fairclough’s framework also utilizes Halliday’s Systemic Functional grammar for a detailed linguistic analysis. In fact, linguistic analysis in all CDA approaches deploy Halliday’s (1994) systemic functional grammar which highlights three interrelated meta functions of language; ideational, interpersonal, and textual. The first meta function, ideational, refers to the way language lends structure to experience, the interpersonal function form relationships between the language users and the textual function forms text coherence and cohesion (Halliday, 1994).

Although there are various approaches to CDA, it can be seen that the approaches share some common grounds and objectives. Approaches to CDA understand that CDA is a problem oriented approach that does not focus on particular linguistic items alone and integration of theory and methodology foster a better understanding of the social issue at hand.

### **2.3.3 Discourse-Historical Approach**

The discourse-historical approach is one of many approaches under the domain of critical discourse analysis and focuses on three central dimensions –content, strategies and linguistic realisation. The discourse-historical approach is an interdisciplinary approach that incorporates principles of triangulation and is useful for critical analysis as it promotes clear understanding of a particular discourse phenomenon through thorough analysis of social, political and historical context of a text.

Wodak (2001) opines that “discourses as linguistic social practices can be seen as constituting non-discursive and discursive social practices and, at the same time, as being constituted by them” (p.66) Hence, discourse-historical approach takes a socio-philosophical direction and draws on the three major concepts of “social critique; text or discourse immanent critique, socio diagnostic critique, and prognostic critique” (Wodak, 2001. p. 65). The first refers to the analysis of discourse structure and the second involves interpretation of the discursive event by considering the historical and socio-political context. The third concept refers to changes that research should contribute to a better way of communication (Wodak, 2001).

Research under the domain of discourse-historical approach studies the way a particular discourse is “subjected to diachronic change” by integrating social theories to study the historical and socio-political context in which discursive events are embedded” (Wodak, 2001, p. 65). Hence, critical analysis of discursive events incorporates both analysis of micro and macro level and most importantly studies utilizing discourse-historical approach are interdisciplinary in nature. Wodak (2001, p.69-70) lists eleven principles that are important to the discourse-historical approach and some of the prominent ones are highlighted here.

1. The approach is interdisciplinary.
2. The approach is problem-oriented, not focused on specific linguistic items.
3. The theory as well as the methodology is eclectic.
4. The approach is abductive.
5. The historical context is always analyzed and integrated into the interpretation of discourse and texts.
6. Grand theories serve as foundation and in the specific analysis, middle range theories can be utilised for analytical purposes.”

The methodological framework of discourse-historical approach is three-dimensional as the analysis is carried out by focusing on the content or topic, discursive strategies and linguistic means. This will be further elaborated in the following chapter.

Studies using discourse-historical approach have specifically focused on racial, national and ethnic issues and a great amount of attention has also been given to studies on feminism. Studies that are conducted under the domain of CDA and significant to the present study will be discussed here.

Wagner and Wodak (2006) studied biographies of professional women to understand how “women live, understand and ‘perform’ success”. The study focused on “strategies of self – presentation” and concluded that the women “build their own success stories in small but important ways” (Wagner and Wodak, 2006).

In 2003, Russel and Kelly conducted a critical discourse study on subtle stereotypes about homosexuality in the Boston Globe’s coverage of the Catholic Church sexual abuse scandals. They uncovered that the coverage sometimes “evoked the erroneous correlation between a gay sexual orientation and child sexual abuse”. Ragusa (2005) studied advertisements targeted to gays in the New York Times. She explored the way assumptions and stereotypes are institutionally embedded in the newspaper’s advertising business articles.

Zainon and Kamila (2011) conducted a research on the construction of identities of young homosexual males. In this qualitative study four self-identified homosexual males in Malaysia were interviewed to understand how the participants discursively shape and construct their identities. The study focused on the participants’ use of linguistic repertoire and discursive strategies in the establishment of their identities. The analysis showed that the participants experience internal struggle between their desire to stay homosexual and their obligation to conform to the dominant ideology. The study

was concluded with the notion that religion and surrounding culture have a great influence on the behaviours, belief and perceptions of the participants.

Studies under the domain of critical discourse analysis have largely focused on gender diversity. Van Dijk (2001.p 358) laments that “most gender studies using CDA have primarily focused on feminism and gender remains as one vast field that thus far has not been carried out within a CDA perspective”. In recent years, researchers have used CDA as an effective analytical tool to study the various complex issues related to gender.

Both Performativity theory and CDA put forward the idea that discourse is socially constructed, there exist unequal power relations in the social practices and subversion to this hegemonic power is possible. As Performativity theory and critical discourse analysis share some common ground, combining both may provide a vivid picture on the discursive construction of transsexuals’ identities.

## **2.4 Media**

For decades, various forms of mass media have been utilised as important medium of communication to disseminate information and knowledge to a larger group. One of the oldest forms of mass communication that is still playing a significant role as an effective mean of communication is newspaper. The status of newspaper as an important medium of mass communication has not changed much even with the increasing popularity of electronic media. While the recent years have been a challenging one for print media in general, they still have a great appeal to the general public. Print media such as newspapers are not viewed simply as means of communicating news and information. Institutions that publish these forms of print media are highly regarded as reliable sources and agents because these institutions are not only well-established but they are

also viewed as entrusted and empowered organisations. Besides that, newspapers have wide distribution networks and they are published more frequently than other forms of print media. Hence, newspapers remain as one the most pervasive means of mass communication even in today's world of digital communication.

Media play an important role in shaping thoughts and values, and leaves significance impacts on readers' interpretation of life. Not all knowledge and opinions of an individual are formed based on his or her personal experiences. In fact, many of our opinions are formed based on what we have been informed and exposed to through media. According to Van Dijk (2001) "most of our social and political knowledge and belief about the world derive from media that we see and read every day". This dependence of an individual on media, "to define those things that one has not personally experienced, has led to the media acquiring the power to shape the trends of thought and conduct of a society" (Parvinder and Thavamalar, 2007).

Gauntlett (2008) opine that information disseminated through media not only represent the society but help construct it. Media has been exercising its power to influence readers and their social relationship through its discourse According to Parvinder and Thavamalar (2007, p.108),

"News is constructed. Hence, editors and agencies choose the news and in doing so, set agenda for its consumers (the public) by emphasizing certain topics and by slighting other issues through omission. The newsmakers serve as gatekeepers and decide for the public which issues are important in the world that day or week. Only news that is deemed newsworthy by the newsmakers is published".



Undeniably, news items are often sensationalised. Newspapers are published to make profits and as such, news as a product, need to be made and presented in an attractive and profitable manner. In the process of making the news interesting, appealing and engaging, the news may lose its originality and objectivity. Language repertoires are very often used by those with power “to build solidarity, persuade and challenge in a social relationship” and it is important for this to be made explicit to all language speakers (Butt et al., 2000).

Hence, numerous researches have been carried out on media discourse especially in the domain of critical discourse analysis, to uncover the subtle form of hegemony that media spread. One such study that is significant to the present study is the one done by Lim (2007) on letters to the editor in a local newspaper using Fairclough’s (1992) critical discourse approach. In newspapers, a section for letters to editor is allocated to give readers an opportunity to express their view on issues raised in earlier articles or respond to comments made by other readers. According to Lim (2007) indirectly these letters carry ideology and belief of the writers to the society. He adds that it is noteworthy that not all readers of newspapers write to the editor. A majority reader does not write for many reasons and the minority who does have the power to put forward their perception of the world into the mind of their ideal readers. Lim (2007) argues that newspapers too have an equal role in this as “the editors or chief editor of the newspaper concerned hold the key in deciding whether certain letters are published or rejected”. Thus, the editors of the newspaper will be able to determine on the content of the article to serve their own interest (Lim, 2007). According to Lim (2007) these letters are good source of data to establish the print media’s perception about themselves and others in the society, including their readers.

Similarly Parvinder and Thavamalar, 2007, carried out a study to investigate how the aging population in Malaysia is represented in local print media. The study is

reviewed here as it focused on media's representation of the aging population in Malaysia. Although the study is not on transsexuals, it has focused on the representation of a minority group. The study shows that the aging population was poorly represented and they are never the focus of the news. They are often "backgrounded and used as instruments by other agents in sentences" (Parvinder and Thavamalar, 2007. p. 134). The researchers concluded that the print media often represents elderly as "biologically dependent, physiologically inadequate and economically burdensome" (Parvinder and Thavamalar, 2007. p.134). It was also highlighted that lack of awareness or general prejudice could be the underlying factor for the poor representation of elderly. It was asserted that this representation of the aging population in small insignificant manner may deter the elderly from playing a part in any policy making. The findings of the study are significant to the present research as they evoke questions on the ways other minority groups, such as transsexuals are represented in media.

Alagappan and Kaur (2009) on the other hand conducted a study on the representation of homosexuality in Malaysian newspaper. The study was aimed at understanding how the Malaysian print media portray homosexuals. The data collected from The News Straits Times were analysed using both quantitative and qualitative method. The study reveals that the media have depended "on experts' source namely "politicians and religious leaders" when it comes to conveying judgement. It was also concluded that 74 per cent of the news items analysed have constructed homosexuality in a negative manner.

At present, in Malaysia, there are various issues and controversies regarding freedom of press. Reporters without borders, a non-profit international organisation that provides report on press freedom index in countries around the globe, has ranked Malaysia at 145 out of 179 countries in 2013. Freedom of press in Malaysia is bounded by the Printing Presses and Publication Act 1984 that authorise Home Affairs Minister

in the granting of licence to printing presses. Since the licence has to be renewed annually the government has the authority to grant or deny any applications and even cease the license of any operating agencies. This inadvertently limits and restricts the freedom of press of media institutions in Malaysia.

In the present study, articles published in two English dailies in Malaysia, The News Straits Times and The Star were analysed. These two English newspapers can be considered as prominent English print media in the country as they are the largest in term of distribution.

The News Straits Times is one of the oldest newspapers in the country and it has been in service since the year 1845. It went through several changes and transformation and now it is being published in tabloid and online version. The Star and Sunday Star have been published since 1971 and the tabloid has online version that could also be viewed in tablets and mobile phones. As dominant English print media in the country, these two tabloids hold rather an influential position in the media world.

**Table 2.1: Average net sales of English Newspapers in peninsular Malaysia in the year 2009 and 2012**

<b>English Newspapers</b>	<b>December 2009</b>	<b>June 2012</b>
<b>New Straits Times</b>	111,158	100,383
<b>New Sunday Times</b>	131,518	108,460
<b>The Star</b>	286,857	290,566
<b>Sunday Star</b>	295,815	292,607
<b>The Edge</b>	22,641	21,979
<b>Total</b>	847,989	813,995

Source: Audit Bureau of Circulations Malaysia

## 2.5 Conclusion

In this chapter, some theories in the domain of gender studies were discussed. Theories such as social learning theory and cognitive-developmental theory have defined gender as socially cultivated and regulated behaviours. The view of gender as a repeated and regulated act is also postulated in performativity theory. Butler's (1999) performativity theory put forward the idea that gender is a performed act. The theory postulates that challenging the binary gender system is possible as gender is a socially acquired knowledge. However, it was also highlighted that challenging the practices of dominant culture is not easy as individuals are constantly subjected to impending social structures. This is similar to the notion of power proposed by Foucault (1980).

The chapter also discussed the role of language in the construction of gender identity. Researches that have highlighted the crucial role of language in the discursive construction of gender identity are also discussed in this section. Although numerous studies have been carried in the field of gender studies, further studies are necessary to understand the complexity and discursive nature of gender identity formation.

The second section of the chapter focused on transsexuals. The chapter delved into terminologies and issues related to transgender in general. The discussion also included social and legal issues pertaining transsexuals in Malaysia. The final part of the chapter discussed the approaches in critical discourse analysis and media in general. The chapter also focused on the discourse-historical approach and media freedom in Malaysia.

## **CHAPTER THREE**

### **METHODOLOGY**

#### **3.0 Introduction**

Combining Butler's (1999) Performativity theory and Reisigl and Wodak's (2009) discourse-historical approach, the current study aims to demonstrate the discursive practices that shape and construct Malaysian transsexuals' identity. Editorials and opinion editorials published in two English newspapers were analysed to explore how the identity of transsexuals in Malaysia is discursively constructed.

This chapter focuses on the research methodology adopted to carry out the study. There are three main sections in this chapter; research design, source of data and analytical framework. Each section provides information and elaboration on the methods administered to collect, analyse and interpret the data.

#### **3.1 Research Design**

In this qualitative study articles published in the two English print media in Malaysia (from January 2008 - December 2012) were analysed. Data from the two English newspapers were analysed to understand the discursive practices that help shape transsexuals' identity. As qualitative research is primarily interpretive, it allows researchers to study a social phenomenon from various perspectives and make a "conclusion about its meaning personally and theoretically" (Creswell, 2003, p. 182).

The data analysed in this study were collected from two English print media in Malaysia, News Straits Times and The Star. In the current study editorials and opinion

editorials featuring articles on transsexuals were selected to examine how the media discursively construct the identity of transsexuals in Malaysia. Editorials and opinion editorials that featured transsexuals were collected from the respective newspapers' online archives. These articles focused on issues pertaining to transsexuals in Malaysia and represented views and opinions of their respective columnists and editors. These articles are different from news reports that are claimed to be structured objectively based on facts. The editorials and opinion editorials are analysed because they represent not only the writers' opinion about transsexuals but also the print media's stand on the issue of transsexuals.

The researcher utilised Reisigl and Wodak's (2009) discourse-historical approach, which is problem-oriented and not solely focused on a particular linguistic analyses. The data were analysed to identify argumentation schemes (topoi) and linguistic means that were employed in the discursive construction of transsexuals in Malaysia. The analysis focuses primarily on argumentation and topoi, one of the five types of discursive strategies applied in the positive self- and negative other-presentation postulated by Reisigl and Wodak (2009). Linguistic means that were deployed in the representation of transsexuals were also analysed in this study.

Interpretation of the findings was done with reference to related legal documents, socio-cultural practices and historical backgrounds. This is because in a qualitative research, it is important that social issues are viewed holistically by incorporating both micro and macro level analyses (Cresswell, 2003). As discourses are historically embedded, historical contexts were also studied and integrated into the interpretation of data.

### **3.2 Source of Data**

This research is designed to understand how the identities of transsexuals in Malaysia are discursively constructed by two print media. The data of this study are editorials and opinion-editorials that featured transsexuals in two English print media in Malaysia. In the academic world, articles published in a newspaper are categorised as hard and soft news. These two types of articles take different tones of presentation. Hard news such as news reports are more objective than soft news that expresses opinions of editorial board or columnists. Editorial and opinion editorial are classified as soft news and they are written by selected editors, reporters or columnists. In a print media, columnists are often represented as independent members who share their personal and critical view of the issues in the society. However, it is noteworthy that these columnists are individuals identified by the print media to represent the institutions. Their credibility is usually well established as accomplished individuals in a print media to help add value to their articles and inadvertently increase readership. Although, the articles were originally written by the columnist, it should be noted that only articles that have been edited and approved by the editor are published. On the other hand, editorials articles are written by editors or selected reporters and columnist on a topic decided by the editorial board. Both editorial and opinion editorial present opinion of the institution that the respective columns' writers represent with relevant facts.

In the present study, articles published under editorial and opinion-editorial columns in two English newspapers in Malaysia, The New Straits Times and The Star were analysed. In 2013, The New Straits Times recorded readership of 100,383 and The Star documented 290,566 readerships in Peninsular Malaysia. Both the Star and the News Straits times have the highest readership and their online database archive can be viewed by the general public.

The data for this study was drawn from the online Star and online News Straits Times Press database. The Yahoo or Google search engine can be used to locate the database. While articles can be browsed and downloaded from the Star online database without prior registration, a valid registration ID is necessary to browse the online News Straits Times press database and an amount of money is charged to download certain articles.

**Table 3.1: Number of articles that featured transsexuals from 2008 to 2012**

<b>YEAR</b>	<b>NUMBER OF ARTICLES</b>
<b>2008</b>	4
<b>2009</b>	6
<b>2010</b>	1
<b>2011</b>	7
<b>2012</b>	2
<b>Total</b>	<b>20</b>

Upon accessing the archives, the words – ‘transsexual’, ‘mak nyah’, ‘transgender’ and ‘transvestite’ were used to do a keyword search for articles that featured transsexuals in Malaysia from 2008 to 2012. Although these terms are not synonymous to the term transsexual, the terms were used to do keyword search because they are often used interchangeably with the word transsexual (see chapter 2, section 2.2). The articles were skimmed carefully to ensure that they have mainly focused on transsexuals and only articles published as editorials and opinion editorials were downloaded. The researcher did not study articles published as news reports or considered articles that featured transsexuals in a small insignificant manner. Articles on



HIV/AIDS for instance, often include or merely list transsexuals as a high-risk group without much elaboration or discussion on these individuals. In this study, only articles that have focused on transsexuals were selected for the analysis. In total 53 articles were viewed and 20 articles were selected from both print media for the analysis. The number of articles published each year is not consistent, thus some years have more articles than the others. The researcher also did not make comparison between editorials and opinion editorials and viewed the data as soft news as a whole.

It is important to note that the researcher did not analyse the articles as they were written in the original form by the writers. The amendments done to the articles during the editing process in the newspaper office before publication is not considered in this research because the researcher wanted to focus on the voice of the media agency and not the individual writer.

Reisigl and Wodak's (2009) discourse-historical framework was utilised to analyse the data. The data were analysed to identify argumentation schemes and linguistic means that were utilised to represent transsexuals.

### **3.3 Analytical Framework**

The current study, framed by the theory of performativity that views gender roles and identity as products of a cultural and socialisation process, utilised the discourse historical approach for precise linguistic analyses. Discourse-historical approach is a three-dimensional analytical framework that emphasizes on intelligible interpretation and explanation of a particular discursive practice. The interpretation of the text is therefore made with reference to the existing sound theories. Besides that, specific attention is also given to context and extra linguistic factors for detailed analysis.

The discourse-historical method's "point of departure is always the assumption that inequality and injustice are repeatedly reproduced in language and legitimized by it" (Titscher et al, 2000, p. 164). Research employing approaches under the domain of critical discourse analysis will focus particularly on the way language mediates ideologies in various social institutions. This specific criterion distinguishes studies on critical discourse analysis from other discourse studies. The discourse-historical approach is also an analytical framework that stresses on a number of basic criteria for detailed discourse analysis. The principles that bind researches under the discourse – historical approach and observed in the present study are listed in Chapter 2 (see section 2.3.3). Discourse-historical approach differs from other approaches under the domain of critical discourse analysis as the approach strongly emphasizes on interdisciplinary studies and the principle of triangulation.

The analytical framework of the discourse-historical approach is "hermeneutic" and "interpretive" (Titscher et al, 2000, p. 164). The discourse-historical approach also proposes a three-dimensional analysis which involves the establishment of content, the identification of strategies and linguistic forms.

The data collected from the two print media were analysed, first to identify specific discourse contents or topics. Having established the contents, the texts were examined to identify the various argumentation schemes or *topoi* and linguistic means. In analysing the data, attention was given to the five strategies of positive self-and negative other-presentation.

### **3.3.1 Establishing Contents**

The discourse-historical method proposes a three-dimensional analytical apparatus for text analysis. At level one, texts are examined to identify contents or topics of a

particular discourse. Identification of contents or discourse topics allows analysts to understand the ways in which a particular text is thematically structured.

Van Dijk (2001) refers to contents or topics as 'semantic macrostructures'. Van Dijk (2001) asserts that, "topics of discourse play a fundamental role in communication and interaction" (p. 101). Topics explain the agenda of a discourse. As such it carries important information that helps one to infer the message that is embedded in a discourse. "As topics have such an important role, and since topical (macro-structural) analysis can also be applied to larger corpora", Van Dijk (2001, p. 102) recommends that text analysis starts with such an analysis.

Similarly, Reisigl and Wodak (2009) suggest extrapolating main discourse topics of a text from the generalisation of established themes. Themes can be interpreted as the subject matters or main ideas that embody a particular text. The data collected in the present study were first examined to identify the themes that were present in the texts. The common themes that were found in the editorials and opinion-editorials were summarised and listed (see chapter 4, Table 4.1) to get an overall idea of the discourse. Establishing contents "provides a first, overall, idea of what a discourse or corpus of text is all about, and controls many other aspects of discourse and its analysis" (Van Dijk, 2001, p. 102). Having identified the themes, the researcher identified discourse topics that were deployed in the texts to establish the themes. In other words, at this level of analysis the researcher studied the data to identify the main ideas and the sub-topics used in the articles because they structure the discourse.

### **3.3.2 Argumentation Scheme**

After having established the specific contents or topics, argumentation schemes or topoi that were employed in the data were identified. The data were examined thoroughly to

identify the argumentation schemes employed to shape transsexuals' identity in Malaysia. Argumentation schemes are identified as this helps to increase the understanding of the way language is consciously or unconsciously used to disseminate a particular idea or message.

Strategies can be defined as “more or less accurate and more or less intentional plan of practice (including discursive practice) adopted to achieve a particular social, political, psychological aim” (Wodak, 2001, p. 73). Thus, discursive strategies are a systematic way of using language to disseminate particular messages (Wodak, 2001). There are five discursive strategies involved in the positive self-and-negative other presentation. According to Wodak (2001) “discursive construction of ‘us’ and ‘them’ are the basic fundamentals of discourses of identity and difference” (p. 73). The five discursive strategies are listed in Table 3.2.

**Table 3.2: Discursive Strategies**

<b>Strategy</b>	<b>Objectives</b>
<b>Referential/ nomination</b>	Construction of in-groups and out-groups
<b>Predication</b>	Labelling social actors more or less positively or negatively, deprecatorily or appreciatively
<b>Argumentation</b>	Justification of positive or negative attribution
<b>Perspectivation, framing or discourse representation</b>	Expressing involvement/positioning speaker's point of view
<b>Intensification, mitigation</b>	Modifying the epistemic status of a proposition

(Wodak, 2001, p.73)

In the present study, a specific focus is given to one of the five types of discursive strategies, namely argumentation strategy, which is used in the justification of positive and negative attribution. A specific focus is given to the identification of topoi that were utilised in the establishment of transsexuals' identity. Topoi (singular topos) in arguments "connect the arguments with the conclusions or the claims" (Reisigl and Wodak, 2009. p. 110). After identifying the different types of topoi, the findings of the analyses were then summarised and discussed.

### **3.3.3 Forms of Linguistic Realisations**

At this level, linguistic means that were used in the discursive construction of transsexuals' identity were studied. There are a number of components that can be investigated under this particular analysis. However, only a few prominent grammatical properties that are relevant to the construction of identity were studied.

In the current study, a specific focus was given to lexical units and hyperboles. The data were analysed for lexical units as "words convey the imprint of society and of value judgements in particular – they convey connoted as well as denoted meaning" (Richardson. 1974, p. 47). Besides, the words chosen to communicate certain ideas may "frame the story in direct and unavoidable ways" (Richardson. 1974, p. 48). The use of hyperboles was also examined to add a rhetorical dimension to lexicalisation. Hyperbole is commonly known as a way of conveying a message in an excessively exaggerated manner to bring out rhetorical effects.

Under lexical unit, naming and reference were also studied. According to (Richardson. 1974, p. 49), analysing how people are named and referred to especially in newspapers is important because,

“The way that people are named in discourse can have a significant impact on the way which they are viewed. We all simultaneously possess a range of identities, roles and characteristics that could be used to describe us equally accurately, but not with the same meaning”.

The texts were also analysed for presuppositions. Presuppositions are assumptions that may be sometime manipulated as commonsense. A presupposition can be defined as a “inferences or proposition whose truth is taken for granted in the utterance of a sentence” (Huang. 2007, p. 65). Meaning in the text cannot be taken as it is because there could also be inferred in a different way through “particular lexical items and/or linguistic constructions” (Huang. 2007, p. 65).

**Table 3.3 List of Forms of Linguistic Realisations**

Forms of Linguistic Realisations	Elaboration
<p><b>Pronouns</b></p> <ul style="list-style-type: none"> <li>• The use of generic “he” and “she”</li> <li>• Inclusive we</li> </ul>	<p>Pronouns used to refer to transsexuals</p> <p>To claim solidarity/ to include and exclude (us vs them)</p>
<p><b>Lexicalisation</b></p> <ul style="list-style-type: none"> <li>• Naming and reference</li> </ul>	<p>The selection/choice of wordings</p>
<p><b>Hyperbole</b></p>	<p>Exaggerated/overrated statement/phrase</p>
<p><b>Passive voice</b></p>	<p>Passive voice allows for the deletion/ back grounding of the agent (s)</p>
<p><b>Parallel constructions</b></p>	<p>Repeating words that are similar in meaning to convey message clearly</p>
<p><b>Quantifiers</b></p>	<p>Fallacy of number</p>
<p><b>Presupposition</b></p>	<p>assumptions that may be sometime manipulated as commonsense</p>

A great deal of attention was also given to pronouns to understand how transsexuals were represented with third person pronouns such “he” and “she”. Besides, the analysis has also focused on inclusive and exclusive “we” and how “us” and “them” were construed. Special attention is also given the use of passive forms. Passive voice is examined to understand how agents are backgrounded or omitted. Parallelism or parallel structures were also studied to focus on how similar grammatical forms are repeated in a sentence to intensely convey a message. Parallel structures also contribute to heighten the emotional charge of the language. In the present study an analysis was carried out to understand the way the above mentioned linguistic components were employed to discursively represent transsexuals in the two print media.

### **3.4 Conclusion**

In this chapter, the methodology used for the analysis of the data were discussed and justified. In the present study, data analysis focused on the way transsexuals in Malaysia are represented in print media. Data were collected from two English print media and analysed using discourse-historical approach. The two print media were selected because of the highest number of circulation.

In this qualitative study, the analysis was oriented at three levels: content, argumentation schemes and linguistic means. The data comprise of editorials and opinion editorials that are regarded as soft news. These articles were analysed to identify the ways argumentation schemes and linguistic means were utilised in the representation of transsexuals in Malaysia.

## **CHAPTER FOUR**

### **DATA ANALYSIS AND DISCUSSION**

#### **4.0 Introduction**

This chapter is dedicated to the analysis and discussion of data collected from two English print media: The News Straits Times and The Star. There are two sections in this chapter. In the first section, data collected from the online archives of the respective print media were analysed with examples provided from the texts. This section is divided into three parts: the discourse topic, argumentation schemes and linguistic means. Discourse topics were established to help orient analysis of argumentation schemes and linguistic means.

The second section focuses on the discussion of the findings and the research questions. The discussion is done with constant reference made to other studies in the related fields.

#### **4.1 Analysis of Data**

Editorial and opinion editorials that featured transsexuals in Malaysia were collected to analyse the ways in which The Star and The News Straits Times, the two mainstream print media in the country construct identity of a transsexual. The articles were collected from the respective newspaper's online archives from the beginning of the year 2008 to 2012.

These articles were written by editors and columnists to draw public's attention on issues pertaining transsexuals in general. Aimed at bringing light to the controversial



issues that surround transsexuals in Malaysia, most of these articles were written in response to news reports that featured transsexuals at a particular time.

## 4.2 Establishing Contents

The first step in the three-dimensional analysis proposed in discourse- historical approach is establishing content to understand how a text is thematically structured. At this level, the themes were identified and generalised to establish a list of prevalent discourse topics. Examples of themes that emerged in the texts were illustrated in Table 4.1.

**Table 4.1 Examples of Established List of Themes**

<b>Theme</b>	<b>Examples</b>
<b>Terms used to refer to transsexuals</b>	Others label them bapuk, lelaki lembut (effeminate man), mak nyah (male-to-female transsexual) and adik-adik. And, yes, pondan, too.
<b>Victim of discrimination</b>	They face stigma and discrimination from a very young age...
<b>Forced into sex trade</b>	They are sex workers, mostly forced into the trade...
<b>Discrimination by employers</b>	... are discriminated against by employers, and face difficulties in searching for jobs...
<b>Victim of misconduct</b>	It has become a part of their daily living to be taunted in the streets, groped, harassed by enforcement officers, physically assaulted...
<b>Misconduct of prison officers</b>	... in the male section of Kajang Prison, she was forced to strip in front of the officers...
<b>Realisation of self-identity</b>	He knew then that he was a woman trapped in a man's body...
<b>Transsexualism as disorder</b>	The condition is due to a hormonal imbalance.
<b>Legal acts against transsexuals</b>	...there is still Section 21 of the Minor Offences, 1955 to contend with where a slew of possible offences await the unwary...

<b>Theme</b>	<b>Examples</b>
<b>Arrest by authorities</b>	Mak Nyahs are being arrested once every two months, or more frequently
<b>Changing gender on identity card</b>	They can't change their sex in the birth certificates, identity cards...
<b>Treatments to alter physical appearance</b>	Those who are on hormone treatment, have breast transplants and sex reassignment surgery.
<b>Family members' acceptance</b>	Although her family loved her, they still could not accept that "he" was now a "she" ...
<b>Recognition of transsexuals in other Islamic nations</b>	Iran allows Muslim transsexuals to undergo sex reassignment surgery ...

The generalisation of the themes leads to the identification and establishment of discourse topics. The texts that were studied in the present research have centred the discussion on the issues of transsexuals on more or less similar thematic structures. The identification of themes (see Table 4.1) helped in the establishment of discourse topics. The discourse topics that were generated from the overview of the themes are listed below.

- Delineation of the term “transsexuals”
- Stigmatization of transsexuals
- Civil liberties of transsexuals
- Acceptance of transsexuals

The establishment of discourse topics aids to orientate the analysis at the next levels of investigation on discursive strategies and forms of linguistic realisation. In the following

sections the researcher will illustrate the way argumentation schemes (i.e. topoi) and linguistic means were deployed to establish each of the above mentioned discourse topics.

### **4.3 Argumentation Schemes**

Argumentation schemes focuses on the way arguments or attributions are justified and legitimized. A study on the various topoi can help in identifying the various argumentation schemes that were utilised to discursively construct an individual's identity (see Chapter 3, Section 3.3.1). Topoi are content-related and can be classified as "parts of argumentation that belong to the obligatory, either explicit or inferable, premises" (Reisigl, 2001. p. 74 -75). To make convincing arguments, a writer or reader may choose to put forward a number of arguments to persuade his readers or listeners on the validity of the statement made. The arguments may be derived from several perspectives to present a sound and convincing claim. The role of topoi is to connect the arguments with the claim by justifying the transition (Kienpointner, 1992, as cited by Reisigl, 2001. P. 75). In this study, the names of several topoi were derived from Reisigl and Wodak (2009) and Reisigl (2001). It should also be noted that there is no specific list available for topoi and new names may be coined accordingly, depending on specific data (Reisigl and Wodak, 2009. p.114).

#### **4.3.1. Delineation of the Term "Transsexuals"**

The articles that were analysed have attributed a great deal of attention to the delineation of the term "transsexual". Definitions and elaborations were provided to

enable readers to use the term appropriately and this aim is made explicit in the texts. Besides providing definition for the term “transsexual”, definition of other terms that are often associated with “transsexuals” were also provided. Using topos of definition, comparison, and appeal to authority, the texts not only have provided definition for the term “transsexual”, but have also constructed identity of those who have identified themselves as “transsexuals”.

#### **4.3.1.1 Topos of Definition**

Definition for the term “transsexual” was provided in almost all the texts to help readers understand the term accurately. In the articles, lack of knowledge about transsexuals and their orientation is claimed as the motivating factor behind the discrimination and abuse subjected to transsexuals in Malaysia. Thus, definition of the term “transsexual” and other terms that they are often associated with were provided to clear the misconception.

Using topos of definition, individuals who have identified themselves as transsexuals were defined as those who feel that they do not belong to the sex that they were assigned at birth. It was explained that, as these individuals have the strong inclination to live as members of the opposite sex, they could not relate themselves to the sex that they were assigned at birth. This inclination was deemed as the motivating factor for their act in opting for sex reassignment surgery and behaving as the opposite sex.

#### **Excerpt 1: Appendix A2**

*A transsexual identifies 'herself' as – or desires to live and be accepted as – a member of the sex opposite to that assigned at birth.*

Besides, in the articles, the word “transgender” was also often used interchangeably with the term “transsexual”. The term “transgender” is an umbrella term used to refer to not only transsexuals, but also cross dressers and transvestite (see Chapter 2, Section 2.2). Transvestites and cross dressers are individuals who enjoy dressing as members of the opposite sex for sexual pleasure and personal satisfaction (Wilson, 2002). Meanwhile, transsexual is the term used to refer to those “who feel emotionally that they want to live, as members of the opposite sex, especially those who had a medical operation to change their sexual organs” (Hornby, 2010). However, it is found that the terms have been used interchangeably in a number of instances in the article.

#### **Excerpt 2: Appendix A5**

*Transsexuals or transgender people experience dissonance between their sex as assigned at birth and their gender identity.*

In the texts, the authors claimed that the delineation of the term transsexual was provided with the aim to clear the general misconception on transsexuals. However, at many instances transsexuals were referred using the term transgender instead of transsexual. The use of the term transgender and transsexual interchangeably to address transsexuals may cause misperception in the identification of transsexuals and this nevertheless will defeat the purpose of providing the definition. Although the texts were aimed to clear the misconception that subject transsexuals to discrimination (as claimed in the articles), using inaccurate terms may lead to further confusion.

Besides, the term “mak nyah” was also used in the texts repeatedly to refer to male-to-female transsexuals. The term ‘mak nyah’, is a local slang used to refer to male-

to-female transsexuals (see Chapter 2, Section 2.2.1). However, in some articles, the word “mak nyah” was used interchangeably with the terms transsexual and transgender.

**Excerpt 3: Appendix A1**

*In the 1970s and 80s, **transgenders** were given the liberty to change their name and bin to binti in the identity card...now **mak nyah** can add a female name to her IC...Further dialogues with the NRD have allowed a **transsexual** to change her name...*

**Excerpt 4: Appendix A15**

*Even popping into the convenience store down the road can be dangerous – if you are a transgender (Mak Nyah).*

The term “mak nyah”, which was claimed to be an appropriate term to refer to male-to-female transsexuals in Malaysia, was coined by a group of male-to-female transsexuals to set up a society in 1987 (Teh, 2001). Although in the article (Excerpt 5: Appendix 16) the term is claimed to be a more “politically correct term”, the slang word is often negatively connoted. The reason why the term is deemed as a more politically correct term is also not elaborated in the text.

**Excerpt 5: Appendix A16**

*In more politically correct terms, she is a Mak Nyah or a male-to-female transsexual.*

Besides, the use of the term “mak nyah” also excludes female-to-male transsexuals. Compared to female-to-male transsexuals, male-to-female transsexuals were given a

wider coverage in the two print media. It was found that only in two articles female-to-male transsexuals were included and their opinions are recorded. Other articles have focused more on male-to-female transsexuals and this excludes the other group. The exclusion may not only contribute to unequal representation but also possible misconception.

#### **4.3.1.2 Topos of Comparison**

Terms such as hermaphrodite and cross dresser were also used in the texts to assert the differences between these individuals and transsexuals. Utilising topos of comparison, distinction between hermaphrodite and cross dressers was highlighted in the two print media. The comparison was deemed necessary by the authors because hermaphrodites are legally allowed to go for sex reassignment surgery. Cross dressing on the other hand is an offence and those who are caught cross dressing can be arrested and charged under section 21 of the Minor Offences Act 1955 (see chapter 2, section 2.2.1).

#### **Excerpt 6: Appendix A9**

*Transsexuals are those who choose to medically change their gender. Cross-dressers are people who like to wear the clothes of another gender.*

#### **Excerpt 7: Appendix A6**

*...if Fatine is a **hermaphrodite** or an inter-sexed person that is to say someone born with physically ambiguous sexual characteristics (“hermaphrodite”)....if Fatine is a **transsexual** – that is to say someone who identifies with a physical sex different from his biological one.*

In delineating the term transsexual, an individual's act in identifying himself or herself as a member of the opposite sex was also defined as a disorder. In the following excerpts for instance, the question that was posted to readers did not provide them with options. Using topos of comparison, transsexuals' desire to be recognised as member of the opposite sex was classified as an orientation that is caused by psychological, genetic or biological disorder.

**Excerpt 8: Appendix A10**

*...is transsexualism a biological occurrence or is it just a matter of cross-dressing?*

**Excerpt 9: Appendix A17**

*Is transsexual orientation psychological, genetic or biological?*

In the attempt to change the misconception that readers have on transsexuals, the writers of the articles have presented definition for the term transsexual and other terms that are often associated to transsexuals. Establishment of transsexual orientation as a disorder is part of this process as this will enable writers to define transsexuals as unique individuals with needs that are different from those who are not transsexual. Besides, there could be several motivating factors behind the classification of transsexualism as a disorder, including the socio-political situation in the country (see chapter 2, section 2.2.1). Law, religion and the perception of general public on the issues regarding transsexuals may have influenced the classification of transsexualism as a disorder in the texts. It may have been assumed that labelling transsexualism as a disorder may help to portray transsexuals as victims. This could also be one of the



reasons why gender orientation is not portrayed as an individual's choice or preference but as a disorder.

#### **4.3.1.3 Topos of Appeal to Authority**

Changing sex that has been assigned at birth is prohibited not only by the legal law but also in most religions that are practiced in Malaysia. Thus, by delineating transsexualism as a medical disorder, writers were able to place their arguments to construct transsexuals as a misunderstood group. In the articles, the argument on transsexual orientation as a disorder was further established with topos of appeal to authority.

##### **Excerpt 10: Appendix A5**

*It is a medical condition recognised by the World Health Organisation and the medical profession.*

##### **Excerpt 11: Appendix A16**

*Datuk Dr Khairuddin Yusof, former department head of Obstetrics and Gynaecology at University Malaya Hospital, ... "It is a biological thing,"*

##### **Excerpt 12: Appendix A10**

*Professor Dr Teh Yik Koon of National Defence University of Malaysia, who has been studying transsexual issues for more than a decade, believes it is much more than individuals entertaining their alter egos. She says various research findings have shown that transsexualism is a medical condition. She cites an article released in 2000 by*

*Frank P.M. Kruijver, Jiang-Ning Zhou, Chris W. Pool, Michel A. Hofman, Louis J.G. Gooren and Dick F. Swaab titled Male-to-Female Transsexuals Have Female Neuron Numbers in a Limbic Nucleus.*

The analysis shows that medical officers and researchers were quoted in the editorials and opinion editorials that were studied to construct transsexualism as a disorder. The references to authorities or expert source may help to justify the arguments that were made and thus may legitimize and add credibility to the claims.

In summary, using different topoi the articles were structured to construct identity of transsexuals' through definitions, comparisons and references made to authorities. Transsexuals were described as individuals who feel that they do not belong the sex that they were assigned at birth and have the inclination to change it. This inclination is framed as a disorder. Besides, transsexuals were sometimes referred using the term "transgender" although it is argued that they should not be confused with cross dressers. The fact that the term "transgender" is an umbrella term used to refer to cross dressers, transvestite and transsexuals seems to be ignored. Besides, the term "mak nyah" was often used to represent transsexuals although the term refers to only male-to-female transsexuals. This apart from excluding female-to-male transsexuals may also lead to the misconception that transsexuals are individuals who are born male and aspire to be female.

#### **4.3.2. Stigmatisation of Transsexuals**

Taking a sympathetic position, the articles lament on the various forms of discriminations transsexuals, especially male-to-female transsexuals, were continuously subjected to. The articles portrayed transsexuals in Malaysia as victims of

discrimination and abuse. Through topos of abuse, topos of fear or danger, topos of appeal to authority, and topos of consequence, the texts were structured to bring public's attention to the issues pertaining transsexuals.

#### **4.3.2.1 Topos of Abuse**

Using topos of abuse, the articles have depicted transsexuals as unaccepted or ostracised members of the society. The articles claimed that the Malaysian society does not accept transsexuals nor treat them as their equal. It was asserted that those who have challenged the normality were shunned by many and those who have accepted these individuals did so reluctantly. This representation of transsexuals as an unaccepted member of the society, especially without any empirical evidences, does not help in representing transsexuals positively. In fact, this may reinforce the stereotypes rather than helping readers to understand transsexuals.

#### **Excerpt 13: Appendix A9**

*For many, embracing a third gender is still a taboo.*

#### **Excerpt 14: Appendix A2**

*The public perception of transsexuals ranges from contempt and revilement to resigned acceptance.*

The articles have also focused on terms commonly used to refer to transsexuals. Although these terms were listed as derogatory terms that were often used to insult and degrade transsexuals in Malaysia, it is rather unnecessary for such terms to be repeated in a public media. Repeatedly stating disparaging terms that are offensive may not only

represent a particular group in a negative manner but also reinforce further use of such terms.

**Excerpt 15: Appendix A2**

*In Malaysia, derogatory slang to describe them would be pondans, laki lembut or mak nyah, though the latter term has been embraced by the community as an identifying factor in their cause.*

**Excerpt 16: 1 Appendix A11**

*"OI, pondan!" - how many have hurled this in the direction of a transgender or used it as an insult? Those words would usually be followed by cackles, crude jokes and wolf whistles. It's something "those who behave in a style traditionally associated with the opposite sex" are quite used to.*

**Excerpt 17: Appendix A16**

*In harsh and derogatory terms, Erin would be known as a pondan, bapak or akua. In more politically correct terms, she is a Mak Nyah or a male-to-female transsexual.*

Topos of abuse was also used to construct transsexuals in Malaysia as a heavily marginalised group by the society. In the articles, transsexuals in Malaysia were represented as stigmatised and ostracised group. Transsexuals were depicted as individuals who face enormous difficulties in leading life in their desired identity because of constant discrimination.

**Excerpt 18: Appendix A5**

*They are then stigmatised and become targets for harassment and abuse...*

**Excerpt 19: Appendix A15**

*Considered a “high-risk” group, most in the transgender community are caught in a vicious and pernicious cycle of violence and persecution for being who they are.*

**Excerpt 20: Appendix A11**

*For a marginalised group of Malaysians, life is a continuous struggle at asserting their identity...*

Utilising topos of abuse, transsexuals were also represented as victims of abuse and harassment. It was argued that transsexuals were constantly subjected to abuse by various parties. The descriptions of transsexuals as victims of discrimination represent them as weak and helpless individuals. Besides, the one responsible for the abuse was not given much emphasis although the predicaments of transsexuals were strongly accentuated. Besides, hyperbole was also used to accentuate representation of transsexuals as victims of continuous discrimination (refer to Excerpt 19 and 20).

**Excerpt 21: Appendix A5**

*It has become a part of their daily living to be taunted in the streets, groped, harassed by enforcement officers, physically assaulted, and discriminated and laughed at in school, at work, in clinics and hospitals and by landlords.*

**Excerpt 22: Appendix A9**

*She was forced to parade down the row of cells and flash her breasts at the other inmates.*

### **Excerpt 23: Appendix A8**

*Fatine, as he is better known, was once sacked by his homophobic boss for jeopardising the company's image, and was treated as a freak and a second-class citizen in Malaysia.*

Taking a sympathetic stand, the articles have lamented on the status quo of transsexuals in Malaysia. The articles have focused on the constraints faced by transsexuals in Malaysia. While the articles may have been structured to evoke sympathy, this extensive portrayal of transsexuals as victim of discrimination may affect the way transsexuals' are perceived. The articles may have succeeded in gaining reader's sympathy but the question is to in what way this has helped transsexuals to gain their respects and rights. Constantly depicting a group of people a sympathetic manner may not only affect the image of these individuals but also affect these individuals' self-esteem.

#### **4.3.2.2 Topos of Fear or Danger**

Topos of fear was also utilised to describe the dangers faced by transsexuals in Malaysia. Anecdotes and quotations were used to intensely describe how transsexuals are victimised. Life of a transsexual in Malaysia was portrayed as a dangerous and challenging one. Although the texts discussed issues pertaining transsexuals in general, at many instances, only voices of male-to-female transsexuals were recorded.

**Excerpt 24: Appendix A15**

*EVEN popping into the convenience store down the road can be dangerous – if you are a transgender (Mak Nyah).*

**Excerpt 25: Appendix A15**

*Before she realised what was happening, she was surrounded by a group of men who claimed to be religious enforcement officers. “They ordered me to hitch up my shirt and show them my bra. I was so shocked that I could only stare at them, so one of them pushed me face down to the ground and held my hands to my back while another pushed my shirt up and tugged my bra. The others only laughed,” Muna recalls. The incident rattled her, and for many months after that Muna was too frightened to step out of her house. Like Muna, many in the transgender community suffer mental anguish from the fear of discrimination, abuse and persecution. Worried that they can be arrested at any time, they feel uneasy about going out.*

The texts also described that some transsexuals were subjected to discrimination at a very young age. Stories of individuals who were bullied and insulted were written to highlight the dilemmas of being transsexuals. The experience of individuals who have faced hostility and discrimination were published without much highlights on positive experiences of these individual with others. The highlights on only negative experiences may not represent the actual experience of transsexuals.

**Excerpt 26: Appendix A17**

*“When I played with other kids in the park, they would call me bapuk or pondan,” says the 44-year-old transsexual, recalling the torment he went through, even at pre-school*

*age. Later, in an all-boys secondary school, Win avoided the canteen and toilets. "I was scared of being the butt of jokes. It was torture for me."*

#### **Excerpt 27: Appendix A11**

*Due to her effeminate ways, Erin was teased and even humiliated. Being stripped by her classmates during physical education classes was a norm. Unable to take the abuse, she stopped going to school at 16...*

The emphasis on the difficulties faced by transsexuals and the emphasis on how dangerous the path could be, help to represent transsexuals as stigmatised individuals. This may help in evoking sympathy for the transsexuals, but perhaps not in representing them in a positive manner. Besides, the emotionally charged language that is used in the representation of transsexuals as victims of abuse and harassment may not help young transsexuals who have yet to come of the closet nor their parents who could have been apprehensive about their children's future.

#### **4.3.2.3 Topos of Number**

Topos of number was also used to represent transsexuals in Malaysia as a stigmatised group. It is difficult to state the exact or even approximate number of transsexuals in Malaysia because there are no official records available. Besides, female-to-male transsexuals are often not as visible in appearance as male-to-female transsexuals and thus, not easily noticeable. It should not also be forgotten than because of the fear of law and discrimination, many transsexuals do not reveal their identity. On top of that, in Malaysia effeminate men and homosexuals are also generally mistaken as transsexuals.



Because of all these issues, it is not possible for one to determine or even to estimate the total number of transsexuals in the country. However, in Excerpt 28: Appendix A10, it was estimated that there are 10,000 to 30,000 transsexuals in the country and more than 60 per cent of them are involved in vice trade.

**Excerpt 28: Appendix A10**

*In Malaysia, there are between 10,000 and 20,000 transsexuals and more than 60 per cent of them are involved in the vice trade.*

The representation of transsexuals as a stigmatised group was also realised through the use of quantifiers such as many, a lot and most. Using quantifier, the writers were able to stress on the number without being specific about it.

**Excerpt 29: Appendix A10**

*A lot of transsexuals have difficulty finding jobs and have turned to being sex workers to earn a living.*

**Excerpt 30: Appendix A1**

*Pushed to the brink of survival, many transsexuals have no choice but to resort to sex work...*

Using topos of number, a majority of transsexuals were claimed to have been pushed to vice trade because of the heavy discrimination. This inadvertently represents transsexuals as sex workers or as individuals involved in immoral activities. It must also be highlighted that there were a number of discrepancies in the claims made in the articles. For instance, in Excerpt 32: Appendix 10, transsexuals were claimed repeatedly

to have been forced into sex trade to earn a living. In the same text, Malaysian AIDS Council (MAC) president was quoted saying that the assumption is wrong.

**Excerpt 31: Appendix A10**

*"There is this perception that most of them are sex workers, but that is entirely false."*

Utilising topos of number, the articles constructed transsexuals as a marginalised group. However, in doing so, transsexuals were inadvertently represented as individuals involved in vice trade. This may affect the way transsexuals are viewed as the representation of transsexuals as sex workers may not help to empower these individuals or change negative perceptions about them.

**4.3.2.4 Topos of Appeal to Authority**

Transsexuals were also depicted as stigmatised group using topos of appeal to authority. Various individuals' including volunteers from non-governmental organisations, activists', lawyers' and researchers' opinion about transsexuals in Malaysia were quoted. Opinions of these individuals were recorded using direct and indirect quotations.

**Excerpt 32: Appendix A10**

*PT Foundation advocacy manager Kevin Baker says the Mak Nyah community has been a misunderstood and disgraced group for a long time.*

Opinions of the selected individuals were mostly stated using quoted speech rather than reported speech. By using quoted speech, comments made by the speakers were

recorded word by word. This is perhaps because quoted speech can be used to make sound and convincing arguments. Nevertheless, although speakers were directly quoted, it should not be forgotten that the writers may have consciously selected opinions that should be quoted and published. In Excerpt 33: Appendix A9, a volunteer explained the challenges faced by transsexuals. By quoting the volunteer who have worked with transsexuals, the writer would be able to add stress to the argument on discrimination of transsexuals.

**Excerpt 33: Appendix A9**

*"It can get scary and lonely. They cannot understand why they are different. The feeling of isolation is worse when derogatory remarks are hurled at them," said the volunteer at the Pink Triangle Foundation.*

**Excerpt 34: Appendix A15**

*"Quite a number leave their homes to look for work as early as 15 years old, but they are unable to get reasonably paid employment because people are reluctant to hire them. And if they do get hired, they are often underpaid," says Angela Kuga Thas, another key mover of the human rights campaign.*

**Excerpt 35: Appendix A1**

*What breeds discrimination is the fact that mak nyahs are not recognised as members of society, says So's colleague Preetam Kaur. "We have been conditioned to think of them as an ostracised part of society, like social pariahs."*

The use of topos of appeal to authority helped the print media to portray transsexuals as stigmatised individuals. By quoting comments made by those who work together with transsexuals, writers were able to add credibility to their arguments and encourage readers to sympathise transsexuals. In fact, the way these individuals described transsexuals in Malaysia could have been the motivating factor why the writers have repeatedly portrayed transsexuals as stigmatised group. The attempt made by the activist to bring light to the plight of transsexuals in Malaysia, might have also affected the way the print media represent transsexuals.

#### **4.3.2.5 Topos of Consequences**

Topos of consequence was utilised to highlight how transsexuals were affected by the stigmatisation that they were subjected to. The intense discrimination was claimed to have affected transsexuals in many different ways.

#### **Excerpt 36: Appendix A11**

*They can't change their sex in the birth certificates, identity cards, driving licences and passports, even if they may have had a sex change and look every bit a woman. This affects their applications for jobs, housing and bank loans, and scholarships. They face enormous challenges in finding a life partner, and face obstacles even in death -- are they to be given a woman or man's last rites and how can their "spouse" benefit from their estate and savings?*

People's judgmental attitude and the law were indirectly highlighted as the reason for the discrimination. Nevertheless, this was not highlighted or accentuated and those

responsible for the stigmatisation were generally backgrounded and not given much attention.

**Excerpt 37: Appendix A1**

*Turned away from home, most mak nyahs do not finish schooling and would later find it hard to nail a job due to lack of paper qualifications, and harder still to hold one down because of stigmatisation.*

Besides, the articles claimed that the discrimination had forced many transsexuals to be involved in sex trade to survive. Although the articles were referring to male-to-female transsexuals, this was not made clear in the texts. As stated earlier, female-to-male transsexuals were not given much attention in the articles. It seems that the print media have focused more on male-to-female transsexuals and very often overlook at the fact that the term transsexual refers to both groups. By focusing too much on male-to female transsexuals the print media have represented both female-to-male and male-to-female transsexuals unequally. This unequal representation might have provided the impression that the term transsexual is for male-to female transsexuals alone.

**Excerpt 38: Appendix A5**

*It is society's rejection and discrimination against transsexuals as sexually deviant and their difficulties to find employment or to remain in the workplace because of discrimination and abuse that have forced many into sex work.*

*Topos* of consequence was also utilised to explain the causes to the discrimination. It was stated that the transsexuals were stigmatised for their behaviour and physical

appearance. Inadvertently, this has allowed transsexuals to be held responsible for the discrimination that they were subjected to.

**Excerpt 39: Appendix A11**

*They face stigma and discrimination from a very young age, and when older, they rarely get past job interviews because of the way they look and behave.*

**Excerpt 40: Appendix A10**

*Malaysian AIDS Council (MAC) president Datuk Mohd Zaman Khan says the Mak Nyah community attracts attention because of the way they dress and act and agrees that they are a misunderstood lot.*

Besides, it was also asserted that if this minority group stays positive, they could lead a better life. The articles have also asserted that by behaving properly, transsexuals will be able to gain their respect. In excerpt 42, Appendix 2 for instance, a transsexual who keeps herself away from other transsexuals was portrayed as a role model for others. It was claimed that by not going to clubs and mingling with other transsexuals, a transsexual is able to gain respect and acceptance.

**Excerpt 41: Appendix A10**

*Zaman admits that most transsexuals were denied jobs because of the way they dress, despite the fact that some of them are educated. "In desperation, they turn to the sex trade to survive. It does not help that they face rejection from their families, too. But I believe they can still make a decent living if they remain positive."*

#### **Excerpt 42: Appendix A2**

*B who comes from a well-to-do and supportive Malay family, thinks the problems could be solved if transsexuals themselves do not engage in “improper behaviour”. She is one of the very few transsexuals who keep away from the Mak Nyah community. She considers herself well educated and proper, and does not indulge in clubbing and other activities that transsexuals involve themselves in, as she believes all these negate their cause.*

Hence, although topos of consequence was utilised to represent transsexuals as a stigmatised group, the one responsible for the stigmatisation were not given much attention. Besides, transsexuals’ behaviour and appearance were pointed out as the contributing factor to the discrimination that they were subjected to. The representation of transsexuals as a stigmatised individuals, although may have been aimed at creating sympathy, might not have done much in changing the negative perception on transsexuals.

#### **4.3.3 Civil Liberties of Transsexuals**

Status of transsexuals and their rights as members of the Malaysian society were also discussed in the articles that were analysed. This is very much related to the topic that was discussed earlier as the law and the current system in Malaysia were highlighted as one of the reasons behind the discrimination of the transsexuals. Hence, in the articles, legal status of transsexuals in Malaysia was briefly explained. The articles have also voiced out a subtle call for amendment to the current law. This is achieved through topos of history, topos of appeal to authority, topos of justice and topos of law and rights.

### **4.3.3.1 Topos of History**

Topos of history was utilised to explain how transsexuals were treated before the year 1983. In the year 1983, the conference of Rulers imposed a Fatwa prohibiting sex reassignment surgery and cross-dressing for Muslim transsexuals (see chapter 2, section 2.2.1). Before the Fatwa was implemented, sex reassignment surgeries were conducted in Malaysia to help transsexuals change their physical appearance.

#### **Excerpt 43: Appendix A10**

*In 1983, the National Fatwa Council issued a fatwa against sex reassignment surgery for Muslim transsexuals and banned Muslim doctors from performing the surgery.*

#### **Excerpt 44: Appendix A5**

*There was a time in Malaysia when transsexuals could undergo sex reassignment surgery (SRS) in the country...Then in 1983, all this changed when the National Fatwa Council issued a fatwa against sex reassignment surgery for Muslim transsexuals... There is no documented evidence that this fatwa led to increased stigmatisation against transsexuals in Malaysia. But many of us grew up knowing transsexuals in the neighbourhood or in the family who were much loved, especially those who could cook, sew, decorate, sing, dance and be the “Mak Andam” at weddings.*

In the above example, although the article stated that there is no empirical evidence available to prove that the stigmatisation of transsexuals in Malaysia has increased after the Fatwa was implemented in 1983, it implied that the transsexuals had lead a respectful life before it was enforced. Since press freedom in Malaysia is governed by law (see chapter 2, section 2.4), the analysis shows that the articles have been carefully



structured to avoid criticizing any particular systems especially when it involves issues pertaining law and religion.

#### **4.3.3.3 Topos of Law and Rights**

Topos of law and rights were utilised to highlight the rights of transsexuals in Malaysia and the way they are viewed from the legal perspective. Utilising these topoi, the articles explained how transsexuals are restricted by the current law. In Malaysia, the law prohibit Muslims from changing the gender that they were assigned with at birth unless for medical reasons. Meanwhile, non-transsexuals could be arrested for cross dressing and indecent behaviour.

##### **Excerpt 45: Appendix A2**

*From a religious standpoint, transsexualism is forbidden...Non-Muslim transsexuals fare slightly better than their Muslim counterparts, as there is no official ruling as with the Muslims, even though their religions also forbid such actions. If caught, they would be charged for cross dressing and indecent behaviour under Section 21 of the Minor Offences Act 1955. A Muslim man caught cross dressing can be charged under Section 28, Syariah Criminal Offences (FT) Act 1997, for immoral behaviour, and is liable to a fine not exceeding RM1,000 or to imprisonment not exceeding one year, or both.*

##### **Excerpt 46: Appendix A16**

*Sex change operations were banned in Malaysia in 1983 after a religious edict was placed on them.*

In the articles, transsexuals were portrayed as an unaccepted group. In the above example, it was reinforced that transsexuals are forbidden by the religions. It was also highlighted that the law also prohibit cross dressing and sex reassignment surgery. Having explained how transsexuals are viewed from the legal and religious perspective, the articles described how transsexuals were subjected to abuse and discrimination by law enforcement officers. Stories of transsexuals who have been victimised were included to stress on the misconduct of law enforcement officers. Nevertheless, voices of law enforcement officers were not included in the articles.

**Excerpt 47: Appendix A16**

*Although it was not the first time she had been stopped by the authorities, it was the first time she had been groped and manhandled, on the street and in daylight. The incident rattled her, and for many months after that Muna was too frightened to step out of her house.*

**Excerpt 48: Appendix A15**

*“Sometimes these so-called enforcement officers have no identification, nor do they follow rules and procedure. They are like polis koboi (lawless cowboy enforcement officers). Once when I was arrested, one of them grabbed my boobs and said, ‘Your butt looks like a man but you have boobs,’” she recalls bitterly.*

Besides, the various constraints and dilemma faced by transsexuals were also stated in the articles that were analysed in this study. The articles asserted that life of a transsexual is a challenging one because of the existing legal system. It was highlighted that because of the difficulties in changing their gender and name on their identification

card, transsexuals had to face many obstacles to lead a normal life. Although this was highlighted in most of the articles, very few had directly stated neither that sex-reassignment surgery should be legalised nor that transsexuals should be given the rights to change their gender on their identity card. While the articles lamented on the predicament of transsexuals in Malaysia, not much were said about the solutions to the problems highlighted.

**Excerpt 49: Appendix A11**

*They can't change their sex in the birth certificates, identity cards, driving licences and passports, even if they may have had a sex change and look every bit a woman.*

**Excerpt 50: Appendix A1**

*Where the legal framework is concerned, everything comes to naught. There is no avenue for mak nyahs who have undergone sex change to change their sex stated in personal documents.*

Although the articles did not propose suggestions directly, in some articles it was pointed out that some Islamic nations, such as Iran and Pakistan have made amendment to their legal system to accommodate transsexuals. It was claimed that these countries have not only recognised transsexuals, but have also made avenue for these individuals to lead their desired life. The print media did not directly propose the government to allow sex reassignment surgery perhaps because the issue is related to religion, law and sensitivity of the society. Besides, sex reassignment surgery is not allowed for Muslims in Malaysia because of the Fatwa that was imposed by the the conference of Rulers in 1983. These could be the reasons why the articles were carefully and cautiously structured.

**Excerpt 51: Appendix A5**

*Iran is one Muslim country that allows Muslim transsexuals to undergo SRS and the government even pays for the surgery.*

**Excerpt 52: Appendix A17**

*In April this year, the Pakistan Supreme Court made a landmark decision to allow an unspecified third category of gender for transsexuals. It also recommended that they be given opportunities in government jobs.*

Through *topos* of rights the writers were able to state their arguments on why the current law against transsexuals in Malaysia could be and should be changed. This was done in a very subtle manner in most of the articles. There were instances where law makers were directly urged to change the current system. However, this was done mostly by quoting someone or by using inclusive ‘we’ or ‘us’.

**Excerpt 53: Appendix A10**

*"Egypt and Iran have allowed TS to have the surgery. Why not Malaysia?"*

**Excerpt 54: Appendix A14**

*The law looks like a scary piece of paper. However, it is real and, where outdated, change should occur to suit the ever-changing times and our ever-changing needs. After all, the laws were made for all of us. Transgenders, transsexuals, non-heterosexuals and intersex are a part of us: can we put our sticks down?*

This again shows that when it comes to issues that could be deemed as sensitive, the media has taken a careful step in not being assertive about its opinions. It could be noticed that, the articles have used quoted speech frequently to present certain claims, perhaps to avoid being held accountable. It was also noticed that sometimes, comments were made in general and presented as opinions of the general public using inclusive pronouns such as “we” (excerpt 54: Appendix A14) to claim solidarity. This indirect approach could very much related to the freedom of press in Malaysia or the print media’s own interest and ideological stand.

#### **4.3.3.4 Topos of Justice**

The articles have also utilised topos of justice to make their stand on the issue of Malaysian transsexuals’ civil liberties. In the articles, it was highlighted that changes need to be made to help reduce discrimination against transsexuals. However, in many instances social actors were not included or backgrounded in the statements. In the example below (Excerpt 55: Appendix A11), it was claimed that “having an open can help to change the general stigma”. The sentence was written in passive, thus deleting the agent. It was stated that “someone” (perhaps the readers, or the society or the government) should be more open minded and should make changes to the current law that is deemed not proper or perhaps inappropriate. However, this is not stated clearly.

#### **Excerpt 55: Appendix A11**

*Having an open mind can help change the general stigma attached to them. Proper laws should be enacted to enable people like Ashraf to have recourse to the justice system.*

The analysis also shows that in some instances, pronoun 'we' was utilised to seek solidarity with the readers. The inclusive 'we' was used with the assumption that the readers and the writer are non-transsexuals. In the example below, the writer claims for the solidarity of the readers to highlight that by discriminating against transsexuals, they (the writer and the readers) will be acting against the Constitution and the government's 1 Malaysia campaign.

**Excerpt 56: Appendix A14**

*Ironically, when we discriminate against any member in these groups or communities, we act against the Constitution. Similarly, we act against the Government's latest calling: 1Malaysia.*

Topos of justice was also realised through quoted speech. Opinions of social activists were also included in the articles in the form of quoted speech. This form of reporting is very much preferred in the articles that were analysed. Through quoted speech authors are able to emphasis on their opinions indirectly. While the authors may claim that they were merely quoting opinions of particular individuals, it should be noted that the quotations have been consciously selected and included.

**Excerpt 57: Appendix A15**

*To Thilaga it is a simple human right issue. "Just because they are transgender, and a minority group, doesn't mean that they don't have rights... We should be outraged that their rights are being violated because of who they are.*

**Excerpt 58: Appendix A18**

*“It is saying that being different is punishable. You are denying a person their right to live his or her life in the way they want to. People have a right to live their lives in the way they want to, so long as it doesn't harm others.”*

**Excerpt 59: Appendix A15**

*Kuga Thas agrees. “As Malaysians, we should be appalled that our transgenders continue to suffer violence and persecution for their identity. “Everyone else has the freedom to be out as late and as long as they want, to dress the way they want to, to have any hairstyle they like, to meet up with friends for food and drinks, and have a social life. “Why not the Mak Nyahs? Why shouldn't they have this freedom? They are fellow human beings and they are fellow Malaysians,” she adds.*

The use of quoted speech allows the print media to stay neutral and avoid responsibility. The use of various linguistic repertoires, such as quoted speeches, pronouns “we” and “us”, passive forms and nominalisation help the articles and its publishers to disassociate themselves from the comments that were made. This also helps them from not being held accountable in the future.

**4.3.3.1 Topos of Appeal to Authority**

Opinions of individuals such as medical professionals and researchers were also included in the articles that were studied to add credibility to the arguments that were made. In fact, it should be noted that ideas or claims that could be regarded as

controversial were often presented in the articles in quoted speech. This could be because this form of writing may enable the print media to stand on a neutral ground without being held accountable for any of the statements.

**Excerpt 60: Appendix A17**

*Dr Ng is in favour of a professional assessment mechanism. “The Government should look at transsexuals sympathetically,” he says. “If the board says no' to the person assessed, then it should propose counselling. If the board says yes', then the Government should approve the change in the identity card.”*

**Excerpt 61: Appendix A17**

*Dr Teh says that before a fatwa was issued in 1983, transsexuals could opt for sex-change operations and there was a panel that would interview and provide pre- and post-operation counselling for them. “This should be brought back,” she suggests.*

Using topos of appeal to authority, opinions of transsexuals regarding the current legal system were also included although this is not common. Interestingly, these individuals were given a positive coverage by the print media. Win, who was quoted in Excerpt 61: Appendix 17 for instance, was claimed to have declined to go for sex reassignment surgery. It was also stated that although Win had relationships with men, she had never been involved in pre-marital sex. She was also given a humble and modest position by assigning her with verbs such as ‘hope’ and ‘wish’.



## **Excerpt 62: Appendix A17**

*Win hopes the Government will set up a sexual change assessment centre.*

Win's request for the government to change the current system is made by assigning her with positive attributes. Not opting for sex reassignment surgery and not being involved in pre-marital sex may represent Win as a good individual to the conservative readers and this may have been perceived by the writer as important to add value to Win's opinions.

The analysis shows that the articles have discussed about civil liberties of transsexuals in Malaysia by portraying them as individuals with restricted freedom. It was implied that the law and religions in the country limits the freedom of these individuals, thus subjecting them to further discrimination. The claims were mostly embedded and were presented cautiously through the use of various argumentation schemes and linguistic repertoires. The attempt of the print media to remain on neutral ground could be ideological as they may not want to go against the dominant group and culture.

### **4.3.4 Accepting and Embracing Transsexuals**

Besides civil liberties, accepting and embracing transsexuals as members of the society was also a topic of discussion in the articles that were studied in this research. The discussion on civil liberties of transsexuals actually led to the discussion on accepting transsexuals as members of the society. It is noteworthy that in the articles that were studied, transsexuals have been portrayed as a heavily discriminated group of people. They were also constantly described as unaccepted members of the society. Having portrayed them as an unaccepted member of the society, the articles took the liberty to

place their arguments on why the society should be more tolerant towards transsexuals. This was done using topos of history and topos of humanitarian.

#### **4.3.4.1 Topos of History**

In the articles, topos of history is used to highlight that the Malays in Malaysia were more tolerant to transsexuals in the past. This was stated using inclusive “we”, where it was presupposed that the readers are also Malays. In the example below, it was indicated that in the past, transsexuals were easily accepted and not stigmatised by Malay community. This, however, is not supported with any empirical evidences and the claim could merely be the opinion of the writer.

##### **Excerpt 63: Appendix A5**

*There was a time in Malaysia when transsexuals could undergo sex reassignment surgery (SRS) in the country, have his or her name changed to reflect the new gender...Then in 1983, all this changed when the National Fatwa Council issued a fatwa against sex reassignment surgery ...There is no documented evidence that this fatwa led to increased stigmatisation against transsexuals in Malaysia. But many of us grew up knowing transsexuals in the neighbourhood or in the family who were much loved, especially those who could cook, sew, decorate, sing, dance and be the “Mak Andam” at weddings.The Malays then seemed to embrace the “Mak Nyahs” in their midst much easier than other communities. We all understood that God created them that way and that they were to all intents and purposes women trapped in a man’s body.*

*Topos* of history was also utilised to describe the life of transsexuals in Malaysia in the past. It was described that transsexuals in Malaysia had more flexibility to undergo for sex reassignment surgery and change their physical appearance. It was also claimed that some had the chance to lead ordinary life in the gender that they have chosen. The articles however, did not provide any evidences to support the claim and quantifiers such as “some”, “many”, and “most” were used widely instead of exact figure. Quantifiers that were used in the statements help to intensify the arguments and make generalisation.

**Excerpt 64: Appendix 18**

*“My Penang friend told me how, when he was a boy, he was taken from school by a transsexual hired by his parents. No one batted an eyelid.*

**Excerpt 65: Appendix A5**

*There was a time in Malaysia when transsexuals could undergo sex reassignment surgery (SRS) in the country, have his or her name changed to reflect the new gender, and identity card, passport and driving licence all changed with new photographs, new name and new sex assignment. Some even got married and were able to adopt children and became grandparents. Then in 1983, all this changed when the National Fatwa Council issued a fatwa against sex reassignment surgery for Muslim transsexuals and banned Muslim doctors from performing the surgery. The one Muslim doctor in Malaysia had to stop his practice. There is no documented evidence that this fatwa led to increased stigmatisation against transsexuals in Malaysia. But many of us grew up knowing transsexuals in the neighbourhood or in the family who were much loved, especially those who could cook, sew, decorate, sing, dance and be the “Mak Andam” at weddings.*

Topos of history is used in the articles to illustrate how transsexuals had led a better life in the past and how the society accepted transsexuals. In in the above excerpt for instance, the Malays were described as more tolerant and compassionate towards these individuals in the past. The argument was made in a number of persuasive manners. First the writer had used quantifiers, instead of exact figure. This has helped the writer to not be held accountable for his or her claim. Second, the writer used pronoun “us” and has placed the readers and writer in the same group. The use of inclusive “us”, help the writer to claim solidarity with readers. The author has also encouraged readers to associate themselves with the experience of the writer.

**Excerpt 66: Appendix A2**

*The fact is, transsexuals have existed in our society even before Independence, and played a significant role in the community. They're the dapur pondans – kitchen helpers – who worked for families as cooks and cleaners in a long gone era, and in villages were known as meks, who acted as the local tailor, make-up artist and wedding planner. It is fascinating to compare the fond memories of the older generation of Malaysians who grew up with transsexuals as neighbours and domestic help.*

In the above example, transsexuals were described to have played significant role as members the society even before the independence. The older generation is said to have “fond memories” growing up with transsexuals. The statement is aimed to indicate that transsexuals are not a threat to anyone and it is possible for the society to live in harmony with transsexuals. The use of topos of history has enabled the writer to depict that accepting and embracing transsexuals will not affect any individuals. However, the author used the term “pondan” to refer to the transsexuals. It is a derogatory term used locally to refer to male-to-female transsexuals. Reinforcing the term that has negative

connotation contradicts with the author's initial intention to accept transsexuals as members of the society.

#### **4.3.4.2 Topos of Humanitarian**

Topos of humanitarian is used to persuade readers that transsexuals should be accepted on humanitarian ground. In some instances, the call to accept and embrace transsexual was done indirectly by generalising that Malaysians believe that transsexuals in Malaysia should not be discriminated. In the example below, Malaysian were described to be understanding and compassionate.

##### **Excerpt 67: Appendix A17**

*Since Malaysians from various ethnicity and faiths emphasise compassion towards transgenders and believe that they must not be bullied or discriminated against, greater efforts must be made to stop the stigmatisation and discrimination.*

In the example above, the writer stressed that Malaysians regardless of their faith and ethnicity believe that transsexuals should not be stigmatised. However, this is not how Malaysians were always portrayed in the articles that were scrutinised in this study. It should be noted that when transsexuals were depicted as victims of stigmatisation, the Malaysian society was portrayed negatively by the print media.

The analysis also shows that inclusive pronoun "we" is often used to persuade readers to accept transsexuals. In the examples below, the writer used pronoun "we" to ask readers to be less judgemental. With the use of pronoun "we", the writer made a clear distinct between the readers and the writer (us) and transsexuals (them). It is noteworthy that the writer has presupposed that the readers are non-transsexuals and

that they may not like transsexuals. It was assumed that the readers, like the writer may not like transsexuals, but they both are conditioned to like them.

**Excerpt 68: Appendix A11**

*We need to be less judgmental. This group of people do exist, whether we like it or not.*

**Excerpt 69: Appendix A10**

*It is so easy to disregard their existence or even shun them, but they are part of society, whether we like it or not.*

Topos of history and topos of humanitarians are used in the articles to encourage readers to accept and embrace transsexuals. Topos of history was used to illustrate that in the past, Malaysians had been able to live in harmony with transsexuals. The topos was used to assure readers that their life will be not be affected nor threatened by the present of transsexuals. It should be noted that the articles have felt that such assurance is necessary (see Excerpt 62: Appendix A5 and Excerpt 64: Appendix A2). This inadvertently, presupposes that readers are apprehensive about the existence of transsexuals. The articles have also used topos of humanitarian to persuade readers to accept transsexuals on humanitarian ground although they might not like them. With the use of pronoun “we”, the writers have claimed solidarity with the readers who are presumed to be non – transsexuals.

At this macro-level of analysis, the researcher highlighted the various argumentation schemes that were involved in the representation of the four dominant themes that emerged in the articles. The four themes are:

- Delineation of the term transsexuals
- Stigmatization of transsexuals

- Civil liberties of transsexuals
- Acceptance of transsexuals

The analyses of the themes and argumentation schemes have provided a number of interesting data that will be further elaborated in the discussion section. The summary of the analysis on the argumentation schemes that were deployed to justify the representation of transsexuals is provided in the table in table 4.2.

**Table 4.2 Summary of the analysis on the use of topoi**

<b>Discourse Topics</b>	<b>Argumentation schemes</b>	<b>Purpose</b>
<b>Delineation of transsexuals</b>	<i>Topos of definition</i>	To define the term “transsexual”, “transgender” etc.
	<i>Topos of comparison</i>	To make distinction between transsexuals, hermaphrodites, and cross dressers
	<i>Topos of appeal to authority</i>	To represent transsexuals as individuals experiencing disorder
<b>Stigmatisation of transsexuals</b>	<i>Topos of abuse</i>	To construct transsexuals as unaccepted members of the society To represent transsexuals as victim
	<i>Topos of fear/danger</i>	To describe the dangers of being a transsexual
	<i>Topos of number</i>	To represent transsexuals as victims of discrimination/ those involved in vice trade
	<i>Topos of appeal to authority</i>	To intensify the representation of transsexuals as victims
	<i>Topos of consequences</i>	To highlight the effects of discrimination of transsexuals To highlight the effects of being a transsexuals/ the cause of the discrimination

<b>Discourse Topics</b>	<b>Argumentation schemes</b>	<b>Purpose</b>
<b>Civil liberties of transsexuals</b>	<i>Topos of history</i>	To describe life of transsexuals in the past
	<i>Topos of law and rights</i>	To describe the legal status of transsexuals To highlight on transsexuals rights
	<i>Topos of appeal to authority</i>	To mitigate and avoid being held accountable
	<i>Topos of justice</i>	To highlight the civil liberties of transsexuals
<b>Acceptance of transsexuals</b>	<i>Topos of history</i>	To describe that transsexuals were easily accepted in the past
	<i>Topos of humanitarian</i>	To assert the necessity to accept transsexuals on humanitarian ground

#### **4.4 Linguistic Means**

On the micro- level of the analysis, various linguistic means and forms of realisation are examined to understand how they are deployed in the articles for the enactment of social roles. “When people use language, they have to select from options available in the system – they have to make lexical, grammatical and sequencing choices in order to say what they want to say” (Janks, 2005. p. 97). These choices are made to deliver messages in the way intended by the speaker or the writer. Studies on how linguistic choices are made, may help in understanding how texts constitute and are constituted. In this section, prominent grammatical properties that were used in the discursive construction of transsexuals’ identity are highlighted and discussed in detail.



#### 4.4.1 Pronouns

Third person pronouns in English are available for two genders: male and female. Often there are confusions in the use of pronouns for transsexuals as they are considered as the third gender. Thus, studying the way pronouns are used to refer to transsexuals could help in understanding one's perspective towards these individuals. A study on how pronouns are used when transsexuals are referred in the texts that were analysed in this study may help in understanding the motivation behind such choices.

An analysis of the texts that were scrutinized in the present study depicts that the two print media are inconsistent in the use pronouns that are used to represent transsexuals. It is found that, generally transsexuals are referred with pronouns that reflect the physical identity of the individuals. Transsexuals that have gone through any forms of hormonal treatment or sex reassignment surgery are sometimes assigned with the pronouns that reflect their new appearance. The same individuals are given different pronouns, if the writer talks about their life before the alteration.

#### **Excerpt 70: Appendix A9**

*He knew then that **he** was a woman trapped in a man's body. **He** has three elder siblings and a younger sister. "They objected to me becoming a woman, so I decided to leave home when I was 16," said Raman, who now goes by the name "Tamana Sri". That was four years ago. Now, **Raman is a "she"**, having had a sex-change operation three months ago in Thailand. The 20-year-old became a sex worker because **she** couldn't find a proper job.*

**Excerpt 71: Appendix A9**

*Siva was thrown out of the house when **he** was 17. **He** got a job as an administration clerk and started calling **himself** "Varsha". Varsha then pursued a foundation course at a private college. At 18, Varsha had a sex-change operation in Thailand for RM10,000. **She** removed her male organs and took hormone tablets. Varsha also started a relationship with a man and depended on him for money, food, clothes and accommodation. **She** also stopped her education.*

**Excerpt 72: Appendix A15**

*That was what Muna\* learnt last year when she went out to get the paper one morning. Before **she** realised what was happening, **she** was surrounded...*

In the example below, pronoun "he" is used to address the interviewee, perhaps because the person is still indecisive about the surgery. This example and the ones illustrated above are not enough to explain the way the two print media choose to assign pronouns to transsexuals. While the articles do assign pronouns to a transsexual based on his or her preferred gender identity, a number of times this is not done especially if the authorities have taken legal actions on the person.

**Excerpt 73: Appendix A17**

*Another transsexual, Hani, 27, hopes the government will allow male or female gender change in the identity card. "I feel like a woman. I can't explain why I feel this way," says Hani, who is in two minds on whether to pursue sex change if **his** gender cannot be changed in the identity card.*

Transsexuals are not always referred with the pronouns that reflect their physical appearance and identity. The analysis shows that the articles are inconsistent with their use of pronouns for transsexuals. There are many instances, where a transsexual is referred with pronouns that reflect his or her biological gender (see Excerpt 72: Appendix A8 and Excerpt 73: Appendix A11). Although the articles were written in sympathetic manner, this is not reflected in the texts. There could be several motivations behind the decision of the writers to use pronouns that does not reflect the gender identity that has been chosen by the individuals themselves.

**Excerpt 74: Appendix A8**

*BEING tragically born with the wrong body has been a “living hell” for Malaysian transsexual Mohammed Fazdil Min Bahari. Fatine, as **he** is better known, was once sacked by **his** homophobic boss for jeopardising the company’s image, and was treated as a freak and a second-class citizen in Malaysia.*

**Excerpt 75: Appendix A11**

*The most recent case involved Mohd Ashraf Hafiz Abdul Aziz, who died, probably of a broken heart, on Saturday. **He** had made a legal bid to have the gender on his identity card changed to female, and **his** name to Aleesha Farhana following gender reassignment surgery in Thailand two years ago. **He** failed and had been deeply depressed since.*

In the examples above, the transsexuals were assigned with pronoun “he”, although they have been referred with their female names. The articles may seem to be written in a favourable manner to support transsexuals, but the analysis shows the wariness of the

print media to go against the authorities. Since the authorities have disapproved these transsexuals' transformation, the print media was perhaps reluctant to represent them as female.

Apart from third person pronouns "he" and "she", pronoun "we" and "us" are also used to display solidarity. The writers have placed themselves and the readers in a group using the inclusive pronoun "we". The group is presupposed as unit consisting of non-transsexuals. Inadvertently, this places transsexuals in a separate group and creates a distinct between "us" and "them".

**Excerpt 76: Appendix A10**

*It is so easy to disregard **their** existence or even shun **them**, but **they** are part of society, whether **we** like it or not.*

**Excerpt 77: Appendix A19**

*As **we** become more aware of LGBT issues, may **we** be open to learning more so that **we** can do better job as parents and caregivers...*

**Excerpt 78: Appendix A11**

***We** need to be less judgmental. This group of people do exist, whether **we** like it or not.*

**Excerpt 79: Appendix A5**

*But many of **us** grew up knowing transsexuals in the neighbourhood or in the family who were much loved, especially those who could cook, sew, decorate, sing, dance and be the "Mak Andam" at weddings.*

The use of pronoun "we" in the above examples include readers and the writer, but excludes the transsexuals. The writers have claimed solidarity with the readers and have

implied that they both are conditioned to accept transsexuals since their existence in the society is undeniable. While the writers have structured the sentences to urge the readers to accept transsexuals, they have presumed that the readers will be reluctant to do so. The writers have displayed their own reluctance in the sentences and have imposed on the readers. Besides, the way the pronoun was used has placed readers and the media in an unequal power relation with the transsexuals. Transsexuals have been placed in a weaker position, where they need others to approve their existence.

#### **4.4.2 Hyperbole**

Rhetorical devices can be utilised to effectively create the emotion and feeling that a writer wants to create in his readers. In the articles that were analysed in the present study, hyperboles were utilised to strongly intensify the stigmatization of transsexuals in Malaysia. Hyperbole is a rhetorical device that is used to evoke strong emotions or feelings through exaggeration. In the examples below, life of transsexuals in Malaysia is constructed as a challenging one using hyperbole. The use of hyperbole was intended to represent transsexuals as heavily marginalized individuals.

##### **Excerpt 80: Appendix A8**

*BEING tragically born with the wrong body has been a “living hell” for Malaysian transsexual Mohammed Fazdil Min Bahari.*

##### **Excerpt 81: Appendix A1**

But what is a high-risk group, questions the 45-year-old mak nyah (**woman trapped in a man's body**).

**Excerpt 82: Appendix A20**

*Fortunately, he survived those dark years...*

In the examples above, being born as transsexuals was exaggerated as a tragic as the transsexuals have to face various challenges. In Excerpt 78: Appendix A8, being born as transsexuals is described as “living hell”. The association of transsexuals’ life with the concept of “hell” intensifies the representation of transsexuals as victims. Transsexuals were also represented as someone being trapped in a wrong body. The use of hyperbole to portray a transsexual as someone trapped in a wrong body, help to intensely represent transsexuals as individuals with internal conflicts.

Hyperbole was also used at various instances to highlight on the discrimination that transsexuals were subjected to. The literary device was effectively used to strongly accentuate on the sufferings of transsexuals. In the excerpts below, the words that were selected to describe transsexuals have helped the articles to represent them as heavily marginalised individuals.

**Excerpt 83: Appendix A1**

*Pushed to the brink of survival, many transsexuals have no choice but to resort to sex work, which exposes them to a high risk of contracting HIV/AIDS.*

**Excerpt 84: Appendix A1**

*For a marginalised group of Malaysians, life is a continuous struggle at asserting their identity.*

### **Excerpt 85: Appendix A10**

*THEY'VE been shunned and marginalised for ages.*

Rhetorical devices such as hyperbole are useful in evoking strong emotions through the use of emotionally charged language. Although the words are not meant to be taken literally, they still have the ability to leave a strong impression on the readers. The analysis shows that the articles have used hyperbole effectively to represent transsexuals as victims of internal conflict, disorder and discrimination.

### **4.4.3 Presupposition**

Presupposition refers to claims that are presumed and manipulated as common sense (Huang, 2007). They often present implicit and embedded meanings that are hidden or presupposed in a text or utterance. They carry not only the writers message but also his attitude, believe and ideology. In the example below, the writer described that transsexuals had better life before the Fatwa was implemented (see Chapter 2, section 2.2.1). Although the writer explicitly explained that there is no evidence to indicate that the ruling has affected the transsexuals in Malaysia, this was implied in the passage. The article claimed that many of the readers and the writer himself have had good relationship with transsexuals, who have been attributed with feminine traits and roles, before the fatwa was implemented (see Chapter 2, section 2.2.1). Although this was not explicitly stated, the message was embedded. The writer have presupposed that the reader, like him have grown up knowing a transsexuals. It was also presupposed that the “much loved transsexuals” have the ability to cook, sew, sing and dance. These abilities are presumed and represented as feminine traits. Besides, it is noteworthy that

transsexuals in this example are represented as male-to-female transsexuals. This, inadvertently have excluded female-to-male transsexuals.

**Excerpt 86: Appendix A5**

*There was a time in Malaysia when transsexuals could undergo sex reassignment surgery (SRS) in the country, have his or her name changed to reflect the new gender, and identity card, passport and driving licence all changed with new photographs, new name and new sex assignment. Some even got married and were able to adopt children and became grandparents. **Then in 1983, all this changed when the National Fatwa Council issued a fatwa against sex reassignment surgery for Muslim transsexuals and banned Muslim doctors from performing the surgery. The one Muslim doctor in Malaysia had to stop his practice. There is no documented evidence that this fatwa led to increased stigmatisation against transsexuals in Malaysia.** But many of us grew up knowing transsexuals in the neighbourhood or in the family who were much loved, especially those who could cook, sew, decorate, sing, dance and be the “Mak Andam” at weddings.*

The analysis shows that presuppositions were used to construct identity of a transsexual in Malaysia. In the example below, a transsexual is depicted in a positive manner in the article. She was described as someone who does not mingle with other transsexuals and consider herself as educated and proper. The passage claims that ‘B’ does not indulge herself in clubbing and other activities that transsexuals often involve themselves in. The statement may carry two embedded messages. The first one is that someone who is proper and educated will not indulge themselves in clubbing and other presumably negative activities. The second implied message is that transsexuals are individuals who indulge themselves in clubbing and other negative activities. The following sentences, describe how a “proper” transsexual should behave. The example is illustrative of the way the print media have utilised presupposition to present their own ideologies implicitly.



**Excerpt 87: Appendix A2**

*B who comes from a well-to-do and supportive Malay family, thinks the problems could be solved if transsexuals themselves do not engage in “improper behaviour”...She is one of the very few transsexuals who keep away from the Mak Nyah community. She considers herself well educated and proper, and does not indulge in clubbing and other activities that transsexuals involve themselves in, as she believes all these negate their cause...She practises safe sex, dates ‘proper men’ and not “sell her body”. She has no contact with her ‘sisters’ from Chow Kit and from the less stellar parts of Kuala Lumpur.*

**Excerpt 88: Appendix A11**

*We need to be less judgmental. This group of people do exist, whether we like it or not.*

**Excerpt 89: Appendix 19**

*Like it or not, we have to address it on one level or another.*

Presupposition is also used to claim solidarity with the readers and to emphasis on the way transsexuals should be treated. In the example below, it was presupposed that the readers like the writer is judgemental and reluctant in accepting transsexuals. Based on the assumption, the writer has stressed that the readers need to be less judgemental as the existence of transsexuals could not be prevented. It is noteworthy that the writer have only requested for the readers to be “less judgemental” and not to be judgemental at all. The writer perhaps has presumed that it would have been impossible for one to be absolutely none judgemental. The analysis of presupposition reveals that the writers have implicitly included their own judgement and perception in the texts.

#### 4.4.4 Quantifiers

Quantifiers, such as many, a lot, some are commonly used the articles that were analysed in this study. As a modifier, quantifiers are used to refer to amount, proportion or quantity of the noun that it modifies. However, quantifiers indicate indefinite quantity and do not represent exact figure or number. In the two print media, quantifiers are widely used realize the strategy of mitigation and intensification.

It is not possible to state the exact number nor approximate number of transsexuals in Malaysia as there are no records available. As such, it is impossible to indicate how many have been involved in vice trades, or face any forms of challenges. The analysis shows that quantifiers are often used to indicate that many, most, a lot or even some are discriminated and subjected to challenges without being specific about the number. In the examples presented in the table below for instance, the use of quantifiers gives the impression that majority numbers of transsexuals are subjected to some forms of discrimination. However, the articles did not highlight the source of data that led to the conclusion. The use of quantifiers in these sentences could be fallacies of number as they could not be verified.

<b>Table 4.3 Examples of quantifiers used to refer to transsexuals</b>	
<i>When <b>many</b> transsexuals were forced into sex work</i>	Appendix A5
<i><b>Some</b> are not hesitant to share their stories but most live deep in the closet and have low self-esteem</i>	Appendix A11
<i><b>A lot of</b> transsexuals have difficulty finding jobs and have turned to being sex workers to earn a living.</i>	Appendix A10
<i>Turned away from home, <b>most</b> mak nyahs do not finish schooling and would later find it hard to nail a job ...</i>	Appendix A1

In the articles, quantifiers were also used to represent non-transsexuals in both favourable and unfavourable manners. The quantifiers were used in the statements below to present them as facts. However, the writers did not elaborate on how such conclusion was derived.

<b>Table 4.4 Examples of quantifiers used to refer to non-transsexuals</b>	
<i>For many, embracing a third gender is still a taboo.</i>	Appendix A9
<i>Many, however, feel that mak nyah community are simply misunderstood</i>	Appendix A10

The analysis shows that the articles have used quantifiers to present fallacies as facts. Although the quantifiers were used and were presented as facts, the claims cannot be validated as they were not made based on any reliable data. Thus, the use of the quantifiers implicitly displays the perceptions of the writers and the institute that they represent.

#### **4.4.5. Parallelism**

Parallelism refers to the repetition of clauses or phrases from a similar grammatical form. Parallelism can be used effectively in rhetoric to emphasis a meaning and make a powerful statement. In is a technique that can be used to repeatedly express a similar idea to create strong impression. In the articles that were scrutinized in the present study, parallelism was utilized in the representation of transsexuals. In the examples below, words that are similar in meaning are repeated to emphasis on the message that was conveyed.

#### **Excerpt 90: Appendix A5**

*Instead they face **harassment and abuse** by the authorities, are **discriminated against** by employers, and face **difficulties** in searching for jobs, housing, and medical treatment.*

#### **Excerpt 91: Appendix A15**

*Like Muna, many in the transgender community suffer mental anguish from the fear of **discrimination, abuse and persecution.***

#### **Excerpt 92: Appendix A5**

*It has become a part of their daily living to be **taunted in the streets, groped, harassed** by enforcement officers, **physically assaulted, and discriminated and laughed at** in school, at work, in clinics and hospitals and by landlords.*

In the examples that are illustrated here, parallelism is used to intensely represent transsexuals as victims. Words and phrases that are similar in meaning are repeated to describe how intense the suffering of these individuals. Repetitions of phrases that are similar in meaning help the articles to strongly emphasize and stress on the message that was expressed. The use of parallel structures also makes the language to be emotionally charged with its repeated phrases and clauses.

#### **4.4.6. Lexical Unit**

Each time a language is used to convey meaning, users make intelligent choices from the available system. Each of his or her choices, in terms of grammar, lexical units, or structure is determined by various factors. It is important that any analysis of identity

construction to focus on the way lexical units are selected in the naming and referencing of the group that is studied. In the present study, a special focus is given to the way transsexuals were named and referred in the texts to understand the way their identity is constructed.

The analysis depicts that transsexuals are mostly represented as homogeneous group without considering their diversity. In the examples below the agents were addressed as “transsexual”, instead of identifying them with their names. It is noteworthy that, when other agents were quoted they were not simply referred as “the man told me” or “the woman asked me”. In fact, this way of representing transsexuals as homogenous group may not address the individuality of these individuals but promotes generalization.

#### **Extract 93: Appendix A5**

*A transsexual told me the biggest challenge the community faces is to get the government to recognise their existence...*

#### **Extract 94: Appendix A2**

A TRANSEXUAL asked: “Since Islam rejects people like me, may I leave Islam?”

The analysis of lexical units also depicts that the texts have utilised emotionally charged language, loaded with words and phrases that may have strong emotional implications to describe transsexuals as victims. Words such as “stigmatize, marginalize, “ostracize” and “shunned” are used in the articles (see Excerpt 90: Appendix A5 and Excerpt 91: Appendix A15) to intensely represent transsexuals as victims of discrimination. These words were overtly used and repeated to represent transsexuals as victims and to stir readers’ emotion.

**Excerpt 95: Appendix A5**

*It is society's **rejection and discrimination** against transsexuals as **sexually deviant** and their difficulties to find employment or to remain in the workplace because of discrimination and abuse that have forced many into sex work.*

**Excerpt 96: Appendix A15**

*Considered a “high-risk” group, most in the transgender community are caught in a **vicious and pernicious cycle of violence** and persecution for being who they are.*

Besides, transsexuals were also described as those mostly involved in sex trade by describing in detail the nature of their job. This form of reporting may actually represent transsexuals in a negative manner. Sex workers are not highly regarded in the society and negatively perceived. Representing transsexuals as sex workers especially by describing their activities in language that could cause discomfort to readers may not help representing these individuals positively (see Excerpt 92: Appendix A12, and Excerpt 93: Appendix A9) . Besides that, the way transsexuals' physical appearance and mannerism were described did not also portray them in positive manner. In fact, the way words are selected and reported in the texts portray transsexuals in a negative manner may lead to the reinforcement of stereotype.

**Excerpt 97: Appendix A12**

*“It all began when I started hanging out with my friends at the bus stop,” she says, smiling shyly as she relates how she became involved in sex work, which led to her being infected with HIV. “Guys would drive by, stop, look and then choose whoever they liked.” An “ice-cream” costs RM50 while the whole “play” would cost the men between RM70 and RM80. Of course, Fatin says, it depends on the kind of men who*

*“took them out”. Sometimes she would just settle for being taken for karaoke and a night out. “They would run out of money and couldn’t pay us,” she adds. “At first, it was just for fun. I used to do it with the villagers without charging anything. Then, after following my friends, I found out that I could earn some money.”*

**Excerpt 98: Appendix A9**

*The Mak Nyah were skimpily dressed and had heavy make-up. Some of them were also very beautiful. They will do almost anything to be more feminine, with some choosing to have laser hair removal, facials and implants.*

The analysis shows that the way lexical units that were used for the naming and referencing of transsexuals portray these individuals in negative light. Using words that have negative connotation and emotionally charged language intensify the representation of transsexuals as victims. The finding is similar to the study carried out by Parvinder and Thavamalar (2007) on the representation of elderly. Their studies highlighted the way print media represented elderly as dependent and physiologically inadequate. On the other hand, a study conducted by Alaggapar and Kaur (2009) on representation of homosexuality in Malaysian newspaper, highlighted that homosexuality have been constructed in negative manner. Hence, it can be deduced that lexical choices discursively construct identity. The lexical choices and representation of transsexuals in negative manner in the texts that were analysed could have been influenced by the media’s and the dominant group’s perception about transsexuals. Apart from that, the effort of social workers to bring public’s awareness on the discrimination of transsexuals may have also influenced these choices.

#### 4.4.7. Passive Form

Passive forms are often used to express an idea by foregrounding the object or beneficiaries of a sentence. This form of structure is very much preferred in media reporting as it allows the backgrounding and omission of agents. The analysis shows that the texts have used passive forms in the representation of transsexuals. The use of passive forms has helped to texts to intensely highlight on the victimization of transsexuals. Most importantly, this form of reporting has also helped the backgrounding and omission of agents. In the examples below, the person responsible for the actions is either omitted or backgrounded. The use passive forms to give lesser level of prominence to the agents may disassociate readers from the responsibility (Parvinder and Thavamalar, 2007). This is also perhaps is motivated because of the print media's interest in not wanting to make their readers or the authorities to feel uncomfortable. Thus the use of passive forms in the texts to accentuate victimization of transsexuals and to downplay the role of agents creates imbalance in power relations.

**Table 4.5 List of Passive Forms**

It has become a part of their daily living to be taunted in the streets, groped, harassed by enforcement officers, physically assaulted, and discriminated and laughed at in school, at work, in clinics and hospitals and by landlords.	<b>Appendix A5</b>
They are then stigmatised and become targets for harassment and abuse	<b>Appendix A5</b>
Pushed to the brink of survival, many transsexuals have no choice but to resort to sex work, which exposes them to a high risk of contracting HIV/AIDS.	<b>Appendix A1</b>
She was forced to parade down the row of cells and flash her breasts at the other inmates.	<b>Appendix A9</b>
Fatine, as he is better known, was once sacked by his homophobic boss for jeopardising the company's image, and was treated as a freak and a second-class citizen in Malaysia.	<b>Appendix A8</b>



The analysis of grammatical units has illustrated the way language has been deployed in the construction of transsexuals' identity in the two print media. The print media have utilized pronouns, hyperbole, presupposition, quantifiers, parallelism, lexical units, and passive forms to represent transsexuals. The use of pronoun is inconsistent as the use of pronouns is influenced by the media's interest. While transsexuals who have undergone sex-reassignment surgery are often referred with pronouns that reflect their new identity, this is not practiced if they have been prosecuted.

The analysis also shows that the use of hyperbole and lexical unit has intensified the representation of transsexuals as victims. The representation of transsexuals as victims and sex workers is also aided by the use of parallelism and presupposition. Parallelism is used to intensify the representation of transsexuals as victims of discrimination. On the other hand, presupposition is used to represent transsexuals as sex workers and weak or dependent individuals. It is also presupposed that readers are non-transsexuals. The use of quantifiers on the other hand has resulted in overgeneralizations and fallacy of number. The analysis of the linguistic means has provided insight on the way linguistic means are deployed in representation of transsexuals' identity.

The way language is used to ideological represent a particular group will give rise to imbalance power relations, thus resulting inequality. Analyzing and understanding the way language could be deployed for manipulation will help create awareness and resistance.

**Table 4.6 Summary of the Analysis on Linguistic Means**

Linguistic Means	Purpose
Pronouns	<ul style="list-style-type: none"> <li>• Transsexuals who have not undergone sex reassignment surgery were assigned with pronouns that reflect the gender on their identity card.</li> <li>• Those who have undergone surgery were assigned with pronouns that reflect their new identity.</li> <li>• Transsexuals were assigned with pronouns that reflect the gender on their identity card if they have been prosecuted.</li> </ul>
Hyperbole	<ul style="list-style-type: none"> <li>• It is used to describe transsexualism as a disorder and intensify the representation of transsexuals as victims.</li> <li>• It used to stir emotion and create sympathy among readers.</li> </ul>
Presupposition	<ul style="list-style-type: none"> <li>• Presupposed that readers are non-transsexuals and are prejudiced against transsexuals.</li> <li>• Presupposed that transsexuals are male-to-female transsexuals.</li> <li>• Presupposed that transsexuals’s behaviour is the cause for their discrimination</li> </ul>
Passive form	<ul style="list-style-type: none"> <li>• Mitigate and downplay the role of those responsible for transsexuals’ discrimination</li> <li>• Place transsexuals as beneficiaries and not “doers” of an action</li> <li>• Cautiously avoid controversy by deleting agents</li> </ul>
Lexical units	<ul style="list-style-type: none"> <li>• Represent transsexuals as homogenous group without addressing them as individuals</li> <li>• Used emotionally charged language, with loaded words to intensify representation of transsexuals as victims and sex workers</li> <li>• Represent transsexuals as dependent and weak</li> <li>• Reinforced stereotype by representing transsexuals as sex workers.</li> </ul>
Parallelism	<ul style="list-style-type: none"> <li>• Repetition of clauses and phrases intensify representation of transsexuals as victims, sex workers and dependent individuals.</li> <li>• Reinforced stereotype against transsexuals</li> </ul>
Quantifiers	<ul style="list-style-type: none"> <li>• It is used to represent indefinite quantity and not the exact number. Present fallacies of number and facts. Present the writers perception and stereotype.</li> <li>• The quantifiers were used to intensify and mitigate the representation of transsexuals</li> </ul>

## 4.5 Discussion of Findings

As a result of rapid modernisation and globalisation, societies are undergoing rapid social changes which nevertheless affect the various aspects of our life. The global community has gone through various stages of evolution as a result of the advancement of technology and western civilisation. Transformation and changes are inevitable for survival and these changes have indeed affected the way we perceive the world.

Today's society face among others, the challenge of understanding a more complex concept of gender identity that is now have been proven to be more flexible than it was once understood. In the post-traditional society the focus is largely on self-identity where one's happiness and satisfaction are the central concern. This has encouraged many to become more vocal about their identity and sexuality (Gauntlett, 2008).

Transsexuals and other members of the transgender community have been given much attention in recent years as these individuals have challenged the dichotomous notion of gender that was once constrained by tradition. Although modernity has changed many aspects of our traditional beliefs and systems, the challenge to the traditional notion of gender has not been easily accepted in all parts of the world. As a result, those who have stretched the gender boundaries are subjected to various constrains. Transsexuals in developed nations face fewer challenges than those in Asian region as the Asian society is very much welded with culture, tradition and religion. In countries like Malaysia, issues regarding transsexuals, who have challenged the dichotomous gender system, are sensitive as the issues are interrelated to once religion and moral code. Hence, the different perceptions regarding gender identity has contributed to the presence of various forms of discrimination.

Numerous researches have been carried out to prove that language is a powerful tool that is very often manipulated by the dominant group to construct reality that best suit them. Language plays an important role as meaning making agents in any social practices. Social practices are dialectic in nature as they are strongly influenced by various factors such as economy, politics and culture. Language plays an important role in this dialectical relationship to create asymmetrical relationships in the social structuring (Fairclough, 2001). As language has an important role in the social structuring, a critical study of language will help increase awareness on the ways language could be manipulated for domination and this awareness is important to create emancipation” (Fairclough, 2000).

The focus of the present study is to understand how transsexuals in Malaysia are represented in the print media. As a fast developing nation, Malaysia is transforming herself into a more informative and modernised society. Much alike other developed and developing nations, modernisation has also affected traditional institutions in Malaysia in many aspects. However, this has not changed some of the strong beliefs systems in the society as these systems are deeply rooted and guarded by not only tradition but also religion. Gender identity is one such belief system that is difficult to be challenged. Because of the complexity of the issue, anyone who challenges the binary system of gender may be subjected to discrimination. The aim of the present study is to analyse how transsexuals are discursively represented in the print media.

In the present study, the researcher analysed editorials and opinion editorials published in *The Star* and *The news Straits Time*, two mainstream English dailies in Malaysia. These articles were written by columnist and editors of the respective newspapers. However, it is important to note that the articles are edited by the editors or chief editor of the print media before the article are published. Hence, analysing

editorials and opinion editorials will reveal the perception of the newspapers and the way their own ideological understanding were disseminated to the public.

In this study, the researcher utilised discourse historical approach to analyse and interpret the texts. The analysis was carried out to answer two research questions: what are the argumentation schemes (topoi) employed by the print media to construct identity of transsexuals and how do the use of linguistic means construct identity of transsexuals?

#### **4.5.1. Argumentation Schemes in Constructing Identity of Transsexuals**

Argumentation is one of the five discursive strategies that are used for the justification of positive or negative attributions. The present study focuses on how topoi are employed in the construction of transsexuals' identity. The analysis at macro level has enabled the researcher to identify four dominant themes that recurred in the texts. The four prevalent themes are delineation of the term transsexuals, stigmatization of transsexuals, civil liberties of transsexuals and acceptance of transsexuals.

In the articles, definition for the term “transsexual” was provided as it was claimed to be necessary to understand transsexuals. The analysis depicts that the print media has taken the liberty to inform readers, who were presupposed to have problems understanding the term. Definitions for the term “transsexual” and other terms that are often associated to transsexuals were provided using topoi of definition, comparison and appeal to authority to clear the supposed misconception. The analysis shows that the newspapers, despite having stressed on the use of appropriate terms, have repeatedly used inaccurate terms to refer to transsexuals. Besides, it was also noticed that the newspapers have selected to portray transsexualism as a disorder, as this may help in

representing these individuals as helpless victims. There could be two motivating factors for this particular definition to be advocated by the print media. The first reason could be because of the legal law and religious stand in Malaysia. The law in Malaysia prohibits sex reassignment surgery or cross dressing (see Chapter 2, Section 2.2.1). Religions especially Islam, being the religion of the majority in Malaysia, strictly prohibits one crossing the boundaries of the binary gender. Only a hermaphrodite, who is considered to have been born with disorder, is allowed to opt for sex reassignment surgery. Since the authorities in the country view transsexualism as a behavioural issue, defining it as a disorder will enable the print media to portray these individuals as helpless victims. The second factor could be the continuous efforts of social workers, activists and psychologists to create awareness on the issue pertaining transsexuals. The way these individuals have selected to define and portray transsexuals has probably affected the way transsexuals are represented in the articles. In fact, could be seen that topos of authority is the most dominant topos that was employed in the articles. It was used to discuss almost all the themes that were identified in the texts. This could have also influenced the way transsexuals were portrayed extensively as victims by the two print media.

The analysis shows that the texts have intensely portrayed transsexuals as victims and as individuals who are constantly subjected to harassment, abuse and discrimination. This representation is heavily intensified through the use of various linguistic repertoires. These attributes were also justified through the use of topos of abuse, fear or danger, appeal to authority and consequences. The usage of these topoi accentuates the argument that transsexuals are not accepted in the society and are constantly victimised. While this might be seen as favourable representation of transsexuals, it is noteworthy that repeatedly representing these individuals as victims may not help in portraying them positively. The attempt to evoke sympathy

inadvertently places transsexuals and the readers in different groups. Transsexuals are placed in a position lower than the readers as the readers have been assigned the ability to feel sorry and sympathise with transsexuals. It is implied that transsexuals are the less fortunate group, who need the sympathy and understanding of others. It should be highlighted that only those who feel that they are more fortunate and in better position will be able to offer sympathy to others. This will give the person a higher social power as he or she will be able to decide on who deserve what amount of sympathy. The one being sympathised may not have the power to think or make decision. In fact, this asymmetrical power relation that the articles have created could be seen in the way verbs are assigned to the transsexuals. Transsexuals were always portrayed as the beneficiaries of the actions. Their action and thoughts are mitigated with words like “hope and wish”. Besides, the articles have also presented readers with the power to decide on the actions. Readers were told that they have to be “less judgemental”, even though “they may not like transsexuals”. The request is made by including the readers to create solidarity and the use of inclusive “we”, implicitly help the writer to be less assertive in his request. Hence, the level of prominence that was given to readers or others quoted in the articles was not given to the transsexuals.

The study conducted by Teh (2001) on transsexuals and Zainon and Kamila (2011) on homosexuals have concluded that the way transsexuals and homosexuals perceived themselves is influenced by the dominant ideology. The study by Zainon and Kamila (2011) for instance, concluded that the young homosexuals displayed internal struggle because they experience the compulsion to adopt the ideology of the dominant group. Hence, it can be concluded that the way transsexuals are repeatedly represented sympathetically in the print media may affect the way transsexuals perceive and shape their identity.

The analysis also shows that, although the articles have accentuated on the victimisation of transsexuals, the cause for the discrimination were discussed by backgrounding and deleting agents. The one responsible for the victimisation is often deleted or backgrounded in the articles using passive forms. The omission of agency and backgrounding may cause readers to disassociate themselves from the responsibility. Parvinder and Thavamalar (2007), highlighted that this form of reporting can be ideological as the print media may be attempting to distance their readers from the responsibility to avoid them feeling uncomfortable. This attempt to maintain interest of readers may be perceived as ideological as the newspapers are influenced by their interest to maintain readership.

The texts have also discussed civil liberties and assimilation of transsexuals in Malaysia. The issue is discussed using topos of history to illustrate the life of transsexuals in Malaysia in the past. The transsexuals were depicted in passive feminine roles to argue that they had been well accepted in the past. There are number of issues raised to show why this situation has changed in Malaysia. The Fatwa that was imposed in 1983, by the conference of Rulers was indirectly indicated as the cause for the increased discrimination. The law that enable enforcement officers to arrest cross dressers for indecent behaviour is also highlighted as the cause for the abuse of transsexuals. However, it should be highlighted here that these rules and those who have imposed the rules were not criticised. The comments were made carefully to perhaps avoid being held accountable, because of the press freedom in Malaysia. The press freedom in Malaysia is grounded by strict law that restrict media freedom especially if the issue is sensitive to any particular groups. Since Fatwa was imposed based on Islamic law imposed by the conference of rulers, it could be understood why the media has been cautious in its reporting. The analysis of argumentation schemes depicts that



the selection of topoi by the two print media to justify their representation of transsexuals is strongly influenced by the socio-political conditions in Malaysia.

#### **4.5.2 Linguistic Means in Constructing Identity of Transsexuals**

The second research question focuses in identifying various linguistic means that were deployed to represent transsexuals. Critical discourse analysis focuses on the analysis of linguistic means as language could be manipulated to serve a particular individual's or organisation's interest. This is because language users have the choice to select and structure linguistics means and these choices are motivated by their interest, opinion and experience (Janks, 2005).

In the present study, the researcher analysed on the way lexical units, hyperbole, pronouns, passive forms, parallelism, quantifiers and presuppositions were utilised in constructing transsexuals' identity. The analysis of the linguistic means shows that transsexuals were represented as heavily stigmatised individuals. Their discrimination as an ostracised group was accentuated and intensified in the articles that were examined. The use of hyperbole and emotionally charged language that contains loaded words and phrases represent transsexuals as victims of discrimination. The use of hyperbole and emotionally charged words in the articles may have been aimed in stirring readers' emotion. Having described transsexuals as victims of discrimination, the articles have also described that most of the transsexuals are involved in sex trade. With the use of lexical units such as referencing and naming transsexuals were presented as sex workers. The articles described that most of the transsexuals in Malaysia are forced into sex trade. This is done using quantifiers and fallacy of numbers. It should be noted that the articles have also largely focused on male-to-female transsexuals and excluded female-to-male transsexuals. When transsexuals were

described as individuals involved in sex trade, the articles actually focuses on male-to-female transsexuals. However, this was not made explicit. It was often presupposed that transsexuals are male-to-female transsexuals.

Lexical units and hyperbole was also used to represent transsexualism as a medical disorder. The texts describe transsexuals as those who feel that they are trapped in the wrong body. Such representation helps to intensely describe transsexuals as those experiencing a disorder. Although various theories in the domain of gender describe gender as learned attributes, the constant effort of social activists to represent transsexualism as a disorder may have influenced the media. Besides, this particular representation may have been preferred because of the socio-political situation in Malaysia.

The analysis also shows that pronouns were used to label transsexuals according to their biological appearance and also the attitude of the dominant group towards these individuals. Pronouns “he” and “she” are often assigned to transsexuals depending on their biological appearance. If a male-to-female transsexual has undergone sex-reassignment surgery, the person is assigned with pronoun “she”. However, the print media’s decision on the use of pronoun for a transsexual is often influenced by the attitude and decision of authority. If a transsexual who has been prosecuted is discussed in the articles, the person is assigned with pronouns that reflects the gender that is stated on the person’s identity card rather than his or her biological appearance. As a result there is inconsistency in the print media in the way pronouns were assigned to transsexuals.

The analysis of linguistic means also shows that transsexuals in Malaysia were constructed as an out group. The use of pronoun depicts that the articles have used pronoun “we” to claim solidarity with readers. Readers, who are presupposed as non-

transsexuals, were placed in a group together with the writers. Transsexuals on the other hand, are represented as an out group through the use of pronouns “us” and them.

The analysis of linguistic means also depicts that transsexuals were often represented as beneficiaries of an action and not “doer”. This form of representation may not help to empower transsexuals. It was also noted that passive forms were used when the one responsible for the discrimination against transsexual was discussed. The use of passive forms allows the omission and backgrounding of agencies. In the articles, passive forms were used to mitigate the role of authorities and other individuals, including the readers for the problems faced by transsexuals in Malaysia. This inadvertently, disassociates readers and others from responsibility and does little to reduce stereotype.

The representation of transsexuals as victims has represented them as weak and dependent individuals. This is similar to the way the aging population were represented in the print media. The research conducted by Parvinder and Thavamalar (2007), have highlighted that the elderly were represented as dependent in the print media. The researchers claimed that the representation of minority groups as dependent and weak individuals isolate these individual. Hence, the representation of transsexuals as victims and dependent individuals may alienate and isolate transsexuals. This may eventually assign transsexuals a less prominent status in the society as they are constantly seen as individuals that need to be sympathised.

In summary, the use of linguistic means has helped the print media to represent transsexuals in Malaysia with negatively connoted words, referencing and emotionally charged language. The texts however, did not do much in changing the existing stereotype as the representation has reinforced the ideological stands of the print media and the dominant group. The analysis shows that, although the texts have attempted to portray transsexuals in a favourable manner, they were sensationalised by focusing too

much on the victimisation of transsexuals. The articles have also excluded female-to-male transsexuals in their representation and have mostly represented transsexuals as a homogeneous group instead of individuals with complexity and diversity. These forms of representation reduce these individuals potential and abilities (Parvinder and Thavamalar, 2007). The analysis also depicts the same level of prominence was not provided for transsexuals and others. Social activists, medical officers and officials were assigned with positively connoted words and referencing to increase the credibility of these individuals. Transsexuals on the hand are depersonalised and simply referred as “the mak yah” or “the transsexual”.

The finding of the research is similar to those carried out by Parvinder and Thavamalar (2007) and Zainon and Kamila (2011) on the representation of elderly and homosexuals. Similar to these two studies, the present research has analysed the way linguistic repertoires were deployed in the representation of minority and concludes that the use of linguistic means in the two print media are historically and ideologically embedded.

## **CHAPTER FIVE**

### **CONCLUSION AND IMPLICATION OF THE STUDY**

#### **5.0 Introduction**

This chapter is divided into three sections. The first section of the chapter focuses on conclusion. In this section, the findings of the research are summarized and concluded.

The second part of the chapter focuses on the implications and limitation of the study. The section on implication of the study focuses on the contribution of the study to the academic world. It also focuses on the significance of the present study. This is followed by the highlight on the scope and limitation of the present study.

#### **5.1 Conclusion**

This is a study aimed to understand the way print media discursively represent transsexuals in Malaysia. In this study, the researcher has used qualitative techniques, as well as taking into account analysis of social, political, and historical context in the interpretation of the findings. Twenty editorials and opinion editorials, published between 2008 to 2012, were analysed using three dimensional analytical apparatus: contents, argumentation schemes (topoi), and forms of linguistic implementation.

The present study focused on the identity construction of transsexuals in Malaysia. The study is designed to understand the way language is used as a medium to discursively represent and construct identity. Studies on identity are important as understanding the way self is construed empower one to be less vulnerable to the

pressure of dominant structure (Gauntlett, 2008). It may also promote self-understanding for empowerment and emancipation.

In the present study, focus is given to transsexuals as these individuals have challenged the binary gender system and have subjected themselves to possible discrimination. While resistance to power is possible, it is important to note that individuals are always subjected to challenges (Disch, 2009). Studies on people who have challenged the traditional system is important to understand the way these people face the challenges of ever changing identity and impeding dominant structures. There have been very few studies on transsexuals in Malaysia, and most of these studies are restricted to the field of sociology and psychology. Although there have been many studies carried out in the domain of critical discourse analysis and media in Malaysia, none (to the knowledge of the researcher) have focused on transsexuals. Gender is a complex issue and the way gender identity is formed may help one to realise his or potential. Although gender is a domain that has been largely explored, more studies are needed to understand its complexity, especially transgender. Hence, the present study is designed to understand the way argumentation strategies (*topoi*) and linguistic means were deployed in the two English print media to represent transsexuals. The study focused on the way language is used as a mean to not only represent the world but also shape it. The focus on language is vital as texts are products of discursive practices that are socially conditioned (Reisigl and Wodak, 2009). Analysing the way texts are structured to create identity within a particular sociocultural background is important for the empowerment of the society.

The analysis of the data gathered in the present study show that the print media have constructed identity of transsexuals in Malaysia using negative and emotionally charged language. *Topos* of definition, comparison and appeal to authority were utilised to define transsexuals and categories transsexualism as a medical phenomenon. The

topoi were used to define transsexuals as individuals suffering dissonant with their body. On the hand, topos of abuse, fear and danger were used to represent transsexuals as victims. Through the use of emotionally charged lexical units, transsexuals were portrayed as victims to evoke sympathy. However, the portrayal of transsexuals as victims may have also affected the image and self-esteem of these individuals. The articles have also employed topos of rights, appeal to authority and law to discuss the legal issues pertaining transsexuals in Malaysia. The media also used topos of humanitarian, and history to urge readers to accept transsexuals on humanitarian ground. The analysis shows that when issues such as law and rights of transsexuals were discussed, the print media have used various grammatical properties to avoid being held accountable for statements that could be perceived as sensitive. Hyperbole, parallel structures and passive forms were deployed in the articles to help represent transsexuals as victims. Besides, negatively connoted lexical items and emotionally charged language were used to represent transsexuals as victims of constant discrimination. This was further intensified by highlighting that most of these individuals have been forced to vice trade. However, the same level of prominence was not given in highlighting the important in making amendment to the existing law or in the necessity of being sensitive and tolerant.

The analysis at macro and micro level has helped in the discovery of a number of findings. The print media have extensively focused on male-to-female transsexuals and have excluded female-to-male transsexuals. It was also found that female-to-male transsexuals are very often not discussed nor given any attention. More attention is given to male-to-female transsexuals although the articles were written to cover issues regarding transsexuals in general. Male-to-female transsexuals often become the centre of attention because of their physical appearance. The print media may have focused on stories of these individual to capture the attention of the readers. Besides, most of the

transsexuals interviewed in the articles were sex workers or former sex workers (mostly male-to-female transsexuals). This could be because this group of people are more easily accessible compared to others. Perhaps because of these reasons, the print media have largely focused on them and have given lesser attention to female-to-male transsexuals. However, this exclusion may contribute to the misconception of the term “transsexual”, which in a way reinforces stereotypes.

It is noteworthy that transsexuals were also frequently represented with incorrect terms or generalised in the articles. When it comes to issues regarding social status of transsexuals, they were heavily represented as victims and weak individuals. The analysis shows that despite being written in sympathetic tone, the articles have portrayed transsexuals in a negative manner. The print media have portrayed them as individuals, mostly involved in vice trade and they were also sometimes blamed for behaving inappropriately. Although the print media have portrayed transsexuals as heavily discriminated group, they were cautious in comments made on the cause of discrimination. The analysis shows that the two print media have structured their opinions on a neutral ground when comments were made on the legal system and other issues pertaining assimilation of transsexuals. This could have been motivated by various factors including the print media’s interest to disassociate readers’ from the responsibility. By disassociating readers’ from responsibility and not directly criticising the system or law, the articles may have tried to maintain their readership.

The analysis also concludes that other individuals quoted in the texts, were given higher level of prominence compared to transsexuals. In fact, transsexuals were mostly represented as sex workers, victims of abuse and helpless individuals who have succumbed to the pressure of the surrounding environment. They were seldom assigned with positive attributes that may help to change the existing stereotypes. Instead, the



way the print media have represented transsexuals may reinforce the stereotypes and contribute to further misconceptions.

The representation of transsexuals in the two print media is similar to the way elderly were represented. The research conducted by Parvinder and Thavamalar (2007), concludes that the elderly were alienated and represented in less prominent manners, although the texts are centred on them. Their study concluded that the print media have isolated elderly and represented them as economically and biologically dependent.

The finding of the present study also shows that, the representation of transsexuals in the print media was conditioned by the socio-political and cultural setting in Malaysia. The way transsexuals were represented in the print media is influenced by the ideological stands of the print media. Media being business oriented organisation may sensationalise news to increase readership. As it is almost impossible for media to be objective in its representation, studies need to be conducted to increase awareness. Ideally, academic studies should be made available to create awareness among news writers.

Exposure to the way language can be manipulated to shape identity and society is necessary to avoid stereotypes from being reinforced. Discourse is discursive in nature and they influence many other forms of discourses. The present study analysed articles published from 2008 to 2012 and have identified that similar themes and grammatical structures recur in the texts and the texts themselves are historically embedded. Hence, it is important that further studies are carried out to understand discursive practices and to increase awareness.

## **5.2 Limitation of the Study**

The present study concentrates on the way transsexuals' identity is discursively constructed in English print media. The study is confined to two English dailies that are The Star and The News Straits Times. Although there are other English print media in the country, these two were selected because of its high readership. In this study, the researcher focused on editorial and opinion editorial and did not study articles or news reports printed on other columns. This is because the present study is specifically interested in the way editors and columnist construct transsexuals' identity. Although this form of reporting is labeled as soft news, they are published with the consent of the editors. Hence, the print media has the authority to determine the way the articles should be were written and structured.

In the present study, the researcher studied twenty articles that were published under the editorial and opinion editorial columns in the two newspapers. The researcher of the study did not compare the findings of the two print media to look at the way each newspaper represent transsexuals. Apart from the articles that were collected as data, other documents pertaining law, history and religions were also studied to understand the issue. The researcher also tried to interview transsexuals and to compare the way they perceive themselves and the way they were represented in the media. However, this could not be done because of the difficulty in locating participants. Those who have been identified are reluctant to participate in the study as they do not wish to draw attention to themselves. Hence, the study could not be substituted with the interviews for the comparison. Thus, the present research has solely focused the analysis of its primary data retrieved from the two print media.

The present study also has focused on the way identities of transsexuals in Malaysia are constructed through the use of argumentation schemes and linguistic

repertoires. Although CDA proposes for the analysis of five discursive strategies, the present study has specifically focused on argumentation schemes to study the topoi that were employed in the texts. This is done to conduct a precise study on the way positive or negative attributions are justified.

The focus of the study is to understand the way language is used as a medium to shape identity. This is important as understanding the way language is used to discursively construct identity of a particular group will help to create awareness and resistant to possible manipulation. Ultimately, it is hoped that the present research will add on to the research work on gender issues carried out by Malaysian scholars on the print media and thus, contribute to Malaysia's media discourse and gender studies.

### **5.3 Implication for Future Research**

The present study on the representation of transsexuals in the print media is aimed to understand the way media discursively construct identity of a minority group. The present research is significant to three fields of studies that are media, gender, and critical discourse analysis. Although media and gender have been extensively studied by academicians all over the world, further researches are encouraged to be carried out because of the complexity of the issues. Besides researches conducted in one particular socio-political context cannot be imposed nor applied to another context. Researches that are centered in Malaysia are necessary to understand and explain various complex issues such as the one discussed in the present study. It is hoped that the present research will encourage more researches to be carried out in the domain of gender studies particularly using critical discourse analysis. Future studies could also focus on comparing Malaysian transsexuals with transsexuals in other Islamic countries.

The current research employed critical discourse approach as an analytical tool and used the approach to understand the way identity is discursively constructed. It is hoped that future researches will utilize discourse-historical approach to understand ideological and discursive practices. The analytical framework proposed in the approach enable macro and micro level analysis to be conducted to understand the way language properties are deployed to constructing identities. Thus, it is hoped that the present research has helped to illustrate the way the framework can be effectively utilized to study the discursive nature of social practices.

The issue of human rights and press freedom in Malaysia is becoming an important issue in the country. The Malaysian society is becoming more aware of its rights, thus studies on minority groups like transsexuals is timely as it helps in understanding the way these individuals are treated. Studies on how media represent minorities and others will help in creating awareness on the issues of human rights. Media plays an important role in disseminating information and entrusted institutions, these agencies have the power to influence. Hence, further researches need to be carried out on media and minority groups to help empower the society. It is also hoped that future researches can be carried out in other forms of media. Furthermore, studies on Malay language media will be interesting as it is the language of the majority in Malaysia.

Studies on transsexuals are not common in Malaysia because of the difficulty in locating these individuals. Many of these individuals do not want to participate in studies to avoid drawing attention on themselves. This inadvertently, may have encouraged the print media to approach the easily accessible group - the sex workers. However, this has led to the negative representation of transsexuals in Malaysia in general. It is hoped that future researches could record voices of transsexuals to understand how media representation has affected the way these individuals perceive

themselves. Although these individuals have stretched the traditional boundaries, performativity theory asserts that it is not possible for anyone to be fully resistant to social pressures. Social practices are dialectic in nature, thus discourse position and is positioned. It is important that further studies to be carried out to understand the discursive nature of discourse.

The present research is aimed to make its contribution to the understanding of identity construction and media representation. It is hoped that the present study could contribute to other similar researches. Besides, it is also hoped that future researches could be conducted at a larger scale and include voices of transsexuals to fully understand the issue.

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## APPENDIX A1

### Headline: Speaking up for Their Gender

Publication: NSUNT

Date of publication: Apr 6, 2008

Section heading: Main Section

Page number: 32

Byline / Author: Chai Mei Ling

THE rude stares, jeering and often the butt of sexual jokes. For a marginalised group of Malaysians, life is a continuous struggle at asserting their identity, writes CHAI MEI LING.

WHEN Khartini Slamah strolled into a bank last week to learn about personal insurance, she was told flat in the face that there is no policy available for "people like you". No amount of money will get her insured. That's because as a male transgender, Khartini is automatically granted a membership to the "high-risk group". But what is a high-risk group, questions the 45-year-old mak nyah (woman trapped in a man's body). "How do you assume the person is high risk? By her appearance?"

"I asked the bank officer that if she thinks my community translates to being high-risk, what about heterosexuals who do not practise safe sex?" It was a question met with silence. But if you're a transgender, you get used to that - the resounding silence that speaks volumes against you, because life for you is chartered by unanswered questions.

You question who you are, why you're born this way, if your parents still love you, whether you're still a child of God, and why you, of all people, are made to face this ambiguity. If you survive that stage, you begin to question societal norms and the system that works around it.

When Khartini flew into China a couple of weeks ago, the immigration officer at the Beijing airport did a double take of her and pointed to the letter "M" in her passport. "I said, 'That's my passport, you ask for my sex, I never lied. There's only male or female, no (column for) transgender. So they put me as male'. The officer just looked at me."

Khartini was granted entrance into the country, one of the 40 nations around the globe where advocacy work and conferences had taken her to. "I've no problems going into these countries." That's Khartini, board of trustees and founder of the Mak Nyah Programme at PT Foundation (PTF), a co-ordinator under the Asia Pacific Network of Sex Workers banner, and the first transgender to work with the United Nations in Asia.

But how many other transgenders are empowered enough to question the system and not buckle under the strain of interrogation, asks Raymond Tai, acting executive

director of the MSM programme under PTF. Most, he says, will panic when faced with similar situation.

### **Living on the fringes of society**

For the estimated 30,000 transgenders in the country, dealing with rejections from the "normal" members of society is a daily preoccupation. And the first rejection is almost always from family members. At the age of 8, Khartini realised she was a female trapped in a male body, but it wasn't until she was 18 that her family accepted her for who she is. "My father almost threw me out of the window. It took my family 10 years to accept me." She is one of the lucky few. Many receive zero acknowledgement from family, let alone support and encouragement.

Turned away from home, most mak nyahs do not finish schooling and would later find it hard to nail a job due to lack of paper qualifications, and harder still to hold one down because of stigmatisation. A research commissioned by the Malaysian AIDS Council and carried out by Dr Teh Yik Koon of Universiti Utara Malaysia in May last year shows that about 30 per cent of mak nyahs in Malaysia live below or around the poverty line.

One question is whether they are educated enough to be put in the employment market, says lawyer So Chien Hao, who is a volunteer lawyer with the PTF legal aid clinic, run in partnership with the Bar Council legal aid centre of Kuala Lumpur for the past 11 years. So says: "Even if they are qualified, many prospective employers refuse to hire them. And those employed might not have a good working environment. They face continuous discrimination from their colleagues."

Pushed to the brink of survival, many transsexuals have no choice but to resort to sex work, which exposes them to a high risk of contracting HIV/AIDS. A message which rings loud and clear on a poster hung in a corner of the Mak Nyah Drop-in Centre in PTF is, "HIV/AIDS does not kill, discrimination does".

What breeds discrimination is the fact that mak nyahs are not recognised as members of society, says So's colleague Preetam Kaur. "We have been conditioned to think of them as an ostracised part of society, like social pariahs." Their greatest desire is to be able to become who they are, and so they don women's clothes, put on make-up, let their hair grow and some undergo sex change operation. But that's as far as they can go.

Where the legal framework is concerned, everything comes to naught. There is no avenue for mak nyahs who have undergone sex change to change their sex stated in personal documents. "Despite many attempts, the National Registration Department (NRD) is quite adamant about not changing the gender because they are supposed to live with the gender they are born with," says Preetam.

In the 1970s and 80s, transgenders were given the liberty to change their name and bin to binti in the identity card, says Khartini, but the practice was stopped after 1990. Now, a mak nyah can add a female name to her IC, but the male name will be maintained.

Further dialogues with the NRD have allowed a transsexual to change her name to a female one, but the alteration is put under the "error in name" clause, meaning the

parents had misspelled her name when they applied for her IC. "But what's the point of being known as Azlina when the IC shows you are a male?" asks Preetam.

"It's your identity as a person. If that itself is questionable, everything else you face in life will be a stumbling block -- employment, buying a house, marriage, adoption, getting a bank loan, EPF (Employees' Provident Fund). It's already dodgy from day one and it has a domino effect."

### **Under watchful eyes**

Transsexuals are wary of anti-vice enforcers, and for those who are Malay, they have to be doubly cautious with the religious authorities. If caught with more than two condoms in their possession, they can be charged for soliciting business for sex work. Detained mak nyahs might be subjected to body searches.

Currently, they are searched by male police officers because policewomen feel that mak nyahs are not men, so they are not comfortable doing body search on them, says So. So far, PTF has received many cases of mak nyahs who have been subjected to violation of their basic rights while under detention.

Sexual harassment is one common complaint, says Preetam. "We've heard incidents where mak nyahs had their breasts groped at and were continuously taunted with the question, 'Ini betul kah?'" One doesn't have to be touched to be sexually abused, says Khartini, as vulgar language aimed at mak nyahs is a form of abuse, too.

"At some religious anti-vice raids, mak nyahs are asked to strip just to see if they are wearing female underwear, so that they can charge the mak nyahs. Isn't that crazy?" "In a rape case, they'll ask - how can a mak nyah be raped?" Requests for sexual favours, money extortion, and wrongful arrests are other grouses received. Sometimes, family members of the transsexuals are scolded for "failing to bring up their son the right way".

The advocates understand that the police have a duty to perform, but what they ask is for mak nyahs to be treated equally and not be abused. In recent years, tenacity in advocacy work by PTF and the legal team, such as holding dialogues with the authorities, has carved inroads. For example, KL police in Dang Wangi, Sentul and Hang Tuah have agreed to place detained mak nyahs in a cell separate from male and female detainees.

### **A life with an identity**

The term mak nyah was coined by a group of male transsexuals in a bid to define themselves in 1987 with the formation of the Federal Territory's Mak Nyah Association, of which Khartini was one of the pioneers. "Transgender is a Western term and we wanted to adopt our own. That's how it came about," she says. Lumped under the umbrella of gay men then, together with other sexual minorities like transvestites, drag queens and cross-dressers, transsexuals wanted to break away. "We don't accept just about anyone into our group, not gay men. If you want to become a mak nyah, you have to believe, think and want to be a woman." The identity accorded transsexuals

some form of dignity as it was meant to replace derogatory labels such as bapok, pondan and bantut.

Because of the formation of the association, which has since been closed down, mak nyahs in Malaysia are given more visibility compared to other sexual minorities. Now, PTF has taken over the lead in empowering transsexuals - one way is by ensuring that they know their rights as citizens of Malaysia. "Mak nyahs are 'boxed' already, their self-esteem is very low. That's why we have to reach out to them," says Khartini. "I don't want to be born like this if I know I'm going to face all sorts of discrimination. I'd rather be a man, a 'normal' man. I tried to change, but I can't. I'm what I am. No one forced me."

(END)

## APPENDIX A2

### Headline: Time to Engage Mak Nyah

Publication: The Star

Date of Publication: August 14, 2008

Section: A writer's life

Byline/ Author: Dina Zaman

### **The Mak Nyah community wants to be part of society and to be accepted as they are. This calls for heart-to-heart engagement and not enforcement.**

A TRANSEXUAL asked: "Since Islam rejects people like me, may I leave Islam?"

"Now I know you are really crazy! You're already in trouble with the authorities, you want to court more trouble?" her colleague interjected.

"I don't see what the problem is. You, and I, and everyone here are subject to harassment all the time, and constantly reminded that we are an abhorrent to the faith. So why be part of a religion that rejects you?"

This particular dilemma was discussed at an audit I undertook as part of an HIV/AIDS project recently.

The audit was conducted to identify gaps in outreach work in HIV/AIDS in Malaysia, and the discussion with transsexuals, who make up a good number of marginalised communities (the others are injecting drug users, gay men and sex workers), was illuminating to say the least.

A transsexual identifies 'herself' as – or desires to live and be accepted as – a member of the sex opposite to that assigned at birth.

In Malaysia, derogatory slang to describe them would be *pondans*, *laki lembut* or *mak nyah*, though the latter term has been embraced by the community as an identifying factor in their cause.

The public perception of transsexuals ranges from contempt and revilement to resigned acceptance.

The fact is, transsexuals have existed in our society even before Independence, and played a significant role in the community.

They're the *dapur pondans* – kitchen helpers – who worked for families as cooks and cleaners in a long gone era, and in villages were known as *meks*, who acted as the local tailor, make-up artist and wedding planner.

It is fascinating to compare the fond memories of the older generation of Malaysians who grew up with transsexuals as neighbours and domestic help. The argument that is bandied in contemporary Malaysia is that they knew their place, and were not 'out there' now as transsexuals who – as moralists have argued – contribute to moral decay.

From a religious standpoint, transsexualism is forbidden. Islam permits hermaphrodites to undergo sex change operations so the person can choose to be either a female or male.

Forbidden are *mukhannis* – men who behave like women and dress like them, and even undergoing sex change surgery to become women.

Non-Muslim transsexuals fare slightly better than their Muslim counterparts, as there is no official ruling as with the Muslims, even though their religions also forbid such actions. If caught, they would be charged for cross dressing and indecent behaviour under Section 21 of the Minor Offences Act 1955.

A Muslim man caught cross dressing can be charged under Section 28, Syariah Criminal Offences (FT) Act 1997, for immoral behaviour, and is liable to a fine not exceeding RM1,000 or to imprisonment not exceeding one year, or both.

The biggest grouse that rose out of the discussion was how they were portrayed on television shows by male personalities. Camped up, and in the words of a TS “? crude and lascivious ?” Not all transsexuals are involved in sex work, are campy, crass and uneducated.

“Why are we made the receiving end of jokes?” a transsexual asked. “The authorities tell us that what we do is bad ? as we are men, and should behave like men.

“And on television you have male actors dressed in drag, and playing it up to the hilt. And the language used! This makes us look bad.

“It doesn’t help when a few TS also play up to the myth by being loud and crass.”

Also noted was how the media approached the subject of transsexuals and transgender. The Malay media would be rather patronising, which does not help the cause. The English media sit on the fence, while the Chinese press is more open and sympathetic.

What transsexuals want is for them and the media to work together to highlight the social and health issues they face, so that they can do more effective advocacy work with government and religious authorities.

The reason a number of TS are involved in sex work is because they do not have a source of income.

With the market already so saturated by wedding planners of various sexualities (not all transsexuals want a career in fashion and cosmetics), and in ‘proper’ professional institutions their very presence clashes with the image of the organisation, where are they to go, and what are they to do?

B who comes from a well-to-do and supportive Malay family, thinks the problems could be solved if transsexuals themselves do not engage in “improper behaviour”.

She is one of the very few transsexuals who keep away from the Mak Nyah community. She considers herself well educated and proper, and does not indulge in clubbing and other activities that transsexuals involve themselves in, as she believes all these negate their cause.

When asked if she would consider mentoring, as she would be considered a ‘successful transgender’ who has assimilated well in society, she declined.



The issue of class and economic status is too jarring, and there would be resentment.

“It’s how you carry yourself, that makes people respect you. I know people think I’m a snob, but I could never let down my family.” She practises safe sex, dates ‘proper men’ and not “sell her body”. She has no contact with her ‘sisters’ from Chow Kit and from the less stellar parts of Kuala Lumpur. All is not lost. Already there are success stories: at PT Foundation, a weekly *fardhu ain* class is held for TS, sex workers and people in the community, so they can learn more about Islam. More transsexuals are claiming their rights and are empowered. What the authorities, the medical community, human rights activists and the TS community should do is to keep on engaging with each other on TS issues.

*The writer lives in KL. She thanks her readers for their emails but is unable to reply to everyone because of work. email: dinazaman@gmail.com*

## APPENDIX A3

### **Headline: If One of us ain't Free**

Publication: The Star

Date of publication: September 14, 2008

Byline / Author: Julian C.H. Lee

### **An anthropologist reports on a very different Merdeka event he attended that dealt with a subject often swept under the carpet: alternative sexualities.**

IN August last year, malaysiakini.com reported that a transsexual woman in Malacca had been brutally assaulted, allegedly by state religious officers, who also detained her because she was a man dressed as a woman, and that is an offence.

Sexual identities and behaviours attract a great deal of attention in Malaysia, and those who are seen to fall outside heterosexual norms are the subject of official punishments as well as vigilantism.

And yet, as a presenter at an unusual symposium held during the Merdeka weekend pointed out, alternative sexualities actually have a long history in this region. The crowd-pulling political scientist Dr Farish Noor (from Nanyang Technological University, Singapore) hosted a session at which he delivered a lecture entitled *From Panji to the Present: A Short History of Sexuality in Malaysia and South-East Asia*.

Through engaging tales of his travels in Indonesia and a retelling of the story of Panji (or Prince) Semarang, Dr Farish made the point that non-heterosexual practices and relationships are far from being a modern Western import. Instead, they are an intrinsic part of this region's history.

He noted that in the ancient stories set in the time of Prince Panji (c. 13th to 17th century), it was clear that men enchanted by and having relationships with each other was not something that raised so much as an eyebrow in our region's past. In fact, far from being a negative force, such a relationship was able to bring a war to an end, it seems!

### **Vision of freedom**

The three-day event (Aug 29-31), called *Seksualiti Merdeka* and held at The Annexe Gallery in Central Market, Kuala Lumpur, was full of such surprising tales, as well as spirited talks and discussions.

The event was organised to help make Malaysia's national celebrations meaningful for members of sexually diverse communities and their friends. Its motto, "If one of us ain't free, none of us are", was reflected in the broad support it sought.

It was the first event of its kind in the country, claimed Jerome Kugan, media manager at The Annexe Gallery. Kugan and Pang Khee Teik, The Annexe Gallery's arts programme director, initiated the idea for the event and provided the location and

logistical support for the talks, workshops and forums, which were organised by various NGOs and academicians.

It was held on the Merdeka weekend to make a link between the Merdeka spirit and a vision of marginalised sexualities being able to live more freely in Malaysia. Also worthy of note was the calibre of the supporters of the event, with everyone from activists and scholars to actors, a Parliamentarian, and other high-profile persons attending to either listen or give talks and participate in panel discussions.

Pang noted that an event such as this was needed in Malaysia because sexually different individuals are frequently subject to discrimination and the consequences of misconceptions, which includes abuse.

“The problems of other marginalised communities have been highlighted by various groups, but those of minority sexual identities are not usually highlighted,” he noted.

The main anchor of the event was a series of seminars and a workshop at which issues pertaining to sexuality in Malaysia were discussed among experts and the general public.

### **Engaging talks**

The first of these seminars, *To Live Without Fear: Dealing with Violence Against Transsexuals*, dealt with the experiences of transsexual Malaysians, their difficulties and the discrimination they face.

Transsexual individuals generally regard themselves as being born into the wrong body – they feel like a woman in a man’s body, or a man in a woman’s body – and would usually take a variety of steps (some bigger than others; for instance, sex change operations) to try to be in the body that they feel is right for them.

However, on top of their own personal turmoil, they face discrimination and harassment from members of the public and official bodies.

The panel addressing this issue was composed of a stellar cast of advocates for transsexual rights, including Subang MP and human rights lawyer Sivarasa Rasiah, Prof Datuk Wan Halim Othman (Universiti Sains Malaysia), Nisha (HIV/AIDS education NGO, PT Foundation), Assoc Prof Teh Yik Koon (Universiti Utara Malaysia). It was moderated by singer/songwriter/social activist Shanon Shah.

What was clear from this panel was that transsexuals face enormous social hurdles in making their way in life, and that these are owing to unjustified but common prejudices.

These hurdles include significant difficulties in finding regular employment. Nisha described many of these difficulties and the work of PT Foundation in addressing them.

Among other points, Assoc Prof Teh and Prof Wan Halim emphasised that the way transsexuals feel, like they are trapped in the wrong body, is fundamentally biological, and that most people do not understand how deep and unchangeable the feeling is.

Sivarasa looked at these issues from the perspective of a human rights lawyer, pointing out that these sexual minorities are entitled to the same freedoms as everyone else but that they are too often denied these freedoms.

On Saturday afternoon (Aug 30), any notions that the world of academia could not generate public interest with its research were thoroughly dispelled.

To a full auditorium, Benjamin McKay, Dr Sharon Bong, both of Monash University, and former Universiti Malaya lecturer Wong Yuen Mei presented findings from research they had conducted into sexuality issues at the *Probing Sexualities* session.

From selected interview transcripts, Dr Bong showed the ways in which the resilience of the family unit is challenged when a family member declares him or herself non-heterosexual.

Resistance to such declarations often appears as blaming, chastisement, and even hate speech that not only criminalises but also, in some faith communities, demonises them.

These are perhaps the coping strategies of families or communities that attempt to regulate sexual norms.

McKay humorously described his research into the way gay men make use of various places including shopping malls, and Wong discussed her research into “pengkids” – a localisation of the term “punk kids” – which is an identity among some homosexual women in various parts of Malaysia, but in particular the Klang Valley.

### **Show of support**

In another session, *Heartbreakers Anonymous*, audiences heard amusing and moving stories from Malaysians about growing up different and finding strength to be who they are.

And in *Malaysian Artists For Diversity*, well known names like former *Malaysian Idol* contestant Nikki, 3R TV host Rafidah Abdullah, and singer-activist Shanon Shah spoke up in support of equality.

The overall atmosphere was festive, and it was clear that there was significant public support for *Seksualiti Merdeka* from both inside as well as outside of Malaysia’s sexually diverse communities.

As Pang noted, “One of our aims, besides empowering the marginalised, is also to empower our straight friends to speak up, for us and for themselves.

“After all, as long as the authorities and the public feel it is their right to regulate what is essentially private and personal, the sexuality rights of every Malaysian, heterosexual or non-heterosexual, are threatened.”

While the issues are serious, and the difficulties faced by members of minority sexual identities sometimes very grave, for a few days these were dealt with in both seriousness as well as fun and a strong sense of camaraderie.

Despite the significant difficulties that non-heterosexual people face in Malaysia, many people left the event with a sense of hope and optimism.

While celebrating Malaysia’s independence from colonialism and reclaiming possession of our own nation, at The Annexe Gallery that weekend, some Malaysians

were making the case for the next form of merdeka: the reclaiming of the rightful place of sexual diversity in Malaysia and freedom from discrimination and abuse, and towards an accepting, informed and understanding rakyat.

*Julian C.H. Lee, PhD, is an anthropologist at Monash University, Malaysia.*

*For more information about events at The Annexe Gallery, go to [annexegallery.com](http://annexegallery.com).*

## APPENDIX A4

### Headline: A Question of Sex

Publication: The Star

Date of Publication: October 4, 2009

Byline/ Author: Lee Tse Ling

#### **There are some things you don't ask, just as there are some things you need not tell.**

IS there such a thing as a bad question? That's a common enough dilemma under normal circumstances, let alone when a person whose job it is to ask questions meets a couple for whom strict privacy is necessary to lead a normal life, free from discrimination and even persecution.

A few months ago, I was that person, and the couple was James and Nadia (not their real names).

On March 29, *StarMag* ran a letter in our agony aunt column from a gentleman in his late 40s about his issues with his gender orientation (*Woman in hiding, Dear Thelma, Heart & Soul*). Womanly Feeling, as he signed off, was lucky enough to have a wife and a close female friend who were supportive of his desire to transition from male to female (MTF).

Less fortunate was Man in Hiding, a single lady in her 40s who responded on April 26, empathising with Womanly Feeling and revealing her own gender orientation struggle (*In a man-woman mess, Dear Thelma, Heart & Soul*).

Man in Hiding wasn't sure if she was a man trapped in a woman's body or a lesbian. Unable to confide in her family or the girl she was in love with, she was very unhappy.

Nadia wrote in on May 3, offering information and encouragement to Man in Hiding (*Stand tall and proud*). She could truly empathise with Man in Hiding as her partner, James, was a "man in hiding" too, that is, a female-to-male (FTM) transsexual who was not yet fully "out" (openly a man).

After a careful exchange of e-mails (James was protective of his privacy, and Nadia was fiercely protective of James), the couple agreed to meet me. So over tea at their place on a Saturday afternoon at the end of May, they told me part of their story – that of a straight woman in a long-term relationship with a straight transsexual man, who was part-way through his transition.

Nadia's story concerned her journey of learning about the gay, lesbian, bisexual, and transgender (GLBT) realm. James's concerned his journey toward realising his true self.

By sharing this, they hope to reach out to other confused Malaysians trapped by purely biological definitions of gender, and sensitise those oblivious to the transsexual community.

Which brings me back to my worry about bad questions. James and Nadia had been kind enough to open up. I didn't want to repay them with hurtful clumsiness. Thank goodness I found *Calpernia's List of Bad Questions to ask a Transsexual Person*.

### **'Anything about my genitals'**

Calpernia Sarah Addams is an American actress, author, musician, and GLBT activist who began transitioning in her early 20s. She has worked on films like *Casting Pearls*, *Beautiful Daughters*, and the Oscar-nominated *Transamerica*, and performed in the 10th Anniversary Vagina Monologues at the New Orleans Superdome alongside *Vagina Monologues* creator Eve Ensler, and Jane Fonda.

As an activist, Addams has served as a national spokesperson for the GLBT organisation Parents, Families and Friends of Lesbians and Gays (pflag.org) and worked with the US Service members' Legal Defence Network (sldn.org) to lobby against Don't Ask, Don't Tell, the controversial policy concerning homosexuals serving in the US military.

Having been in the public eye for well over a decade, Addams has had to field a disproportionate number of bad questions. In 2008, after one too many, she published a compilation of the worst ones, and her responses to them, on her website (calpernia.com). This later became the script for a tongue-in-cheek, edutainment-style video streamed on YouTube. You can watch a newer, director's cut version of this (just under 15 minutes) at <http://tiny.cc/cbJMv>.

This isn't a list of taboo questions you can never ask a transsexual person, but questions you should not feel you are *entitled* to ask *just because* he is transsexual. Especially if you've just met.

Obvious ones include "anything about my sex life" and "anything about my genitals". That's just good manners. If you wouldn't ask a straight person whom you hardly know that, the same goes for a transsexual person.

Some questions are less obvious, especially to those who have never had an identity crisis more serious than bad hair or unwanted weight, or to thick-skinned snoops in search of a saucy scoop. Questions like: What is/was your "real/old" name? Can I see a picture of you from "before"?

In her video, Addams answers: "My real name is Calpernia Addams. What are you really asking here? Think about it.

"Most people ask this because (1) They don't 'really' consider me a woman, and while they're willing to humour me by calling me Calpernia, they want the 'truth' about who I am.

“(2) They ‘really’ consider my current identity to be a fabrication.

“(3) They want to have something they can hold onto and ‘prove’ that I’m ‘really’ something other than what I seem.

“At best, it’s a rude question, and although you may be morbidly curious, don’t ask.”

Via e-mail, Addams says the video was intended to be humorous while pointing out that transsexual persons shouldn’t be exempt from the same good manners and respect you would extend to someone you consider normal.

“I think transsexual people are subconsciously (or consciously) considered unworthy of this common courtesy,” she says, “because outsiders often see transition as a ‘fetish’ or ‘weird sex thing’ rather than the expression of a deeply felt sense of identity. They consider us ‘sideshow freaks’ or ‘perverts’, and thus feel free to say anything they like to us.”

Many viewers responded to the video by defending their right to be curious.

“Curiosity is indeed normal,” she concedes, “but knowing when and how to ask questions is a basic social skill that should be applied, especially in such delicate situations.”

An additional, indirect point Addams successfully makes with *Bad Questions* is that sensitisation isn’t simply a matter of identifying this word or that topic as insensitive and policing their use. Instead, it’s about getting people to think twice about the reasons why such words or topics are insensitive before they decide whether or not to use them.

If you’re ever in a situation where you don’t know if what you’re about to ask is insensitive, here’s a rule of thumb: If you have to begin a question with some sort of disclaimer (“Don’t be offended when I ask you this, but...”), then, yes, it’s a *Bad* one.

### **James and Nadia**

So, newly armed with my knowledge of bad questions not to ask and list of allowable good ones, I met James and Nadia at home. They had just moved in a few weeks ago. A few unpacked boxes remained in the hall. Nadia had made a start on the garden with squares of turf and flowering plants. Boo (not her real name), their dog, ran sniffing around my legs, excited to have a new visitor.

While James brewed a pot of tea in the kitchen, Nadia told me how they started to date after sparking at a wellness retreat. Her recollections focused on romance, until James came back with the tea, and a challenge.

“Did you tell her how scared you were of me?”

Laughing, Nadia described the first impression James made on her as he swaggered around like a real tough guy and stood staring off into the distance while smoking, deep in thought.



“He was so ‘hardcore’ and ‘jinjang’!”

My first impressions?

Nadia is sweet, protective, and particular. James is laid-back and good-humouredly teasing. They’re like any loving couple with a sense of humour. Back when they started dating, James had told Nadia he was a lesbian, as he thought that would be easier for her to accept. Nadia was mildly nonplussed but not put off, and gamely began reading about lesbianism online and from his collection of literature.

Later, he revealed that he actually identified himself as male, and, having decided to transition, was taking testosterone injections and would soon undergo “top” surgery, that is, have his breasts surgically removed. So she switched topics and began researching this new aspect of her partner. In December 2006, she accompanied him to Bangkok for the surgery and cared for him when he returned until he recovered.

As James is not “out” yet, they were concerned about how to preserve his anonymity, especially from his colleagues. To ensure they couldn’t be identified, and given how articulate they both are, we decided they should write, in their own words, what they told me that afternoon.

Based on my notes, I provided them with a structure and the result is *My Journey* and *Talking Straight* .

When encountering something new, our initial response is often to pick at the differences while clinging to the familiar.

So if you’re straight, you’ll probably first identify a transsexual by how different he is from you, or vice versa. Hence the sometimes bad and frequently self-referential questions straight people keep asking transsexuals.

I feel the problem with self-referencing is that we assume “we” are the benchmark of normality. And that the degree by which a person differs from us therefore represents the degree of his abnormality. That narrow-mindedness can be insulting and hurtful. What is crucial in such instances is to get past the differences so you can appreciate the similarities.

Unlike me, James is so ill at ease with his female gender that he has to surgically correct it. Like me, he and Nadia believe people should be brave and true to themselves.

They respect, care for, are honest with, and have faith in their chosen partners. They speak up for what they think is right. They vote in the same elections. They love their pet. They have families, friends, jobs, job stress, joys, and troubles just like everyone else.

Such similarities are humanising. And it’s indecent to ask another human being a hurtful, bad question and expect to get away with it.

## **APPENDIX A5**

### **Headline: Live and let live**

Publication: The Star

Date of Publication: December 6, 2009 (Sunday)

Section: **Sharing the Nation**

Byline/ Author: **Zainah Anwar**

**Iran allows Muslim transsexuals to undergo sex reassignment surgery and the government even pays for it. Malaysia, Egypt and other Muslim countries allow such surgery for Muslims only if they are born with sexual organs of both male and female.**

The story of Fatine, the 36-year-old transsexual married to a British man and about to be deported to Malaysia for overstaying, once again brings to light the intense discrimination that transgender people suffer in Malaysia.

If I were Fatine, I too would be worried for my safety and well-being upon returning to Malaysia. The prospect of life here would be grim after all the publicity. The Director-General of Immigration has accused her of “having brought great shame” to Malaysia and threatened her with a travel ban, depending on the severity of her case. And she could also be charged for cross-dressing under the Syariah Criminal Offences Act and be fined and/or imprisoned.

There was a time in Malaysia when transsexuals could undergo sex reassignment surgery (SRS) in the country, have his or her name changed to reflect the new gender, and identity card, passport and driving licence all changed with new photographs, new name and new sex assignment. Some even got married and were able to adopt children and became grandparents.

Then in 1983, all this changed when the National Fatwa Council issued a fatwa against sex reassignment surgery for Muslim transsexuals and banned Muslim doctors from performing the surgery. The one Muslim doctor in Malaysia had to stop his practice.

There is no documented evidence that this fatwa led to increased stigmatisation against transsexuals in Malaysia. But many of us grew up knowing transsexuals in the neighbourhood or in the family who were much loved, especially those who could cook, sew, decorate, sing, dance and be the “Mak Andam” at weddings.

The Malays then seemed to embrace the “Mak Nyahs” in their midst much easier than other communities. We all understood that God created them that way and that they were to all intents and purposes women trapped in a man’s body. It is most likely that the stigmatisation began when many transsexuals were forced into sex work in order to earn a living.

In a survey of 507 transsexuals in 2000 conducted by Prof Teh Yik Koon of Universiti Utara Malaysia, 62% of them said they had difficulties finding work and 50%

resorted to sex work to support themselves. About 50% also said they had been caught by the Police and the Religious authorities for indecent behaviour and cross-dressing. According to Prof Teh, most importantly, the Mak Nyahs want society to accept them as they are and not discriminate against them, especially in employment. They do not want to be forced into the sex trade and be looked down upon by society,

It is society's rejection and discrimination against transsexuals as sexually deviant and their difficulties to find employment or to remain in the workplace because of discrimination and abuse that have forced many into sex work.

Transsexuals or transgender people experience dissonance between their sex as assigned at birth and their gender identity. It is a medical condition recognised by the World Health Organisation and the medical profession.

The World Professional Association for Transgender Health (WPATH), which includes physicians, psychologists, social scientists and lawyers, establishes standards of care for what is called Gender Identity Disorder (GID), articulating the "professional consensus about the psychiatric, psychological, medical and surgical management of GID".

WPATH states that treatment is medically necessary to "alleviate the clinically significant distress and impairment known as gender dysphoria that is often associated with transsexualism".

The British National Health Service defines symptoms of gender dysphoria as when you are without doubt that your gender identity is at odds with your sex; comfortable only when in the gender role of your preferred gender identity; have a strong desire to hide, or be rid of, the physical signs of your sex, such as breasts, body hair, and muscle definition; and have a strong dislike for, and a strong desire to change, or be rid of the genitalia of your sex.

Other advocates for transsexuals such as TransgenderASIA views transgenderism as simply one aspect of human diversity. It is a difference, not a disorder. It asserts that much of the suffering of transpeople are due to the intolerance of those around them to their gender diversity.

Transsexuals in Malaysia have demanded that they be treated as other human beings and citizens, accorded the same rights and dignity. Instead they face harassment and abuse by the authorities, are discriminated against by employers, and face difficulties in searching for jobs, housing, and medical treatment.

Various studies estimate there are between 10,000 and 20,000 transsexuals in the country and that more than 60% of them are involved in sex work. Most are male-to-female transsexuals, and interestingly, too, almost 70% to 80% of them are Malays. Those working with the transgender community in Malaysia say this is largely a class issue. Most Chinese transsexuals are able to afford SRS and live as women, relatively integrated into the community. Many others emigrate to countries where transsexuals are granted full legal recognition as members of their adopted sex and where they face less discrimination.

Malay transsexuals, for financial and religious reasons, do not commonly undergo SRS. According to WPATH, sex reassignment, when properly indicated and performed, has proven to be beneficial and effective in the treatment of individuals with transsexualism.

Iran is one Muslim country that allows Muslim transsexuals to undergo SRS and the government even pays for the surgery. Malaysia, Egypt and other Muslim countries allow SRS for Muslims only if they are hermaphrodites or intersex people (those born with sexual organs of both male and female).

The ostracisation by family and community has forced many Malay transsexuals into sex work. They are then stigmatised and become targets for harassment and abuse. Their presence then becomes much more visible than transsexuals who have undergone SRS and are socially integrated into the community.

A transsexual told me the biggest challenge the community faces is to get the government to recognise their existence and facilitate their right to a legal identity of their gender (not their sex assigned at birth), their access to medical services, and to end the discrimination and harassment enabled by laws on public decency and cross-dressing.

Even though she is Chinese, she too gets caught in these moral raids as the religious authorities assume that all transsexuals are Malays. She said transsexuals seldom go to the police to report any abuse for fear of further abuse and being thrown into cells for men.

The case of Ayu, a transsexual beaten and arrested by the Malacca state religious (JAIM) authorities while she was at a bus station with friends, is illustrative.

Ayu had to undergo surgery and JAIM instructed the hospital to take down the names of all transsexuals who visited her. In spite of encouragement from support groups to take legal action against JAIM, Ayu feared further abuse and intimidation and declined.

According to Pang Khee Peik of Sexualiti Merdeka, transsexuals in Malaysia have normalised a lifetime of abuse. It has become a part of their daily living to be taunted in the streets, groped, harassed by enforcement officers, physically assaulted, and discriminated and laughed at in school, at work, in clinics and hospitals and by landlords.

It is no fun to show your identity card or driving licence with the face of a man, sexually identified as a man, the name of a man and you look and dress as a woman. The sniggering and abuse begin immediately.

In Britain, the Gender Recognition Act of 2004 enables transgender people to be legally recognised in their acquired gender, with supporting reports from doctors or psychologists. Sex reassignment surgery is NOT a prerequisite for applying for gender recognition.

This application process requires the person to demonstrate that:

- > You have, or have had, gender dysphoria;
- > You have lived fully for the last two years in your acquired gender; and
- > You intend to live permanently in your acquired gender.

Malaysian transsexuals say similar state recognition of their status is an important prerequisite to end the discrimination and abuse they suffer. They also want access to medical care. Many of the transsexuals self-prescribe hormone pills to change their body look.

According to Prof Teh, very few transsexuals consult doctors because of the expenses and fear of discrimination. In Britain, the National Health Service runs Gender Identity Clinics to provide medical support to those with gender dysphoria.

It is high time the Malaysian government, the medical and legal professions, and transgender support groups sit together to address the continuing discrimination and abuse suffered by the transgender community.

This cruelty must end. They must be recognised as citizens with equal rights to a life of their preferred gender.

## **APPENDIX A6**

### **Headline: A Case of He/She and Not Much Help**

Publication: The Star

Date of Publication: December 24, 2009

Section: Putik Lada

Byline/ Author: Nizam Bashir

**Should Malaysia reconsider its approach and accord more latitude to Muslim transsexuals? A Muslim country like Iran has done so – but such a move here will lead to another host of questions.**

WHEN an Islamic hardliner like Zulkifli Noordin says that “we should help” Fatine, it is certainly time to sit up and pay careful attention to what is being said.

No doubt, “help” is being offered, but the offer is only on the table if Fatine is a hermaphrodite or an inter-sexed person that is to say someone born with physically ambiguous sexual characteristics (“hermaphrodite”). In all other instances, Fatine is on “his” own.

It is easy to see where the Kulim MP is coming from. Fatine is a Muslim and as such he is subject to the syariah laws in Malaysia.

If he is a hermaphrodite, no issue arises as Syariah laws recognise hermaphrodites as a natural phenomenon and even enable them to opt for sexual reassignment surgery (“SRS”) – if they elect to do so.

The reverse, however, is true if Fatine is a transsexual – that is to say someone who identifies with a physical sex different from his biological one. He would not be entitled to SRS and may even be subject to prosecution for “cross-dressing” especially when “cross dressing” is coupled with “immoral purposes”. That is how the law stands for Muslim transsexuals in Malaysia.

(The position is not too dissimilar for non-Muslim transsexuals in Malaysia. While there may not be any religious rulings against them, there is still Section 21 of the Minor Offences, 1955 to contend with where a slew of possible offences await the unwary. This can range from “merely” loitering late at night to something graver like prostitution.)

Not so in Iran. There, Muslim transsexuals are not subjected to any form of prosecution so long as the individual undergoes SRS and to facilitate this, the Iranian government even provides financial aid, if aid is required.

Crucially, post-SRS, Iran even recognises the individual's post-SRS gender and the change is reflected on the birth certificate.

This has been the religious experience in Iran since the mid-1980s courtesy of Maryam Khatoon Molkara's successful personal appeal to Ayatollah Khomeini for a religious edict in her favour.

Today, if we go by statistics alone, SRS has proven to be very popular for transsexuals in Iran and Iran is now second only to Thailand in terms of SRS carried out worldwide.

The real question however is whether Malaysia should reconsider its approach and accord more latitude to Muslim transsexuals in Malaysia merely because a Muslim country like Iran has done so?

From a religious perspective, the answer to that question appears fraught with difficulties.

The powers that be will not blindly apply Iran's religious edicts. Iran is after all homelands to the Shias, the Ayatollah a Shia religious cleric and crucially, Malaysia no longer considers Shias to be a legitimate Islamic sect.

There is also the not-so-small matter of dealing with the religious edict (fatwa) issued in 1983 by the Conference of Rulers where matters like SRS and cross-dressing have been prohibited.

Nevertheless, from a legal perspective, proponents of the question would likely point out that transsexuals must be accorded the right to live as full a life without interference from the State so long as no harm is occasioned to others.

However, let's not get too caught up in the intricacies of both arguments – religious or legal – and let's merely look at the practical repercussions that may arise from changing Malaysia's present stance on transsexuals.

Obviously, it means that transsexuals – Muslims or otherwise – would be more assured of their place in society.

It also means that society as whole would need to grapple with finding answers to the following questions:

1. Can a post-op transsexual get married to someone of his/her previously identified gender?
2. Can a pre-op or post-op transsexual adopt a child?
3. How should religious rites be carried out for deceased Muslim transsexuals? Should it be carried out by male religious clerics or women? Would your answer change post-op?
4. Which toilet should a pre-op transsexual go to? Male or female? Would your answer change post-op?

5. Can a male police officer conduct a body search of a pre-op transsexual male or can the individual insist on a female police officer? Can the female police officer decline conducting the body search?

6. Should a transsexual be permitted to reflect his or her post-SRS identities on his or her birth certificate or identification cards? If your answer was no, would your answer change if this was your child?

As can be imagined, those questions are certainly not easy ones to answer. Not if we are truly being genuine and sincere in trying to address them.

However, in the interim, as we continue to grapple with the question, let's not engage in "shameful" weasel words (i.e. words which imply that something meaningful has been said) which only serves to mislead onlookers or readers into thinking that an unqualified offer has been made to "help" Fatine to deal with his problems.

All of which are very real and very tangible as Fatine, as is obvious from the original report in the Sun (Britain) on Nov 27, is a transsexual and promised the proverbial rod when he comes back home to Malaysia.

*> The writer is a young lawyer. Putik Lada, or pepper buds in Malay, captures the spirit and intention of this column – a platform for young lawyers to articulate their views and aspirations about the law, justice and a civil society. For more information about the young lawyers, visit [www.malaysianbar.org.my/nylc](http://www.malaysianbar.org.my/nylc).*



## APPENDIX A7

### Headline: Fatine's Story

Publication: The Star

Date of publication: Dec 19, 2009

Byline / Author: Choi Tuck Wo

Things appear to be looking up for Fatine, the Malaysian transsexual who caused a furore back home over her marriage to a Briton. The 36-year-old make-up artist has just received an acknowledgement from the Home Office about her application for a Right to Family Life under the Human Rights Act in Britain.

Although it did not state the processing time or the chances of approval, Fatine believed that she did not fear deportation to Malaysia for the time being.

For her, that's probably a sweet consolation after several weeks of edge-of-seat moments following the rejection of her Leave to Remain visa in Britain and the subsequent appeal.

'At least, I am safe for now. They can't deport me as my application is still under process,' said a somewhat relieved Fatine, who was born Mohammed Fazdil Min Bahari.

Her marriage to Ian Young touched a raw nerve in Malaysia, with the Immigration Department director-general Datuk Abdul Rahman Othman reportedly accusing her of having 'brought great shame upon us' for overstaying in Britain.

While Fatine's love story has irked certain quarters in Malaysia, it has also touched the hearts of many who felt she should not be penalised because she is a transsexual.

A growing number of Malaysians, including Muslims and non-Muslims, as well as non-government organisations have voiced support for Fatine either through her Facebook chat group or the media.

In fact, the British media seems to have taken a more sympathetic view towards her plight, with several television stations including the BBC, approaching the couple to shoot documentaries on their case.

But while there is a growing support group in Fatine's Facebook, it has also turned into a religious debate with some critical views about her marriage.

Fatine said she had, from the start, appealed to the people not to judge her based on the religious viewpoint.

'If they want to judge me, please do so based on humanitarian grounds as I just want to be with the man I love.

'I know what I did was wrong according to my religion. That's why I came to Britain (for my civil marriage) because I respect the laws in Malaysia,' she said.

Fatine reiterated that she was scared to return home now following the Immigration Department's adverse reaction towards her case.

'Of course, I want to go back and visit my mother but I am worried they will confiscate my passport and bar me from travelling for two years.

'How can I live without Ian for two years?' she asked in exasperation.

It's indeed sad to see some people judging the couple in a negative light when there are far more serious moral issues that needed attention back home.

While the law must be complied with in whatever circumstances, all decisions should be tempered with compassion where there is a grey area in the decision-making process.

## **APPENDIX A8**

### **Headline: Right to be Happy**

Publication: The Star

Date of Publication: December 4, 2009

Byline/ Author: Choi Tuck Wo

### **Fatine's life as a newly-wed in England runs into a rough patch as she faces deportation to Malaysia.**

BEING tragically born with the wrong body has been a "living hell" for Malaysian transsexual Mohammed Fazdil Min Bahari.

Fatine, as he is better known, was once sacked by his homophobic boss for jeopardising the company's image, and was treated as a freak and a second-class citizen in Malaysia.

The 36-year-old make-up artist is exasperated that people often have prejudiced views of transsexuals, assuming that they must "live on the streets, be a hooker or whatever".

"Did we choose to be like that? No! We just happen to be born with the wrong body," says an emotionally charged Fatine in his Derby home in England.

Fatine, who married his British lover Ian Young whom he met in Kuala Lumpur, is now engrossed in a legal wrangle to stay in Britain.

The couple came into the limelight after Fatine was told to return to Malaysia following the rejection of his Leave to Remain visa in Britain over an "incorrect" photograph.

A second application with a passport photograph with a white background as required, instead of blue, was submitted for reconsideration but that was also thrown out, in October.

The couple have just submitted their third application for a Right to Family Life under the Human Rights Act in Britain.

Fatine recalls that he was "ridiculed and insulted" because of his condition, while working as a retail make-up artist in Kuala Lumpur. "I've been through hell. They terminated my employment, claiming I was tarnishing the company's image," he says.

Fatine also says that the boss told him to change to become a man.

He appeals to the Malay community in particular to be more accepting of transsexuals. "We just want to be what we are. Give us a chance to show that we can contribute to society, too," he says, adding that transsexuals in Malaysia have been treated like freaks or second-class citizens for too long.

Fatine says that he is not only fighting for his visa but also for the rights of the Lesbian, Gay, Bisexual, Transgender (LGBT) global community.

Despite the negative reaction in Malaysia caused by what he claims to be the wrongful portrayal of their love story, Fatine insists he is prepared to marry Young all over again.

He says nothing could change his mind about saying “I do” to the man he loves even after what they have gone through.

“All my life, I’ve been waiting to find someone who’ll love me. After having found the love of my life, there’s no way we can get separated,” he says, adding they would do everything possible to fight to stay together.

Away from the hustle and bustle of London, the peaceful Derby countryside in the East Midlands seems to be a good place to settle down to married life.

For Fatine, life goes on as usual despite all that has happened, especially now that his family in Malaysia has disowned him.

“I’ve asked for forgiveness and deep inside my heart, I pray that they would forgive me one day as I don’t mean to hurt anybody,” he says of his family who are from a religious background.

“I know it is not going to be easy but I have to be strong as there’s no turning back now. I have to live my life,” says Fatine.

However, he notes that the local community in Derby, including Ian’s family and friends, has accepted him and treat him well.

The only thing that depresses him is that he cannot work in England as his visa application is still pending. He has gone from working 12 hours a day, seven days a week, in Kuala Lumpur, to not being able to work at all.

“It’s not that I am bored with my life here. I am just bored because I am not working,” he says, adding that he would love to work part-time in the local charity shops and contribute to the community.

Nowadays, he spends most his time doing household chores.

He has also joined a transgender support group called Reflection Derby.

Young says all they want is the right to be happy without people taking offence to them being together. “It saddens us as we both think Malaysia is a fantastic country. From the time I spent there, I grew to love the people and their culture,” he adds.

He says it would be impossible for Fatine to live her life without risking prosecution by the authorities or insult from the public if she were to return home. “Going back to Malaysia isn’t an option now. If our third application is rejected, we would try and go to another country that would accept us,” he adds.

## **APPENDIX A9**

### **Headline: The Price They Pay to Be a Woman**

Publication: NST

Date of publication: Feb 11, 2011

Section heading: Main Section

Page number: 012

Byline / Author: Elizabeth Zachariah; Farhana Ab Rahman

A FORMER employee of a religious department was found dead last month after falling from the 12th floor of the Sentul Utama condominium. Tongues started wagging after he was found wearing a yellow bra and red panties. Just what drives a man to put on women's undies? *ELIZABETH ZACHARIAH and FARHANA AB RAHMAN look for answers in the final instalment in a two-part series on the transsexual community.*

LORONG Gopeng, off Jalan Nanas in Klang is where about 100 Mak Nyah crowd almost every night waiting for customers. They are sex workers, mostly forced into the trade because of difficulties in obtaining jobs and rejection from their families. It is the easiest and fastest way for them to make money for sex-change operations and to live comfortably.

Representatives from the Malaysian AIDS Council and the Women and Health Association Kuala Lumpur (Wake) as well as several reporters visited the area recently to find out how the Mak Nyah operate. On that night, there were at least 10 of them. They had a Mama-san who took care of them and rented rooms for them to service their customers. They were a tight-knit group, said a volunteer from Wake. A few men in cars were seen quietly waiting for the Mak Nyah to approach them. The Mak Nyah were skimpily dressed and had heavy make-up. Some of them were also very beautiful. They will do almost anything to be more feminine, with some choosing to have laser hair removal, facials and implants.

A bit wary at first, the Mak Nyah were quite friendly once we introduced ourselves. Some were too shy to be interviewed while a few were quite keen to be photographed. The backlane is a dangerous area as some of them said they had been physically abused there. "Some bullies have thrown bottles at us, spat at us and even beaten us before," one of them said. This became evident a few hours later after the interview concluded. A few cars drove up and down the spot where they were standing. The volunteer from Wake told us to leave the place quickly. "Things can get ugly here," she added.

### **Arrested and forced to parade her body in prison**

FOR many, embracing a third gender is still a taboo. Various terms are used to describe transgender people, such as transvestite, cross-dresser, bi-gendered, androgyne,

transsexual and drag queen. Transsexuals are those who choose to medically change their gender. Cross-dressers are people who like to wear the clothes of another gender. Nisha, a programme coordinator with Pink Triangle Foundation, said her life changed when she was in her early 20s. "I was arrested by the religious authorities for cross-dressing in Malacca. "The prosecutor in her case told her that if she pleaded guilty, she would just be fined and released.

"So, I pleaded guilty but found myself sentenced to three months' jail. " Nisha said on her first day in the male section of Kajang Prison, she was forced to strip in front of the officers. "I already had my breast implants at that time. I'd never felt so humiliated in my whole life."

She was forced to parade down the row of cells and flash her breasts at the other inmates. During her three months in prison, Nisha was forced to perform sexual favours on another inmate so that he would "protect" her. "I had to do it for my own safety. I knew I would be worse off if I didn't." She said her experience behind bars altered her perception about people. "I started hating people who were not like me. I felt that they had reduced me to nothing." Upon her release from prison, she became a sex worker.

"I was working in a hotel before I was arrested. After that, it was so difficult to get a job, so I resorted to becoming a sex worker." Her mother was supportive of her during those trying times despite not approving of her becoming a woman. Seven years later, she stumbled upon the Pink Triangle Foundation and attended its programmes. "I realised that I was destroying myself."

Nisha turned her life around with the help of people at the foundation and eventually started working for them in 2006. "It was through some sessions and counselling that I regained my pride and self-confidence. For that, I'll be forever grateful to the Pink Triangle Foundation."

Wan realised she was different in her early 20s after she left home to live on her own. Although her family loved her, they still could not accept that "he" was now a "she" as it went against their religion. "They strongly felt that I should fight this feeling. Initially, I tried to keep it hidden but it was really difficult." Wan said for a young transgender, life was often confusing and difficult.

"It can get scary and lonely. They cannot understand why they are different. The feeling of isolation is worse when derogatory remarks are hurled at them," said the volunteer at the Pink Triangle Foundation.

Kiki, an executive with an event management company, said her family realised that she was "different" when she was young. She is lucky as her family has accepted her though it was difficult in the beginning. Kiki said there were people who made fun of her at work because of her clothes and make-up. "But I also have people who love me for who I am."

Joey, who performs as a drag queen, said it was not easy being a transgender because these people were often viewed as objects of fun and ridicule. She became a performer to overcome stage fright and is quite a success now. She is open about her condition and said discrimination and abuse from society was a result of the lack of understanding and education on the subject.

## **Decent jobs hard to come by**

THE New Straits Times spoke to two sex workers in Lorong Gopeng, Klang recently. Raman was 12 years old when his schoolmates mercilessly teased him about his feminine mannerisms, which made him confused about his identity. He knew then that he was a woman trapped in a man's body. He has three elder siblings and a younger sister.

"They objected to me becoming a woman, so I decided to leave home when I was 16," said Raman, who now goes by the name "Tamana Sri". That was four years ago. Now, Raman is a "she", having had a sex-change operation three months ago in Thailand. The 20-year-old became a sex worker because she couldn't find a proper job. "I applied to eight companies and they all told me that they did not want me because I dressed up as a woman. They told me they would face problems if they hired me."

She had a few boyfriends who cheated her of her money and left her. Faced with multiple rejections, Tamana's confidence plunged to an all-time low. When she saw a friend, a transgender sex worker, bringing in the money, Tamana decided to give it a try. She started servicing 15 to 20 clients a day, getting RM50 for every 20-minute session. She saved up enough money for her sex-change operation, which cost RM13,000 for breast implants and the removal of male genitals. She took a month to recover from the operation. She said she had not gone for any follow-up check-ups since then. The job did not come easy. Tamana said some drunk clients had beaten her up before. "I've been hit with beer bottles and there was once a client who tried to strangle me when I told him that time was up." Tamana said she would like to have a normal job. "I don't want to be a sex worker forever. I hope I will be given the opportunity as I want to move on." Tamana has since reconciled with her family members, who have accepted her and see her once a month. She said she would be very happy if transgender people were allowed to change their gender in their identity cards.

## **Cosmetic surgery first, then studies**

VARSHA, 20, became a sex worker three months ago. In her younger days, she was known as Siva. She lived with her mother after her father left the family for another woman. At that time, Siva's mother did not allow him to mix with other boys as she feared that he would be influenced by bad hats.

"I started thinking like a woman and in my heart, I knew I was a woman." When he hit puberty, Siva started walking like a girl, which resulted in taunts from family and friends. "My mother used to lock me up and not feed me for days. She tried every way possible to change me." Siva was thrown out of the house when he was 17. He got a job as an administration clerk and started calling himself "Varsha".

Varsha then pursued a foundation course at a private college. At 18, Varsha had a sex-change operation in Thailand for RM10,000. She removed her male organs and took hormone tablets. Varsha also started a relationship with a man and depended on him for money, food, clothes and accommodation. She also stopped her education. When they broke up, Varsha turned to the vice trade to earn a living. "I didn't know what to do. I was so desperate for money and a roof over my head that I was willing to

do anything." She charges RM50 for a 20-minute session. "We usually get more customers at the end of the month when they get their salaries." Varsha said sex workers who did not have sex-change operations charged RM30 to RM40. Nepali customers are charged less because of their lower wages. She said some of her customers had even proposed marriage to her "but of course, it is impossible". She has also started contacting her family recently, but "my mother wants me to be a `perfect' woman before I go and see her". Perfect for her mother means that she would have to go for voice and jaw alteration surgery. Varsha wants to continue her studies in information technology but she said her cosmetic surgery would have to be done first as she believed that she would be respected if she had good looks.



## **APPENDIX A10**

### **Headline: Looking at Other Side of Mak Nyah**

Publication: NST

Date of publication: Feb 10, 2011

Section heading: Main Section

Page number: 010

Byline / Author: Elizabeth Zachariah; Farhana Ab Rahman

THEY'VE been shunned and marginalised for ages. But like it or not, they are part of our society. In this first part of a two-part series, ELIZABETH ZACHARIAH and FARHANA AB RAHMAN look at the Mak Nyah or transsexual community and the problems that plague them.

It is so easy to disregard their existence or even shun them, but they are part of society, whether we like it or not.

The Mak Nyah (transsexual) community here always turns heads wherever they go. Some members of the public are discreet in observing them, there are those who stare openly while others give them disgusted looks.

Many, however, feel that the Mak Nyah community are simply a misunderstood lot. A lot of transsexuals have difficulty finding jobs and have turned to being sex workers to earn a living.

In Malaysia, there are between 10,000 and 20,000 transsexuals and more than 60 per cent of them are involved in the vice trade.

A study by National Defence University Professor Dr Teh Yik Koon shows that 62 per cent of them have difficulty finding work.

The same study also reveals about 50 per cent of Mak Nyah had been caught by the police and religious authorities for indecent behaviour and cross-dressing.

Malaysian AIDS Council (MAC) president Datuk Mohd Zaman Khan says the Mak Nyah community attracts attention because of the way they dress and act and agrees that they are a misunderstood lot.

"In some places, they would be arrested for carrying ladies' handbags."

Zaman gives an example in Negri Sembilan where a Mak Nyah community had organised a fundraising event and a few politicians attended.

"When people found out about it, there was a big fuss about the politicians attending the function."

The perception that Mak Nyah became like they are because they were born in a female-dominated family and only had the influence of women in their lives is wrong.

"There is a medical and biological reason as to why they behave that way," says Zaman, adding that the main problem Mak Nyah faced was the prejudices and negative stigmas associated with them.

"There is this perception that most of them are sex workers, but that is entirely false."

He said there are Mak Nyah who are successful in business and at the top of the corporate ladder. And there are a whole lot of them in the beauty and entertainment industry.

Zaman admits that most transsexuals were denied jobs because of the way they dress, despite the fact that some of them are educated.

"In desperation, they turn to the sex trade to survive. It does not help that they face rejection from their families, too.

"But I believe they can still make a decent living if they remain positive."

He says as society progresses, they are privy to more information about transgenderism, which helps them to understand the community well.

Nowadays, most families are more accepting because they understand the situation better.

Zaman relates a story of his friend who had five children and one became a Mak Nyah.

"When my friend fell sick, it was that child who had looked after him and nursed him back to health."

Zaman says MAC has a close association with this community as their mission is to prevent the spread of HIV virus, which is undeniably prevalent among the Mak Nyah community.

Centre helps give Mak Nyah sense of belonging

PINK Triangle (PT) Foundation is a non-governmental organisation with an outreach programme for the Mak Nyah community here.

Funded by the Women, Family and Community Development Ministry, its focus is on self-empowerment, human rights, personal development and health concerns related to HIV/AIDS and sexually transmitted disease (STD).

PT Foundation advocacy manager Kevin Baker says the Mak Nyah community has been a misunderstood and disgraced group for a long time.

"They were accepted in the 1980s and early 1990s, but for some reason, they are now clearly sidelined."

He gives an example last year when a Mak Nyah was denied hospital treatment because of how she was dressed.

Baker says PT Foundation tries to help this marginalised community by being non-judgmental.

"We are trying to support them in discovering who they are and what they want in life, and at the same time, to prevent the spread of HIV."

PT Foundation programme manager Sulastri Ariffin, affectionately known as Su, says an average of 20 to 30 Mak Nyah come to the centre every day to rest and seek company with other community members.

"They can come to have meals three times a day, wash their clothes, shower and take a nap. They usually head back out around 6pm.

"They are also given religious counselling by Jawi (Federal Territories Islamic Affairs Department), cooking and computer training and other classes via the programme," Su says, adding that most of them are sex workers who live on the streets.

"We don't want to change anyone, but perhaps, we can put some light back into their lives," says Su, who is also a transgender.

She says transgenders face a life full of discrimination and some even regret being born.

"They feel lousy about themselves and are sensitive. They also face the constant danger of getting arrested."

Despite their adversities, Su is confident that the Mak Nyah community have grown stronger.

"We know we can face anything life throws at us. I have come to a stage where I don't care what people think of me. I know who I am and that is all that matters."

'It's a medical condition'

MANY studies have been carried out on the subject of transsexuals (TS), but one question remains -- is transsexualism a biological occurrence or is it just a matter of cross-dressing?

Professor Dr Teh Yik Koon of National Defence University of Malaysia, who has been studying transsexual issues for more than a decade, believes it is much more than individuals entertaining their alter egos.

She says various research findings have shown that transsexualism is a medical condition.

She cites an article released in 2000 by Frank P.M. Kruijver, Jiang-Ning Zhou, Chris W. Pool, Michel A. Hofman, Louis J.G. Gooren and Dick F. Swaab titled Male-to-Female Transsexuals Have Female Neuron Numbers in a Limbic Nucleus.

The researchers concluded that in TS, sexual differentiation of the brain and genitals may go into opposite directions and point to a neurobiological basis of gender identity disorder.

Their study revealed that the number of neurons in the bed nucleus of the stria terminalis (BSTc) of male-to-female TS was similar to that of the females ( $P > 0.83$ ). In contrast, the neuron number of a female-to-male TS was found to be in the male range.

Teh says those who do not want to accept that it is a biological occurrence are those who believe that their religion forbids it and there is no such thing as transsexualism.

"Egypt and Iran have allowed TS to have the surgery. Why not Malaysia?"

Teh, who is also a professor in sociology and criminology, explains that here, non-Muslim transsexuals are not prohibited from sex change, but Muslim transsexuals are.

In 1983, the National Fatwa Council issued a fatwa against sex reassignment surgery for Muslim transsexuals and banned Muslim doctors from performing the surgery.

Teh says TS should undergo counselling and guidance before they decide to go through with the surgery.

"The proper procedure is for the TS to undergo about two years of counselling by trained psychologists or psychiatrists to ensure that they are truly transsexuals who desire sex change.

"Once the psychologists or psychiatrists certify that their clients are TS, only then they can go for surgery."

Ideally, Teh said the TS should continue counselling sessions after surgery to help them adjust to their new roles.

Teh said one of the issues plaguing the TS community is that they are not allowed to change their gender in identification documents.

"We have been fighting this issue for a long time. They face so many problems because of this. Even buying an insurance policy was difficult because their documents stated they are male, but their bodies are now female."

Another problem is when they need to travel overseas because their passports list them down as males, but they appear as females.

## APPENDIX A11

### Headline: Help Transgenders, Not Judge Them

Publication: NST

Date of publication: Aug 4, 2011

Section heading: Main Section

Page number: 017

Byline / Author: By Chok Suat Ling

"OI, pondan!" - how many have hurled this in the direction of a transgender or used it as an insult?

Those words would usually be followed by cackles, crude jokes and wolf whistles. It's something "those who behave in a style traditionally associated with the opposite sex" are quite used to.

Not too long ago, a member of parliament had even mimicked the way effeminate men waved their hands in the Dewan Rakyat when urging the Information, Communication and Culture Ministry to ensure that male dancers hired were not "softies". This would not augur well for Malaysia's image, he had argued.

Those who deviate from the norm are classified by some - to the consternation of the affected parties - as men with gender identity disorders. There is even an acronym for it: GID. Others label them *bapuk*, *lelaki lembut*, *mak nyah* and *adik-adik*. And, yes, *pondan*, too.

What serves to define them best, however, is a recent addition in the dictionaries - transgender. It is a catchall term which has been in conversational use since the 1960s for people "appearing or attempting to be a member of the opposite sex, as a transsexual or habitual cross-dresser".

The most recent case involved Mohd Ashraf Hafiz Abdul Aziz, who died, probably of a broken heart, on Saturday.

He had made a legal bid to have the gender on his identity card changed to female, and his name to Aleesha Farhana following gender reassignment surgery in Thailand two years ago. He failed and had been deeply depressed since.

There are many other Aleesha Farhanas. One other who made the news is Fatine or Mohammed Fadzil Min Bahari, who became well known when about to be deported from Britain for overstaying.

The rest don't make the news. But they are there, on the periphery of society. A number undergo sex-change surgery. A Malay newspaper highlighted the presence of a "graveyard" in Kuala Lumpur for unwanted genitalia, those that had been removed surgically.

"Rather than throw them all away indiscriminately, this is the proper and respectful way to send 'them' off. I do it voluntarily," Mimi Zarina, the 62-year-old former president of the Federal Territory Mak Nyah Association was quoted as saying.

Some are not hesitant to share their stories but most live deep in the closet and have low self-esteem because the general perception of transgenders is that they lead an immoral life.

They face stigma and discrimination from a very young age, and when older, they rarely get past job interviews because of the way they look and behave. Relatives, community and religious leaders lecture them on how they need to reform, to be "saved".

And, that's not the end of it.

"Those who are on hormone treatment, have breast transplants and sex reassignment surgery spend their life savings on the treatment.

"If not done correctly, these treatments and surgeries often result in complications and side-effects that are life-threatening," said PT Foundation acting executive director Raymond Tai.

"Sex reassignment surgeries are also not allowed in Malaysia, making these operations tedious and expensive. Those who wish to practise their faith find themselves ostracised from most churches and mosques."

They can't change their sex in the birth certificates, identity cards, driving licences and passports, even if they may have had a sex change and look every bit a woman. This affects their applications for jobs, housing and bank loans, and scholarships. They face enormous challenges in finding a life partner, and face obstacles even in death -- are they to be given a woman or man's last rites and how can their "spouse" benefit from their estate and savings?

Having an open mind can help change the general stigma attached to them. Proper laws should be enacted to enable people like Ashraf to have recourse to the justice system.

We need to be less judgmental. This group of people do exist, whether we like it or not.

Transgender is not just "a word made up by people". All this talk about "men trapped in women's bodies and women trapped in men's bodies" is not just "simply nonsense".

No one can understand them without listening to their stories. But, how many care to listen?

## APPENDIX A12

### Headline: Transsexual Tells of How Sex Work Led to HIV

Publication: The Star

Date of Publication: August 16, 2009

Byline/ Author: Audrey Edwards

SHE looks older than her 19 years and is pencil-thin. Fatin (not her real name) is fidgety and plays with her sweater while she furtively looks around to see if anyone nearby is listening in. It doesn't matter that the interview is being carried out in a poorly-lit corner of a religious school compound at her village in Johor. The orang asli transsexual is cautious at first and speaks quietly. But as she warms up, Fatin, who was confirmed HIV-positive last year, lets her guard down. She says she also suffers from tuberculosis.

#### *All in the name of fun*

"It all began when I started hanging out with my friends at the bus stop," she says, smiling shyly as she relates how she became involved in sex work, which led to her being infected with HIV. "Guys would drive by, stop, look and then choose whoever they liked." An "ice-cream" costs RM50 while the whole "play" would cost the men between RM70 and RM80.

Of course, Fatin says, it depends on the kind of men who "took them out". Sometimes she would just settle for being taken for karaoke and a night out. "They would run out of money and couldn't pay us," she adds. "At first, it was just for fun. I used to do it with the villagers without charging anything. Then, after following my friends, I found out that I could earn some money."

Fatin left her home when she was 13 for Penang where she worked as a tea lady. She started having sex when she was about 12 and started "experimenting" in sex work about four years later when she returned from Penang. A good night's earning came to about RM250, but RM100 was the average.

She says she did not know she was infected with HIV until she fell ill and went to a health clinic where she was tested. Although she did not want to tell her family about her status, a nurse from the clinic informed them. "They were angry at first. After all, three of my older brothers had died from HIV," says Fatin, who is the fifth among eight children. "But I don't do drugs. I don't drink. The only vice I have is smoking. I never thought I would get the disease. I just followed my friends to do stuff."

Since the diagnosis, she has given up sex work and earns money by helping to transfer goods bought from Singapore to the village. She also doubles up as a driver sometimes, which pays more. Fatin is comfortable with her sexuality, saying that she started dressing up as a girl when she was young and doing household chores from when she was about eight years old.

Recently, she has taken to spending her time at home where she is unable to do much because she feels unwell with headaches and dizzy spells attacking her frequently. “I feel like something is gripping my brain. Sometimes I can’t even see straight. And I don’t feel like eating. I have to force myself,” she says.

She confides that she ended a relationship about two weeks ago. “I didn’t want to give him sex. So, he broke up with me.”

### *Heartbreak for mum*

Fatin’s mother, Ros (not her real name), 49, spends her days trying to juggle part-time work, looking after her children and attending school for older people three times a week. She helps to load goods from Singapore to the village, earning about RM290 for each trip. Her husband, 60, does not work as he suffers from pains around the waist.

There is a look of defeat in her eyes as she talks tearfully about her children. “I looked after all my three sons before they died. I scolded them all the time. But they still wouldn’t stop doing drugs. Even my other son hasn’t stopped despite being caught by the police,” she laments. Her sons died at ages 26, 20 and 17 respectively. They were injecting drug users, having got hooked when they were introduced to the drugs by traders.

She says her fourth son who refuses to give up drugs feeds his habit by going out to sea with fishermen, and earns about RM160. “He spends everything on drugs and doesn’t give a sen to the family,” she says. “This is a case where the mother loves her children but they don’t love her.” It is this mother’s love that made Ros willingly care for her children after being taught the precautionary measures to take when looking after them. “Which mother does not love her children?” she sighs.

She also claims that six of her siblings died from HIV/AIDS. Her other three children are girls aged between six and 13. “Now, this one (Fatin) is sick. I was so angry and fed-up when I found out. I have lost three sons already. And this one (Fatin) has always been the manja (spoilt) one,” she says.



## APPENDIX A13

### Headline: Trans-terminology

Publication: The Star

Date of Publication: October 4, 2009

GENDER identity and sexual orientation are different.

**Gender:** A socially constructed system of classification that ascribes qualities of masculinity and femininity to people.

**Gender identity:** The gender one sees oneself as – masculine/feminine, male/female, including refusing to label oneself with a gender. Gender identity does not cause sexual orientation. For example, a masculine woman is not necessarily a lesbian.

**Sexual orientation:** Aka sexuality, the deep-seated direction of one's sexual (erotic) attraction, for example:

Heterosexual, or "straight" – a person who experiences sexual, emotional, and/or romantic attraction to a sex other than his own ("attraction to the opposite sex").

Homosexual, or "gay" – a person who is attracted to the same sex.

Given the existence of intersexualism, transsexualism and transgenderism, these definitions are limiting and not entirely accurate.

Bisexual, or "bi" – a person who is attracted to two sexes or two genders (not necessarily simultaneously or equally.)

Pansexual – a person who is fluid in sexual orientation and/or gender identity.

Transsexualism is not a sexual orientation.

**Transsexual:** Someone who experiences a mismatch between his/her biological sex and gender identity, and can be of any sexual orientation.

According to reports from the Malaysian transsexual community, they number close to 20,000, says sociology Prof Teh Yik Koon from the National Defence University of Malaysia. (In her 2002 book, *The Mak Nyahs: Malaysian Male to Female Transsexuals*, she estimated their numbers at 10,000.)

**Transitioning:** A transsexual may undergo medical and/or surgical treatment to change his/her physical sex to match his/her gender identity. This is a complicated, multi-step process that can take years and may include sex reassignment surgery.

**Trans man:** A female-to-male transition (FTM).

**Trans woman:** A male-to-female transition (MTF).

All transsexuals are transgender, or “trans” persons, but not all trans-persons are transsexuals.

**Transgender people:** Those whose gender identities differ from the social expectations for the physical sex they were born with, including **transvestites** (cross-dressers), **transgenderists** (people who live mostly in a gender role different from their biological gender), **gender queers** (people who blur the boundaries of gender even further), and people who identify as neither female nor male. “Transgender” is not a sexual orientation; transgender people can be of any sexual orientation.

Finally, a person can be **in** (secretive) or **out** (open with others) about his/her sexual orientation and gender identity in varying degrees.

If you’d like to learn more about such ins and outs, start at:

Columbia Foundation Glossary of Terms Relating to Sexuality and Gender at [columbia.org/resources\\_fr.htm](http://columbia.org/resources_fr.htm) (under Human Rights);

Transsexual Road Map at [tsroadmap.com](http://tsroadmap.com);

Mike’s Transgendered Planet at [michael7668.tripod.com/mikestransgenderedplanet](http://michael7668.tripod.com/mikestransgenderedplanet).

## APPENDIX 14

### Headline: Love Does Not Hurt Nor Hate

Publication: The Star

Date of Publication: November 11, 2010 (Thursday)

Section: Putik Lada

Byline/ Author: Geneviene Tan

**When we discriminate against any member of a group or community, we act against the Constitution, against the Government's latest calling: 1Malaysia.**

“If you just learn a single trick, Scout, you’ll get along a lot better with all kinds of folks. You never really understand a person until you consider things from his point of view ... until you climb inside of his skin and walk around in it.” – *Atticus Finch, To Kill A Mockingbird by Harper Lee.*

TRY this. Take the person next to you right now. Now, try to imagine that you are him or her. Perhaps, you do not know enough about that person? OK, even if you did, would he or she actually act or feel like that? Slowly, you may just realise this: he or she is not you. But, what if that person were you?

Think about this: the words “transsexual, transgender, homosexual, intersex (person born with female and male genitals)” are just names. Like your name is James or Sarah. However, these words specify the identity of a particular group or community in our society.

Let’s have a look at our Federal Constitution (“the Constitution”); see the design created that appears to include and binds every group and community of Malaysian people. Simply put, the Constitution serves everyone. For example:

- > All persons are equal before the law and entitled to the equal protection of the law. – Article 8.
- > No person shall be deprived of his life or personal liberty save in accordance with the law. – Article 5
- > This Constitution is the supreme law of the Federation and any law passed after Merdeka Day which is inconsistent with this Constitution shall, to the extent of the inconsistency, be void. – Article 4.

Clearly, the words “all persons”, “no person” alone shows that the Constitution does not discriminate against transgenders, transsexuals, non-heterosexuals, intersex and such people. Because if that were the case, why imprint these words onto the Constitution?

Meaning, Ah Boon with his noodles in the hawker stall is just as protected by the Constitution as Nanie, a *mak nyah* having her *teh tarik* at the mamak shop.

Ironically, when we discriminate against any member in these groups or communities, we act against the Constitution. Similarly, we act against the Government’s latest calling: 1Malaysia.

There has never been “1Malaysia, but ...”

But if you saw a *mak pondan* next to you right now, would you see her as a non-Malaysian?

Strangely, it would not be the first thing on your mind, would it? How would you feel if someone hurt you for being who you are? In fact, have you ever been hurt like that in your life?

Research also shows that in Malaysia, the transgendered community faces a daily living of rejection, marginalisation, hate, abuse, discrimination and brutality because they are what they are.

In addition, out of 16 countries around the East and Asia Pacific, only five, including Malaysia, deem male-to-male sex as illegal. One of the biggest nations in the world, China, does not decree male-to-male sex as illegal. Even Timor Leste considers it legal.

Are they actually dirty ... evil ... wrong, or is it just what people have been telling you to think about them? Do you actually know of one, properly and personally? What if that very person they spoke so cruelly of ... were you?

If one tries to analyse the words of 1Malaysia and the Constitution, this common thread may be seen: Malaysia is about peace, unity and equality. Which makes a lot of sense, since it ties in with our Malaysian nature: “*relak ... chill la*”. As a matter of fact, such spirit guide the law and the people therein, every day, to ensure that justice is served.

For example, the High Court, in the case of *Re JG v Pengarah Jabatan Pendaftaran Negara*, permitted a male-to-female to have her registration and identity card altered to suit her new gender.

James Foong J held: “She felt like a woman, lived like one, behaved as one, had her physical body attuned to one and, most important of all, her psychological thinking was that of a woman.

“In this case, the first prayer was for a declaration which the court had power under the Specific Relief Act 1950 to grant. As for the second prayer, it concerned only an administrative exercise and the defendant was empowered by law under S 6(2)(o) of the National Registration Act 1959 to make correction and alteration in the register and identity card.

“All these would give full effect to art 5(1) of the Federal Constitution which states that ‘no person shall be deprived of his life or personal liberty save in accordance with the law’.”

Change happens and we almost always move with change. One man’s meat may be another man’s poison. Interestingly, not everything right makes another thing right: Would you protect your best friend in trouble despite knowing that she or he was wrong?

Why? Because the best thing within us is not a matter that is black or white. And we try our best to strike that balance.

In whole, our humanity lies in love. Just looking at the concept of 1Malaysia and the Constitution, it appears that we, the Malaysian people want to be guided by love. Love does not discriminate, condemn, hurt or hate. It does not divide nor speak the worst of another. Love is real and fair.

The law looks like a scary piece of paper. However, it is real and, where outdated, change should occur to suit the ever-changing times and our ever-changing needs. After all, the laws were made for all of us.

Transgenders, transsexuals, non-heterosexuals and intersex are a part of us: can we put our sticks down?

> *The writer is a young lawyer. Putik Lada, or pepper buds in Malay, captures the spirit and intention of this column – a platform for young lawyers to articulate their views and aspirations about the law, justice and a civil society. For more information about the young lawyers, please visit [www.malaysianbar.org.my](http://www.malaysianbar.org.my)*

## APPENDIX A15

### Headline: Sister Solidarity

Publication: The Star

Date of Publication: February 20, 2011

Byline/ Author: Hariati Azizan

EVEN popping into the convenience store down the road can be dangerous – if you are a transgender (*Mak Nyah*). That was what Muna\* learnt last year when she went out to get the paper one morning.

Before she realised what was happening, she was surrounded by a group of men who claimed to be religious enforcement officers.

“They ordered me to hitch up my shirt and show them my bra. I was so shocked that I could only stare at them, so one of them pushed me face down to the ground and held my hands to my back while another pushed my shirt up and tugged my bra. The others only laughed,” Muna recalls.

Although it was not the first time she had been stopped by the authorities, it was the first time she had been groped and manhandled, on the street and in daylight. The incident rattled her, and for many months after that Muna was too frightened to step out of her house.

Violent abuses against the transgender community, specifically male-to-female transsexuals, also known as Mak Nyah, appear to be rising in Malaysia in the past few years, not only at the hands of the authorities and the religious police but also the ordinary Joe on the street.

Reported cases allege that during “raids” some errant enforcement officers often ask for bribes and sexual favours from the transgender. In custody, they are usually asked to strip in front of the authorities, while their breasts are groped and they are hurled with derogatory sexual remarks.

Like Muna, many in the transgender community suffer mental anguish from the fear of discrimination, abuse and persecution. Worried that they can be arrested at any time, they feel uneasy about going out.

Former Boom Boom Room dancer Dara Othman admits that it is a stressful way to live. “For most transgender, it is down to knowing where and what time is safe. But now, it seems like anytime and everywhere is not safe.”

Hence, some people – mainly those who have been working with PT Foundation (a community-based, voluntary non-profit organisation that provides information, education and care services relating to HIV/AIDS and sexuality in Malaysia – have

banded together under Justice for Sisters to highlight issues surrounding violence and persecution against this community in Malaysia, as well as provide them support and assistance.

They had met up with a group of Mak Nyah in Negeri Sembilan, heard their stories and documented some cases. S. Thilaga, one of those behind the movement, says: “At that point, many were pretty sick of the situation and wanted to change it. So we met up with a few lawyers and were told that what we can do is to challenge the law.

“Our transgender friends are up for it but they don’t have the money to challenge the law. Some can’t even make ends meet! So we thought we should do something to help them raise funds and create public awareness on the issue.”

Thilaga adds that they work closely with the transgender community and try to involve them in all their initiatives. “Ultimately, we would like them to be in the forefront.”

Last December, Justice for Sisters was launched with a fundraiser concert at the Annexe Gallery, Kuala Lumpur. Recently, another fundraiser was held at Map KL, Dutamas – its third since the launch.

The target is to raise up to RM60,000, says Thilaga, not only to help the transgender community challenge the matter in court, but also to help those who are left in dire financial straits while pursuing their legal defence.

Unfortunately, Justice for Sisters has only managed to raise slightly more than a third of that sum.

### **Also Malaysian**

There are an estimated 30,000 plus transgenders in the country, for whom dealing with rejection from the so-called “normal” members of society is a daily preoccupation because they don’t fit in the identity box assigned by society.

Being called names and getting dirty looks are normal occurrences, Thilaga says. “Some people go to the extent of throwing bags of urine at Mak Nyahs and throwing things into their house when they are not around.”

Considered a “high-risk” group, most in the transgender community are caught in a vicious and pernicious cycle of violence and persecution for being who they are.

“Many suffer rejection by their families and some are even kicked out of their homes. They are subjected to various forms of humiliation so they stop schooling. They’re rejected for jobs and loans, and struggle to find safe shelter. They’re constantly coerced in every way and face every kind of pressure to conform (usually through violence).

“Quite a number leave their homes to look for work as early as 15 years old, but they are unable to get reasonably paid employment because people are reluctant to hire them. And if they do get hired, they are often underpaid,” says Angela Kuga Thas, another key mover of the human rights campaign.

The crux of the issue is the blatant refusal to understand and appreciate Mak Nyahs for who they are, she opines.

“They exist in every single country in this world and are as diverse as the extent and level of changes that they physically seek, yet as a community, this is their identity, this is who they are.”

In Malaysia, their identity can constitute an immoral conduct offence under civil criminal law. This is mainly used against them if they are caught in a vice-related context.

Under the Syariah criminal law, however, the Muslim transgender can be persecuted for being a man who dresses like a woman (*lelaki berlagak seperti perempuan*). In almost every state, this offence carries a jail term of six months (or one year in some states) or a RM1,000 fine (up to a maximum of RM5,000 in one state).

These are very hefty costs considering that Mak Nyahs are being arrested once every two months, or more frequently, says Kuga Thas.

And should one be arrested for the third time, and found guilty all three times, she can be sent to prison, Thilaga says. “It is like the three strikes rule,” she notes.

According to Justice for Sisters, there is an alleged growth of arbitrary arrests of the transgender persons, especially in certain states. One transgender activist, who declines to be named, says she was even arrested for being a woman who dressed as a man.

“I was in jeans and T-shirt and looked androgynous, I guess, so they charged me with ‘*menyerupai lelaki*’ (dressing as a man) instead.”

However, she is used such arbitrary charges.

“Sometimes these so-called enforcement officers have no identification, nor do they follow rules and procedure. They are like *polis koboi* (lawless cowboy enforcement officers). Once when I was arrested, one of them grabbed my boobs and said, ‘Your butt looks like a man but you have boobs,’” she recalls bitterly.

Make-up artist Miss A\* hits out at the authority’s common tactic of stripping them down to their underwear or asking them to flash their bra to prove that they are transgender.

“We are really confused. Who do we offend with our underwear? Whose business is it what we wear under our clothes anyway? So, what do they want us to do, let everything hang out?”

Kuga Thas, who is an advocate for women’s empowerment and non-discrimination, believes those in power and in authority need to realise that no amount of coercion and violence will change the transgender community because “Mak Nyahs are Mak Nyahs.

“They are who they are, inside and outside of their homes. They are not pretending to be women and they are certainly not impersonating women. They identify as women, not men, and many often begin to feel that way between the ages of seven and 10.

Dara concurs: “People have no right to ask us to change. I always feel that God made us the way we are for a reason, so it is not up to the people to judge.”

Kuga Thas alleges that ever since they started challenging the law by having the arrested transgender plead “not guilty” to the charge against them under Syariah law, there has been a crackdown on them.

“They are targetted for arrests as soon as they step out of their homes. . This form of persecution would have received a massive amount of protest if it were to happen to other Malaysians.”

To Thilaga it is a simple human right issue. “Just because they are transgender, and a minority group, doesn’t mean that they don’t have rights. While they are visible, they are a muted group. That is why, in solidarity, we should stand with them to fight for their rights. We should be outraged that their rights are being violated because of who they are.

Kuga Thas agrees. “As Malaysians, we should be appalled that our transgenders continue to suffer violence and persecution for their identity.

“Everyone else has the freedom to be out as late and as long as they want, to dress the way they want to, to have any hairstyle they like, to meet up with friends for food and drinks, and have a social life.

“Why not the Mak Nyahs? Why shouldn’t they have this freedom? They are fellow human beings and they are fellow Malaysians,” she adds.

*\* Not her real name.*

*Those who are interested to find out more about Justice for Sisters or contribute to the cause can e-mail [justiceforsisters@gmail.com](mailto:justiceforsisters@gmail.com).*



## **APPENDIX A16**

### **Headline: Torment of Being Different**

Publication: The Star

Date of Publication: May 1, 2011

Byline/ Author: Rashvinjeet S. Bedi

### **The transsexual community are people too and need to be treated as equals in society.**

Erin started admiring boys when she was 13 and wearing make-up when she was 15. This might seem normal for a teenage girl, except Erin was born male.

In harsh and derogatory terms, Erin would be known as a pondan, bapuk or akua. In more politically correct terms, she is a Mak Nyah or a male-to-female transsexual.

Due to her effeminate ways, Erin was teased and even humiliated. Being stripped by her classmates during physical education classes was a norm. Unable to take the abuse, she stopped going to school at 16 but she did sit for her SPM examination.

Things were not good at home as well. Her father and brother would beat her up when they found her dressing as a girl. The clothes were thrown out and her hair was kept short. So when Terengganu State Education Director Razali Daud said that Mak Nyah would face problems later on in life, he did have a point.

Razali is reported to have said this to justify the department's recent boot camp for 66 secondary schoolboys with "effeminate tendencies". The camp was meant to help them behave appropriately.

"We understand that some people end up as Mak Nyah (transsexuals) or homosexuals, but we will do our best to limit the number," Razali was reported as saying. Mak Nyah do face discrimination, humiliation and are always a butt of people's jokes. But Razali was certainly wrong about being able to change them.

"Everyone wants to be normal but if you have the soul of a female (in her case), what can you do?" asks Erin, 33, whose family has accepted her circumstances.

Dr Teh Yik Koon of the National Defence University, who has conducted research on Mak Nyah and written a book about them, believes they are marginalised for a condition that is not their fault.

"They are born that way. It is sinful to push them away. Who are we to judge them? If our children are in that position, then maybe we will think differently," she says.

Datuk Dr Khairuddin Yusof, former department head of Obstetrics and Gynaecology at University Malaya Hospital, agrees, saying it is like "condemning someone because they have black hair or a broad nose".

“It is a biological thing,” says Dr Khairuddin, who used to perform sex change operations. “The condition is due to a hormonal imbalance. It's not a phase that can be over in a few years.”

Nisha Ayub, coordinator of PT Foundation's Mak Nyah programme, explains that a Mak Nyah is born male but has the mind and emotions of a female.

Being a transsexual is all about gender identity and nothing to do with sexual preference, she stresses.

“A transsexual could be lesbian,” she says. “Since I was a child, everyone has been trying to correct' me. My mother was against me being a sissy boy. They said that I shouldn't be walking or talking like that.”

Her father passed away when she was young and many people even pinned the blame of his death on her, saying it was because of her “condition”, she says.

She was to find out years later that her younger “brother”, whom she met after being separated for 18 years, was in fact a sister.

“I think it is in the genes. No one encouraged me to be what I am now. Being a Mak Nyah is not a choice,” she insists. “Why would I choose a lifestyle where I face never-ending discrimination and have problems with my family?”

A sex change operation is a long and painful process, she adds. Sex change operations were banned in Malaysia in 1983 after a religious edict was placed on them. Malaysians who want to undergo the procedure now have to go to Thailand or other countries to have it done.

Changes to gender on identity cards are not allowed either. Dr Teh says Iran and Egypt allow transsexuals to undergo sex change operations. Even Pakistan's Supreme Court last week allowed a third gender category, apart from male or female, on their national identity card. “If Pakistan can accept them, why can't we?” she says.

There are an estimated 10,000 to 30,000 Mak Nyah in Malaysia and they are more often than not the subject of rude stares and offhand jokes. “People look at us as if we are apes,” says Erin.

Media portrayal of Mak Nyah doesn't help their cause at all. Tabloid headlines are always screaming about transsexuals being caught in vice raids.

Another common misconception of Mak Nyah is that they are all prostitutes.

“If I walk on the street, people ask me how much. It's as if there's a stamp on my head telling that I'm selling sex,” says Nisha.

The teasing they get is also unbearable. Nisha was once caught by the religious authorities and was sentenced to two months in jail. She was 21 and had just had breast implants a few months earlier. She was made to strip in front of other prisoners for the warden's amusement, she says.

A veteran Mak Nyah advised her to find somebody to take care of her inside. That person happened to be a warden whom she had to please sexually.

That prison stint was a life-changing experience for Nisha. After serving her time, she started working in the nightlife scene. Even though she was earning about RM5,000 a month entertaining men, she was very unhappy, she says.

“We are not the perverts; they are. They pretend to be men but have all kinds of fantasies,” she says, adding that some of the men were married with kids and some were old enough to be her grandfather.

Then there are cases of Mak Nyah being killed or even attacked on the street for no reason.

“We have made police reports but are put in jail instead because we dress as women. They say we ask for it,” says Nisha.

Dr Teh's survey of 507 respondents in 2000 found that at least half the Mak Nyahs have been caught by the police and religious authorities for indecent behaviour and cross-dressing.

And because of their “oddities”, they find it tough to get regular jobs. Those who get jobs work in cosmetics stores or call centres.

The survey also found that 62% of Mak Nyah had difficulty finding work and 50% had resorted to the flesh trade to support themselves.

“I don't think it has changed that much (since 2000),” opines Dr Teh. Manis, who is in her 40s, can vouch for this. The well-read Manis, who has an impeccable command of English, recalls when she went for a job interview with a big company a few years ago.

She could answer every question posed by the four panel interviewers, except the last question/comment: “I put it to you that you like men.”

She remembers it clearly because it was repeated to her four times. Manis was dumbfounded and, not surprisingly, did not get the job. “I didn't see the connection of that question to the job,” she says.

Manis did get another job soon after, as confidential secretary to the general manager of a GLC. She worked there for 12 years before quitting. She wanted to be herself but was not allowed to keep long hair and be feminine, she explains.

“My commitment and professionalism on the job was not good enough for them.”

Manis, who went for further studies after that, knows of other Mak Nyah who were not given chances to move up the corporate ladder.

“One was told she could not become a leader because she was effeminate. How does it feel when your juniors are overstepping you despite your experience?”

Pepper Lim, 43, hired three Mak Nyah for telephone sales positions a few years ago.

“I didn't go out of my way to hire them. I just hired those who I thought could do the job, regardless of gender, race or appearance,” he says, adding that they were treated as ladies.

Lim, who was general manager of the company then, says the Mak Nyah were just like any staff. They worked hard for their targets and displayed the same emotions whenever they were rejected or closed a sale.

At the end of the day, they just want to be treated as equals.

### **It's not all doom and gloom for transsexuals**

> Parinya Kiatbusaba, more popularly known as Nong Thoom, is arguably the most well-known kathoey (male-to-female transgendered person) in Thailand. She is a former

muay thai (Thai boxing) champion and has also worked as a model and actor. Her story was made into the 2003 movie Beautiful Boxer.

> Lynn Conway is an American computer scientist, notable for a number of pioneering achievements, including the Mead & Conway revolution in VLSI design, which incubated an emerging electronic design automation industry. She worked at IBM in the 1960s and is credited with the invention of generalised dynamic instruction handling, a key advance used in out-of-order execution, used by most modern computer processors to improve performance.

> Michelle Dumaresq is a Canadian professional downhill mountain bike competitor who competes with other professional female racers. She entered the sport in 2001, six years after completing sexual reassignment surgery, when she was discovered. The transsexual situation in some other countries:

> In Iran, transsexual rights have been recognised since 1987 when the late Ayatollah Khomeini issued a fatwa to Maryam Khatoon Molkara granting her permission to live as a woman and have sexual reassignment surgery, which she did in 1997. Due to this fatwa transsexuals in Iran are able to live as women until they can afford surgery, have surgical reassignment, have their birth certificates and all official documents issued to them in their new gender, and get married to men.

> PC Air, a new airline in Thailand, is possibly the first in the world to hire transsexual flight attendants. The airline initially planned only to hire male and female flight attendants but changed its mind after receiving more than 100 job applications from transvestites and transsexuals. It has hired four transsexual staff.

> Pakistan's Supreme Court last week allowed a third gender category, apart from male or female, on the national identity card.

*Various sources*

## APPENDIX A17

### Headline: The Case for a Third Gender

Publication: The Star

Date of Publication: August 21, 2011 (Sunday)

Byline/ Author: Loh Foon Fong and Rashvinjeet S. Bedi

#### Is there a need for a third category of gender for transsexuals?

ALL Win wants is to live a normal life.

From childhood to adulthood, he has had to endure countless taunts because of how he looks and acts.

“When I played with other kids in the park, they would call me *bapuk* or *pondan*,” says the 44-year-old transsexual, recalling the torment he went through, even at pre-school age.

Later, in an all-boys secondary school, Win avoided the canteen and toilets. “I was scared of being the butt of jokes. It was torture for me.”

Having experienced the discrimination, the health product executive says he understands why Mohd Ashraf Hafiz Abdul Aziz, who died on July 31 after a heart attack, had wanted to legally change his name.

After undergoing sex change in Thailand two years ago, Ashraf, 25, had applied to change his name to Aleesha Farhana but his application was rejected by the Terengganu High Court on July 18.

A day after his death, 17 NGOs called on the Government to have consultation with the transgender community who faces stigmatisation and discrimination.

#### Landmark case

Win, whose real name is Zaidi Zakaria, was legally recognised as Zareena Zakaria in Canada while studying there 20 years ago. Following a traumatic experience (he was raped at knifepoint), he was referred to a gender identity clinic in Toronto.

Two psychiatrists, a psychometrist, a psychologist, an endocrinologist and an internist carried out physical examinations and psychological tests on him and concluded that he suffered “gender dysphoria and appears to be transsexual”. (The American Psychological Association defines transgender as people whose gender identity or gender expression differs from birth sex. Transsexuals are transgendered people who live or wish to live full time as members of the gender opposite to their birth sex.)

Zaidi was told that if he wanted to pursue surgery through their clinic, he would need to live, study or obtain employment in the female role for a period of two years and change his documents to an unambiguous female name.

Win did not go through it due to legal and technical complications. But when he returned home, he was unable to find a proper job, despite having a degree, because of

discrimination, he says. He ended up working either as a waitress or cashier for many years.

Win admits he has had relationships with men in the past but all left him when they got married or because he chose not to practise premarital sex, he says.

In April this year, the Pakistan Supreme Court made a landmark decision to allow an unspecified third category of gender for transsexuals. It also recommended that they be given opportunities in government jobs.

Sisters in Islam has described the court decision as a pragmatic one, made on the basis of social realities, compassion and humanitarian principles. However, it notes that concern may arise for transgendered persons who prefer to be identified as solely male or female.

Buddhist Research Society president Datuk Ang Choo Hong says that a third gender is in line with the early Buddhist scriptures that describe four types of gender male, female, male and female sex organs (*upathobhajanaka*) and no sex organs/sexless/eunuch (*pandaka*).

Nisha Ayub, coordinator of the Pink Triangle Foundation's Mak Nyah programme, highlights the problem transsexuals face at the Customs or airport.

“The passport says male' but the person looks female. The official will ask if the passport is fake,” says Nisha, who underwent sex change surgery a few years ago.

Kairos Research Centre director Dr Ng Kam Weng says the Pakistan court decision acknowledges a reality.

“If the purpose of the decision is to prevent discrimination in employment simply because they do not fit into male or female identity as traditionally understood, then I think it is a right decision,” he says.

Sexuality rights trainer Angela Kuga Thas says that while it is important to allow a change in the identity card because transsexuals look different from the gender stated on their identity cards, there is a need to indicate if a person has undergone sex change.

This is because transgender women have different health issues from women because of their different biological make-up.

Win, however, is not in favour of a third gender, saying he does not think it would remove discrimination.

Another transsexual, Hani, 27, hopes the government will allow male or female gender change in the identity card.

“I feel like a woman. I can't explain why I feel this way,” says Hani, who is in two minds on whether to pursue sex change if his gender cannot be changed in the identity card.

Universiti Pertahanan Nasional Professor of sociology and criminology Dr Teh Yik Koon, who has conducted research on Mak Nyah, says transgenders should be reassigned either as male or female. She too is not in favour of a third gender as she believes discrimination would still occur.

Win hopes the Government will set up a sexual change assessment centre. A person may want to undergo surgery not necessarily for sexual intercourse but to have the “right body” and to live a normal life, he says.

Dr Ng is in favour of a professional assessment mechanism.

“The Government should look at transsexuals sympathetically,” he says. “If the board says no' to the person assessed, then it should propose counselling. If the board says yes', then the Government should approve the change in the identity card.”

However, he draws the line at marriage for transgenders as the state must maintain heterosexual relationships for the perpetuation of society.

Association of Ulama secretary-general Dr Mohd Roslan Mohd Nor agrees that such a mechanism should be set up but stresses that sex change must be based on genetic or biological reasons.

He says that currently, only hermaphrodites (*khunsa*) are allowed sex change. In Malaysia, the National Fatwa Council allows sex change for *khunsa wadhiah* (those with clear male and female sex organs at birth) and *khunsa mushkil* (those without clear male or female sex organs at birth).

With advice from the Health Ministry, the council has agreed to include ambiguous genitalia and testicular feminisation syndrome in the *khunsa mushkil* category, he adds.

UKM Medical Centre Department of Psychiatry head Prof Dr Hatta Sidi is calling on the government to have grants for studies in this area.

“We need religious and other relevant authorities to come out with some standard operating procedure. But a lot of insight research work must be done first,” he adds.

Dr Teh says that before a fatwa was issued in 1983, transsexuals could opt for sex-change operations and there was a panel that would interview and provide pre- and post-operation counselling for them.

“This should be brought back,” she suggests.

### **Society to be blamed?**

Is transsexual orientation psychological, genetic or biological?

Universiti Kebangsaan Malaysia's health psychology unit head Assoc Prof Dr Alvin Ng Lai Oon says it is psychological, has some evidence of being biological but not necessarily genetic.

He adds that biological research points to the likelihood of sexual hormone levels before birth.

If society accepts a whole spectrum of femininity and masculinity for men and women as they are, will transgenders be less rejecting of the sex they are made?

Dr Alvin says he sees more guilt than confusion.

“Children come up with all kinds of defence mechanisms. Sometimes, making up a certain safe' identity may help but in the long run, the internal conflict eats them up inside. For many children, adults are always right, and guilt puts them at risk of depression.”

He says there is no harm accepting men who are feminine or women who are masculine for they pose no threat to society. In fact, there is more harm in rejecting them.

“As for need of sex change, it depends on the individual. Not all want to go for a sex change. Some are happy enough with partial change, some are just happy being transvestites,” he says.

Dr Alvin believes that discrimination will likely reduce if transgenders are allowed sex change but not completely, because for some, masculine features may still be present.

Dr Hatta says society is partly to blame for labelling and reinforcing the confusion in a child.

A transgender's behaviour, he believes, is acquired and multi-factorial, not innate. Research in the area of genetics and biology is inconclusive or cannot be replicated.

Dr Hatta, one of the experts consulted by the Department of Islamic Affairs in the Prime Minister's Department, says that as a psychiatrist, he does not judge transgenders or change them but counsels them for the problem presented.

Most transgenders who consulted him, he shares, do not want sex change.

“We also do not approach it as a sin because that can lead them into depression and suicide.”

Since Malaysians from various ethnicity and faiths emphasise compassion towards transgenders and believe that they must not be bullied or discriminated against, greater efforts must be made to stop the stigmatisation and discrimination.



## **APPENDIX A18**

### **Headline: Overcoming Our Phobia Over Sexuality**

Publication: The Star

Date of Publication: June 19, 2011

Byline/ Author: Audrey edwards

**The May 29 launch to mark the International Day against Homophobia and Transphobia aims to mobilise more Malaysians, whether lesbian, gay, bi-sexual, transgender, questioning or straight, to stand up for their rights.**

IT is a fact that some people have a phobia, be it a fear of cockroaches, heights, and closed-off spaces, among others. Some are known to even fear clowns, and this is called coulrophobia.

And then there is another type of phobia, that of acting and feeling negatively towards those who are seen to have a different sexual orientation or, basically, those who are non-heterosexual. The common terms for this are homophobia and transphobia.

While homophobia refers to negative attitudes and feelings towards the lesbian and gay communities, the latter is the term for phobia towards transgender people.

Efforts to get pockets of people in the community to overcome this particular phobia is perhaps a daily challenge. And so, like other major global issues where a day has been dedicated to reminding people “Hey, we need to solve this problem”, May 17 was chosen for homophobia and transphobia.

Around the world since 2006, countries and communities have commemorated International Day against Homophobia and Transphobia (IDAHO) on May 17 in conjunction with the World Health Organisation's action to remove homosexuality from the list of mental disorders since 1990.

The IDAHO committee notes that about 50 million people in 50 countries were exposed to campaign messages that called for an end to discrimination and violence against people on grounds of their sexual orientation and or gender identity.

Organisations in countries including China, Iraq, and Indonesia, and individuals like pop star Lady Gaga and United States secretary of state Hillary Clinton took part in commemorations of IDAHO this year.

In nearby Singapore, the Pink Dot campaign by Community Focus was launched in 2009 “to show support and love for same-sex attracted and gender diverse community members”.

For Malaysia, Seksualiti Merdeka (SM) together with their allies recently launched “29 Ways: Towards a LGBTIQ-friendly Malaysia” to commemorate IDAHO on May 29.

SM co-founder Pang Khee Teik says the time for lesbian, gay, bisexual, transgender, intersex and questioning (LGBTIQ) rights has arrived. “Even Asian NGOs are realising that they cannot claim to support democracy and human rights yet alienate LGBTIQ rights. We are all part of humanity and deserving of the same dignity,” he says.

The May 29 launch also aims to mobilise more Malaysians to stand up against homophobia and transphobia, he adds.

Associate Prof Dr Alvin Ng Lai Oon, head of the Health Psychology Unit at Universiti Kebangsaan Malaysia, observes that there are men “who are even afraid of being touched by other men by accident in a public place”.

“It is an irrational fear that stems from ignorance and lack of knowledge,” he says, adding that one step towards overcoming the phobia is to not see the communities as a threat.

“There are more things to fear, such as crazy drivers on the road or robbers who can actually harm you,” he points out.

“Being transsexual, gay or lesbian is not infectious.”

“What is worse is the distorted and destructive view of morality, which is to hate them. That seems to go against any religion, which professes kindness, compassion and peace,” he says.

Amnesty International (AI) Malaysia director Nora Murat says lack of understanding and awareness has led to the phobia against the LGBTIQ communities.

“They also see the LGBTIQ itself as a Western influence,” she says.

Nora feels that creating awareness on sexuality and gender needs to be carried out at the grassroots level to address the problem. “The call to reduce the phobia has to be made by the communities themselves. The international community cannot do anything if it is not supported by the locals,” she explains.

However, she says, it is more difficult to do this in Malaysia as there is a dual legal system that treats the community differently depending on their religion.

“It makes things complicated because the law sometimes comes down so hard on them,” she says, citing the Minor Offences Act 1955, which can charge a person with indecent behaviour for cross-dressing.

In the two years of AI Malaysia's existence, it has received four reports relating to homophobia, Nora reveals, citing the tendency to “correct” those deemed to be *lelaki lembut* (effeminate men) or tomboys and discriminatory acts against transsexuals as examples of the phobia.

Bar Council human rights committee chairperson Andrew Khoo agrees that there are certain laws that criminalise the conduct of those in the sexual minority.

“That, in some sense, creates a stigma and to criminalise their conduct suggests that something they are doing is unacceptable. There is also moral policing that adds to the stigma,” he says.

“It is saying that being different is punishable. You are denying a person their right to live his or her life in the way they want to. People have a right to live their lives in the way they want to, so long as it doesn't harm others.”

Malaysian criminal law, he adds, was inherited from the British and reflects that country's Victorian values of the 19th century.

Britain has amended its laws, leading to the decriminalisation of sexual activity between males and subsequently laws that provide greater support and protection of their rights.

Dr Julian C. H. Lee, an anthropologist, says the pre-colonial society in Malaysia was more tolerant of the community.

“Historical and anthropological research shows that there was greater openness to sexual diversity in the past, which is a contradiction to what currently prevails. We have regressed.”

As an example, he cites Malaysia and Indonesia as having a past where transsexuals were highly regarded by society and had a ritually important place. This social standing can still be seen in the form of the *mak andam* (an individual who assists the bride on her wedding day).

“Far from not being part of the culture of our region as it is sometimes asserted, sexual diversity has a historical legacy here, especially when it comes to important social rituals including weddings,” says Dr Lee.

Another example can be seen in *wayang kulit* (shadow play), where the masculine character may be easily defeated by one that was portrayed as being effeminate, he adds.

“My Penang friend told me how, when he was a boy, he was taken to and from school by a transsexual hired by his parents. No one batted an eyelid.”

He observes that while the roots of homophobia are complex, the current scenario was influenced by the British when they sought to create an image that their men were masculine and heterosexual.

Dr Lee, a lecturer in international studies at Monash University Malaysia and author of the soon-to-be released book, *Policing Sexuality*, adds that in the 1980s, there was another shift in defining what was considered Asian values. This subsequently caused areas such as sexual promiscuity and homosexuality to be associated with the West.

“Instead of thinking of ways to overcome various problems, those in the religious or sexual minority are often made the scapegoats despite having nothing to do with the problem,” he says.

If the trend continues, it could result in society losing out on the richness of diversity and its capacity for creativity, he cautions.

There is also the possibility that investors could shy away from the country if they perceive Malaysia to be a homophobic and transphobic nation, he says.

## **APPENDIX A19**

### **Headline: Caring for Gender Development of Children**

Publication: The Star

Date of Publication: September 26, 2012

#### **How we can better care for the gender development of our children.**

SO the recent reported “guidelines” for parents and teachers to spot lesbian, gay, bisexual and transgender (LGBT) tendencies of their children and students have sparked much discussion, objection and even ridicule. I guess the only good thing that came out of it was that it did create awareness of LGBT issues after all, for better or for worse.

The truth is, LGBT issues are getting increasingly common nowadays. People are more outspoken and open about them. Indeed, the subject is highly controversial, political even.

Like it or not, we have to address it on one level or another. Be it from a religious or humanistic standpoint, from the human rights perspective or our personal conviction.

We cannot ignore the issue just because we don’t know enough or we disagree with it and therefore don’t want to know about it. Ignoring the matter will not make it go away.

Many of us parents used to worry about our teens or tweens getting involved in BGR (boy-girl relationship). Now, we have a different challenge. What do you say to your tweens (eight to 12 years old) if they come home from school and ask you: “Mummy/Daddy, what is gay? Can two men get married?” How should we respond? If talking about sex education with our children already makes our faces turn red, addressing highly sensitive LGBT issues may very well cause us to turn pale!

We are living in a world where wrong seems right and right seems wrong. In fact, when writing about LGBT issues, I am well aware that I may be politically incorrect.

Hence, rather than focusing on how to spot LGBT tendencies or debating who is right or wrong, it is more important that we think about how we can better care for the gender development of our children and raise our next generation to be secure in their gender identity.

You may have heard many different words and phrases related to LGBT. Here are some definitions to help us be more informed (adapted from [emedicinehealth.com](http://emedicinehealth.com)):

> Gender identity: Your internal sense of whether you are male or female.

> Sexual orientation: How you are attracted romantically and sexually to other people – to the same sex (homosexual), to the other sex (heterosexual), or to both sexes (bisexual).

> Lesbian: A woman who is homosexual.

> Gay: A man who is homosexual. “Gay” is sometimes used to refer to both men and women who are homosexual.

> Bi: A short, informal way of saying “bisexual”.

> Transgender: People who don’t feel that their gender identity fully “matches” their physical sex or other body characteristics.

> Transsexual: People who use medical treatments, such as hormone medicine or surgery, to make their bodies match their gender identity.

> Straight: Heterosexual.

> Ally: A heterosexual person who fully accepts and supports his or her LGBT friends or family members.

> In the closet: A person who realises that he or she is gay and keeps this a secret is “in the closet” or “closeted”.

Sexual orientation and gender identity are related, but they aren’t the same thing. For example, a person can be transgender without being homosexual.

During the sexual changes of puberty, issues of gender identity and sexual identity become especially relevant for teens. Dr Melvin W. Wong, a US-based clinical psychologist, mentioned in his book *A Practical Guide To Raising Gender-Confident Kids* that gender identity and orientation has a lot to do with early childhood parenting.

Gender identity formation begins as early as 18 months and most children believe firmly by the age of three that they are either girls or boys. Both the father and mother play a very important role to help the child become secure in their gender.

When secure attachment has been established with the parents from young, he/she will find it easier as they enter puberty.

Gender role socialisation becomes very intense during adolescence. In early adolescence, males and females (and important adults in their lives) are especially vigilant to ensure gender role conformity (Steinberg & Morris, 2001).

Parents and families have the potential to be an important stabilising influence in the development of adolescent sons’ and daughters’ identities. Family structure provides an important environment in which identity development occurs (Archer & Waterman, 1994).

Two important concepts are individuation (where youth are encouraged to develop their own identity) and connectedness (which provides a secure base from which the youth can explore their identity).

Parents and others can help the youth reflect on their identity and achieve a strong and healthy sense of self by facilitating both individuation and connectedness. This applies to the development of gender identity and also to other aspects of youth identity, including religious identity and family identity.

As we become more aware of LGBT issues, may we be open to learning more so that we can do a better job as parents and caregivers in the gender development of our children. Hopefully then, they can grow up to be gender-confident adults.

*n Charis Patrick is a trainer and family life educator who is married with four children.*

## **APPENDIX A20**

### **Headline: Intolerance of LGBT Can Be Detrimental to Young People**

Publication: The Star

Date of Publication: October 7, 2012

Byline/ Author: Hariati Azizan

THE teen years are tough for many young people. But it is even more challenging for those who are, or think they might be, gay, lesbian, bisexual or transsexual (LGBT).

Take Adrian\*, who spent his time in school being taunted as “lembut”.

“It made me really confused and sad, so I kept to myself. There were a few classmates who tried to reach out to me but because they were also in the same boat, I stayed away from them. I was scared of being converted or corrupted by them,” he says.

It did not stop the jeering, however, and once, a group of boys even stopped him behind the canteen when he stayed back for a sports practice.

“I think they wanted to beat me up. Luckily, the discipline teacher saw us before they could do anything. They had already roughed me up though, and they told me that they would get me another time,” shares Adrian who started dreading going to school.

Are they gay?: TV show of girlfriend group Sex and the City.

With no one to talk to about his torment, Adrian became depressed and even contemplated suicide many times.

“But I was too scared to try, and that made me even more depressed,” he says.

Fortunately, he survived those dark years, he shares, and it was only when he was in his late-20s and working in a magazine that he felt confident about himself.

“That was when I met people who were more open about their individual differences and sexual orientations.

“I discovered that most of them were smart and compassionate people. Many have big hearts and are active in various social activities in their community,” he says, adding that it made him realise how he had been prejudiced too.

“I also realised that I had been living in paranoia and fear (because I was homophobic too), and that has kept me from exploring my interests and realising my potential. And it



was only after I accepted who I really was that I became happier. I also met my other half, someone who shares the same interests and values,” says Adrian who now runs his own business.

Then there is Salmi\*. She had many admirers at her all-girls' school for her athleticism until she reached Form Four, when a vicious rumour spread about her close relationship with her senior, a Form Five student.

Dr Alvin Ng: Some people who are gay and have very strong tendencies or feelings towards other people of the same sex can suffer a lot of psychological damage when they force themselves to be otherwise.

“We were just friends but because we were both tomboyish, they just assumed that we were lesbians.

“People then started whispering insults and pointing at us. Some started avoiding me, and soon even that senior kept her distance,” says Salmi.

Worse, she began to receive poison letters and various other nasty “presents” in class.

“This was before the Internet, but I still received a lot of hate mail,” she adds.

Upset by all the harassment, Salmi started skipping school and her studies suffered. She decided to drop out of school and started hanging out with the wrong crowd.

“I became a drug addict and when money ran out for me to get my fix, I just sold myself,” she says.

Fortunately, she was rescued from her down-spiralling life and the reformed drug addict now works with troubled youth.

As for her sexual orientation, Salmi declines to comment but says she is now comfortable with who she is and has never been more contented in life.

In both cases, the teachers were either not aware or simply turned a blind eye to the bullying.

Hence, to a certain extent, Deputy Education Minister Dr Mohd Puad Zarkashi, had a point when he said that the time has come for the LGBT issue to be discussed openly and not treated as a taboo subject in school.

“It's just like when we introduced sex education in schools, there was an uproar because we did not even want to say the word sex', so we had to rename it reproductive and social health education.

“We want parents and teachers to get exposure and knowledge,” Dr Mohd Puad had said.

However, what worry many sexuality rights advocates are the scope and the slant of the discussion that the ministry is willing to allow in school.

For one, only last week, Dr Mohd Puad again stressed that the Government will push forward in educating parents on how to prevent, overcome and correct symptoms of homosexuality in children.

As clinical psychologist Vizla Kumaresan puts it, their “good intentions” notwithstanding, the Education Ministry is sending out a dangerous message.

“The Ministry is sending out a message of hate and intolerance and can have no good effect for those in the community. It also promotes homophobia.”

Historically, we've always accepted and tolerated differences such as our separate cultures and races, she adds. “And in the 1980s, for instance, we accepted sex change operations.”

Vizla stresses that the language and rationale they are using are limiting acceptance and tolerance. “And we've seen that when there is reduced tolerance, it is easy to descend into violence.”

Crucially, it is not scientifically possible to identify LGBT, she stresses, referring to the definitions and list of identifiable traits put forward at the series of the “Parents Handling LGBT Issues” seminars organised by independent teacher associations Yayasan Guru Malaysia Berhad and Putrajaya Consultative Council of Parent-Teacher Association (only officiated by Dr Mohd Puad, not endorsed by the Education Ministry).

“I think one of the underpinnings of this idea that you can identify LGBT is the assumption that one's sex, gender identity and sexuality are linear. For example, if you are born a male, you will be masculine and thus heterosexual. Research has shown that this is not the case. Gender and sexuality are fluid. Also, there are various factors that contribute to sexuality and these cannot always be predicted, nor tested accurately. There have been studies that have shown that same sex attraction is caused by brain factors - but these results have faltered in scientific rigour, i.e. other researchers conducting studies have not been able to come up with the same results,” she says.

Everyone would know the infamous identifiable gay and lesbian traits, as mooted at the seminars, aimed at helping parents recognise “symptoms” of homosexuality in children by now.

They include: gay men have muscular bodies and like to show off by wearing V-neck and sleeveless clothes; prefer tight and light-coloured clothing; are attracted to men and like to carry big handbags similar to those used by women.

Lesbians are said to be attracted to women, like to eat, sleep and hang out in the company of other women and have no affection for men.

Adrian concurs with Vizla that the language used does not only mislead but also reinforces the intolerance in society.

“Children have bullied and been bullied for less serious issues like glasses and braces and acne. So, the latest message from the ministry will only create more problems,” he says.

After all, as a language teacher who declines to be named reveals, even teachers are prone to prejudice.

“The regularity with which lembut' and pengkid' or pondan' are bandied about in the (school's) staff room is quite disgusting. Many teachers make jokes about their students' appearance and behaviour too, so it is not surprising that the students themselves are prejudiced,” she says.

As studies in the West show, an intolerant language can have severe consequences on the lives of the young, specifically in relation to teen suicide and bullying.

Research by British gay equality organisation Stonewall reportedly showed that 96% say they hear words like “poof” or “lezza” in the classroom, with 55% of LGBT students experiencing homophobic bullying at school.

Almost one in four of those surveyed said they had tried to take their own life at some point (compared to 7% of all young people). Some 56% said they had self-harmed - deliberately cutting or burning themselves - in the online survey of more than 1,600 LGBT young people between the age of 11 and 18.

Commissioned by Stonewall, the survey is carried out by the Centre for Family Research at Cambridge.

The Gay, Lesbian & Straight Education Network's (GLSEN) 2011 National School Climate Survey in the United States meanwhile highlighted that six out of 10 LGBT teens feel unsafe at school. A total of 82% (of 8,584 students polled) say they've been verbally harassed because of their sexual orientation while 71% say they have heard homophobic remarks like “dyke” or “faggot” used with some frequency at school.

In Malaysia, while the number of teen suicides and bullying has increased, no research has been done to see if they are linked to LGBT issues.

Hence, Vizla cautions that while the Government's move to raise awareness and understanding of LGBT among teachers and parents is commendable, they, however, need to be aware that corrective treatments may do more harm than good.

There is overwhelming evidence that LGBT counselling or conversion programmes do not work, she adds, citing one undertaken by the American Psychological Association (APA) Taskforce on Appropriate Therapeutic Responses to Sexual Orientation in 2009.

“Although those who have gone through the programmes claim that they have successfully become heterosexual, many are unhappy because of the conflicts and confusion that continue to rage within themselves.

“There continues to be issues of loneliness and isolation. The lack of congruence can lead to depression, anxiety and even suicide,” she says.

According to consultant clinical psychologist Dr Alvin Ng, what is important is that both the educationists and the “patients” understand the consequences of change because it may be going against their nature.

“For example, some people who are gay and have very strong tendencies or feelings towards other people of the same sex can suffer a lot of psychological damage when they force themselves to be otherwise.”

On the issue of counsellors to deal with LGBT, Dr Ng says many aspects need to be considered.

“We need to ask if we have enough trained counsellors. And if yes, who are they, where are they trained, what are their qualifications? We also need to ask what sort of measurement they are going to use for success - how do you measure 'lembut-ness', and how do you measure that your counselling is successful. Is it enough that the person claims that I am no longer LGBT' or do we see if he or she is functioning well in society?” Dr Ng says about the complexity of the matter.

\* Not real name