Reading Her Rights: Legal Language and the Gendering of Women in Malaysia

Faraha Hamidi, Nurul Na'immah Hamdan, Fatin Amirah Che Hasim, Nurhidayah Mohd Sharif, Mawaddah Salleh, Hadina Habil, and Nur Anis Fadzil

Akademi Bahasa, Fakulti Sains Sosial dan Kemanusiaan, Universiti Teknologi Malaysia, Johor, Malaysia
faraha.hamidi@utm.my, naimmah@utm.my, fatinamirah.ch@utm.my,
nurhidayah.ms@utm.my, mawaddah@utm.my, hadina@utm.my, anis92@graduate.utm.my

ABSTRAK

Wacana undang-undang di Malaysia memainkan peranan penting dalam membentuk persepsi masyarakat terhadap peranan jantina, khususnya kedudukan wanita dalam struktur perkahwinan dan keluarga. *Akta Membaharui Undang-Undang (Perkahwinan dan Perceraian) 1976 (Akta 450)* dipinda bertujuan untuk menggalakkan unsur ketidakberpihakan dan objektiviti dalam hal ehwal perkahwinan, namun sifat dwibahasa dalam perundangan di Malaysia menimbulkan sedikit kerumitan dalam bentuk hak dan identiti wanita yang diwakili secara linguistik. Walaupun terdapatnya komitmen dalam perlembagaan yang menyatakan akan kesaksamaan gender, akan tetapi bahasa undang-undang juga dilihat boleh memperkukuh lagi tanggapan tradisional mengenai kewanitaan, tanggungjawab, serta peranan domestik. Sehubungan dengan itu, kajian ini mencuba untuk meneroka istilah perundangan dwibahasa dalam akta berkenaan untuk meneliti dengan lebih lanjut bagaimana bahasa membentuk serta mencerminkan pandangan masyarakat terhadap wanita. Dengan menggunakan pendekatan berasaskan korpus, kajian ini menganalisis kekerapan, pilihan leksikal, dan corak kolokasi bagi istilah berkaitan gender yang dipilih dalam versi Bahasa Inggeris dan Bahasa Melayu, dengan mengenalpasti kecenderungan semantik dan struktur sintaksis yang menyumbang kepada penggambaran peranan dan keupayaan wanita dalam wacana perundangan. Dapatan awal menunjukkan bahawa walaupun versi Bahasa Inggeris dan Bahasa Melayu undang-undang ini kelihatan simetri dari segi terjemahan, penelitian linguistik yang halus boleh menggambarkan tahap keupayaan, tanggungjawab, dan kerangka moral yang berbeza apabila merujuk kepada wanita. Dengan pemahaman ini, ia sekaligus memperlihatkan bagaimana bahasa berkemampuan untuk mengukuhkan ideologi gender yang normatif menerusi terma ketidakberpihakan undang-undang. Dengan mengetengahkan corak wacana seperti ini, kajian ini menyeru agar amalan penggubalan undang-undang perlu dilakukan dengan lebih reflektif serta kritis dengan mengambil kira kesan bahasa terhadap representasi gender dan persepsi masyarakat dalam sistem perundangan berbilang budaya.

Kata kekunci: Analisa Korpus, Bahasa Undang-Undang, Gender, Wanita, Kajian Terjemahan

ABSTRACT

In Malaysia, legal discourse significantly shapes societal perceptions of gender roles, particularly concerning women's position within marriage and family structures. While the *Law Reform (Marriage and Divorce) Act 1976 (Act 450)* aims to promote neutrality and objectivity in matrimonial matters, the bilingual nature of Malaysian legislation introduces complexities in how women's rights and identities are linguistically represented. Despite constitutional commitments to gender equality, the language of the law can reinforce traditional assumptions about femininity, responsibility, and domestic roles. This paper explores the Malay-English legal terminology in the Act to examine how language constructs and reflects societal expectations of women. Using a corpus-based approach, the research analyses the frequency, lexical choices, and collocational patterns of selected gender-related terms in both English and Malay versions of the Act,

highlighting the semantic tendencies and syntactic structures that contribute to the portrayal of women's roles and agency within legal discourse. Preliminary findings indicate that while the English and Malay versions of the law appear symmetrical in translation, subtle linguistic differences may convey differing degrees of agency, responsibility, and moral framing when referring to women. These insights expose how language can subtly reinforce normative gender ideologies under the guise of legal neutrality. By highlighting these discursive patterns, this study calls for more critically reflective legal drafting practices that consider the impact of language on gender representation and societal perception in a multicultural legal system.

Keywords: Corpus Analysis, Legal Language, Gender, Women, Translation Studies

INTRODUCTION

Legal discourse in Malaysia has a crucial role in shaping public perception of gender roles, especially concerning women's position within marriage and the family. Although the Law Reform (Marriage and Divorce) Act 1976 (Act 450) was enacted with the aim of promoting neutrality and fairness in marital matters, the implementation of bilingual legislation introduces significant challenges. These include potential discrepancies in meaning and representation across languages that may affect how women's rights and identities are constructed and understood. While Malaysia's constitution articulates a commitment to gender equality, the language used in legal texts may inadvertently reinforce traditional and patriarchal notions of femininity, domestic responsibility, and moral expectations. Such representations are not merely linguistic but also ideological, potentially influencing how gender roles are perceived and institutionalized within society.

This study emerges from the demand to critically examine and identify how bilingual legal terminology may subtly shape and sustain normative gender ideologies. It centers on the linguistic portrayal of women in both the Malay and English versions of the Law Reform Act, analyzing lexical choices, frequency patterns, and syntactic structures through a corpus-based approach. The research uncovers how seemingly equivalent translations can carry distinct semantic connotations that affect the depiction of women's agency and roles. By doing so, it underscores the significance of reflective and gender-sensitive language in legislative drafting, especially in a multicultural and multilingual legal system like Malaysia's. This background sets the foundation for an inquiry into the intersections between law, language, and gender representation.

The scope of the study is limited to textual analysis of the Act and does not include legal interpretations, court proceedings, or applications of the law in practice. While acknowledging broader socio-cultural contexts, the study does not include sociological or legal analyses beyond the language of the Act itself. By narrowing the focus to this specific legislation and its bilingual expressions, the study aims to highlight how legal language can shape gender perceptions in Malaysia's multicultural legal system. The primary objective of this paper is to investigate how language, particularly in bilingual legal texts, shapes and reflects the representation of women within the Malaysian legal framework. Focusing on the *Law Reform (Marriage and Divorce) Act 1976*, the study sets to analyze the lexical and syntactic features of gender-related terms in the *Law Reform (Marriage and Divorce) Act 1976*, focusing on both the Malay and English versions to determine how language constructs women's roles in legal discourse, to compare the bilingual representations of key legal terms to identify subtle differences in meaning, emphasis, and tone that affect the perception of women's agency, identity, and responsibility within the legal framework and to evaluate the implications of linguistic choices in bilingual legal drafting and how they may reinforce or challenge normative gender ideologies, thereby advocating for more gender-sensitive and reflective legislative language in Malaysia's multicultural legal system.

Che Abdul Rahman (2023) study on Malaysian Hansard Corpus provides relatively recent data on the uses of corpus analysis to explore gendered language in official discourse. She analyses the representation around the word "*wanita*" (woman) in the Malaysian Hansard Corpus and directly addresses gender representation in Malaysian bilingual parliamentary discourse. The study shows that in conflict-related contexts, women are often depicted as victims of discrimination, abuse and exploitation. However, in spaces like public health, development and governance, women are also presented as agents of change and key figures in the community. The collocation of "*wanita*" shows a change in semantic preferences, from domestic and cultural roles to modern roles, indicating changing societal attitudes toward gender over decades. For example, the term "*wanita*" has appeared more frequently in Malaysian parliamentary debates from 1959 to 2020, reflecting growing attention on women's issues over time. According to her study, the word "*wanita*" peaked during Parliament 10 (1999-2003), coinciding with the establishment of the Ministry of Women, Family and Community Development (2023). This reveals the increasing recognition of women's agency and professional contributions, thus highlighting their contributions to social empowerment, education and health rather than traditional roles.

In contrast to Che Abdul Rahman's study, which primarily focuses on the semantic prosody and connotative meanings of "*wanita*" and "*perempuan*" (perempuan) in media texts, Jamaluddin Aziz's (2019) culturomic analysis of Malaysian parliamentary debates identifies usage frequency and shifting contents of Malay terms for "woman" over decades. While both studies acknowledge a historical shift in the portrayal of women, from domestic and familial roles with collocates such as "*anak*" (child) and "*mengandung*" (pregnant), to public and professional domains such as "*guru*" (teacher) and "*gaji*" (salary), Aziz's research uniquely emphasizes the structural pattern in which "*wanita*" and "*perempuan*" frequently collocate with "*lelaki*" (man). This persistent binary pairing suggests that parliamentary discourse often positions women in relation to men, reinforcing traditional gender dichotomies and potentially constraining the emergence of more gender-sensitive or inclusive narratives. Notably, Aziz's findings also reveal a significant decline in the frequency of these gendered terms in recent parliamentary sessions, especially in Parliament 13, implying a diminished focus on women-specific concerns in formal legislative debates, despite national improvements in gender equality indices. This pattern points to a potential rhetorical shift away from explicitly gendered discourse within the political arena.

Elewa and El-Farahaty (2022) examine gendered language and modal verbs in translations of religious legal texts, providing insight into translation bias. While the previous two studies focused on gendered language in local legal documents, this paper shifts the lens to Islamic legal texts, specifically the Qur'an and Hadith, which are two of the primary sources underpinning Malaysian legal acts. By examining these foundational religious texts, the study offers a more balanced perspective on gendered legal discourse. Notably, it highlights how translation bias emerges through the differing approaches of male and female translators. Central to this investigation is the use of deontic modal verbs such as *must*, *should*, and *may*, which are critical in articulating legal rulings. The study reveals that deontic modals are statistically more significant when associated with references to women than to men across both male and female translations. This pattern suggests that women are more frequently situated within obligation and prohibition discourse, possibly reflecting deeply embedded gender norms in legal-religious language. Furthermore, the findings show that while translations by both male and female translators tend to amplify gender imbalances, female translators demonstrate a greater tendency toward inclusive and neutral expressions, often modifying pronouns and nominal references to avoid gender bias. These translation choices underscore how translator ideology and gender influence the construction of legal-religious discourse in bilingual texts, making this study a valuable contribution to the field of gender-sensitive legal translation.

This particular paper emphasises the value of a corpus-based approach, this research analyses the frequency, lexical choices, and collocational patterns of selected gender-related terms in both English and Malay versions of the Act, revealing the underlying meanings and grammatical

constructions that shape the portrayal of women's roles and agency within legal discourse. Therefore, this paper is set to provide answers to the following research questions:

1. What are the frequency, lexical choices, and collocational patterns of selected gender-related terms in both English and Malay versions of the Act?
2. In what ways do linguistic differences in Malaysian legal terminology have on public understanding of gender equality in family law?

METHODOLOGY

The corpus for this study consists of a specialized bilingual legal text collection focusing on the Law Reform (Marriage and Divorce) Act 450, specifically the "Perempuan Bersuami" (Married Women) section. The corpus comprises two parallel components with a combined total size of approximately 4,000 words, equally divided between the original English legal text (approximately 2,000 words) and its official Bahasa Melayu translation (approximately 2,000 words). This balanced bilingual corpus design enables a systematic cross-linguistic analysis of gender representation in Malaysian matrimonial legislation. The English component represents the authoritative legal text as enacted in Malaysian federal legislation, while the Bahasa Melayu component constitutes the officially endorsed translation used in Malaysian courts and legal proceedings. Both components maintain strict parallelism, with each provision, clause, and section in the English text having a corresponding equivalent in the Bahasa Melayu version, allowing for direct comparative analysis between the source and target languages within the Malaysian legal context. The research methodology is grounded in corpus linguistics principles, utilizing quantitative analysis to examine linguistic patterns and their socio-legal implications within Malaysian legal discourse (Baker, 2006). Analysis was conducted using the Averaged Reduced Frequency (ARF) method to measure the relative frequency of women-related terms in both languages. The parallel nature of the corpus ensures methodological rigor by maintaining textual equivalence while allowing for cross-linguistic comparison of gender representation strategies, following established practices in parallel corpus construction (Laviosa, 2002).

Corpus analysis was performed using #LancsBox X 5.0.0 software (Brezina & Platt, 2024). Data were collected through systematic extraction and analysis of women-related terminology using LancsBox X's concordance and frequency analysis functions. Frequency comparisons were made between the English and *Bahasa Melayu* corpora to identify linguistic patterns and socio-legal implications in the representation of women's gender, specifically within the context of Malaysian marriage and divorce law. The selection of Act 450 as the primary source is particularly significant as it governs marriage and divorce proceedings for Muslims in Malaysia, making it a crucial legislative text to understand how Muslim women's rights are linguistically constructed and legally operationalized in the Malaysian legal system.

While the corpus is relatively small at 4,000 words, it represents a complete and focused dataset of the specific legal provisions pertaining to married women in the Act 450. The specialized nature enables in-depth analysis of gender representation within a clearly defined legal domain rather than attempting to draw broader conclusions from a more heterogeneous dataset. Limitations include the focus on a single legislative act rather than multiple Malaysian laws, emphasis on written legal language without inclusion of courtroom discourse, and representation of formal codified language rather than everyday usage. Despite these constraints, the corpus provides valuable insights into the official, authoritative legal discourse surrounding women's roles and rights in Malaysian matrimonial law, with particular significance given its status as binding legislation affecting millions of Malaysian citizens. The methodological framework allows for a systematic investigation of how linguistic choices in both languages potentially construct and reflect different conceptions of women's roles, responsibilities, and agency within Malaysian matrimonial law.

FINDINGS AND DISCUSSION

This section presents and discusses the key findings of the study. The analysis examines frequency, lexical choices, and collocational patterns that shape how women's roles and agency are portrayed within legal discourse.

Table 1 presents the Averaged reduced Frequency (ARF) values of lexical items found in Act 450, comparing the English version with its parallel translated Bahasa Melayu Corpora.

Table 1 Averaged reduced Frequency (ARF) of Act 450 in English and its parallel translated Bahasa Melayu Corpora

English term	Averaged reduced Frequency (ARF)	Translated term in Bahasa Melayu	Averaged reduced Frequency (ARF)
perempuan	28.7	property	21.4
bersuami	22.2	married	20.1
harta	22.9	husband	13.3
suami	11.5	woman	15.9
kuasa	13.4	wife	8.8
isteri	10.9	women	6.7

Based on Table 1.0, the parallel corpus analysis reveals differences in the frequency of women-related terms between English and *Bahasa Melayu* texts. In the *Bahasa Melayu* corpus, the term *"perempuan"* recorded the highest Averaged reduced Frequency (ARF) (28.7), followed by *"harta"* (property) (22.9) and *"bersuami"* (having a husband or being married) (22.2). Conversely, in the English corpus, "property" shows the highest ARF (21.4), followed by "married" (20.1) and "woman" (15.9). In the Malay version, the high frequency of *"perempuan"* (woman) and *"bersuami"* (being married/having a husband) reflects a focus on the self, or person centric, and relational framing, focusing on the status and identity of the woman in relation to her marital and social relationships. The frequency differences between both corpora show distinct cultural and legal nuances in the representation of women's rights. The high frequency of *"perempuan"* in *Bahasa Melayu* texts compared to "woman" in English reflects a more explicit approach in recognizing gender identity within Malaysia's legal context. The English version's preference for "woman" and "women" over "*perempuan*" being less frequent may reflect a tendency to use gender-neutral or role-based terms such as "spouse" or "party to a marriage", with "woman" used only where gender specificity is necessary.
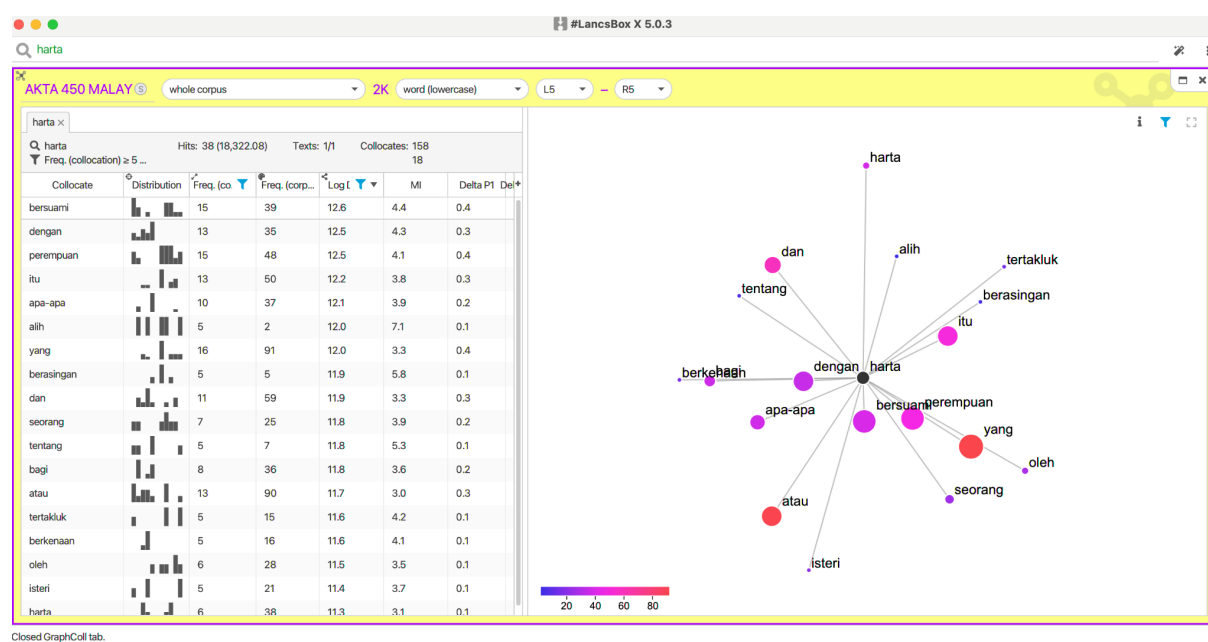
Figure 1. Key Word In Context (KWIC) analysis for the word "harta".
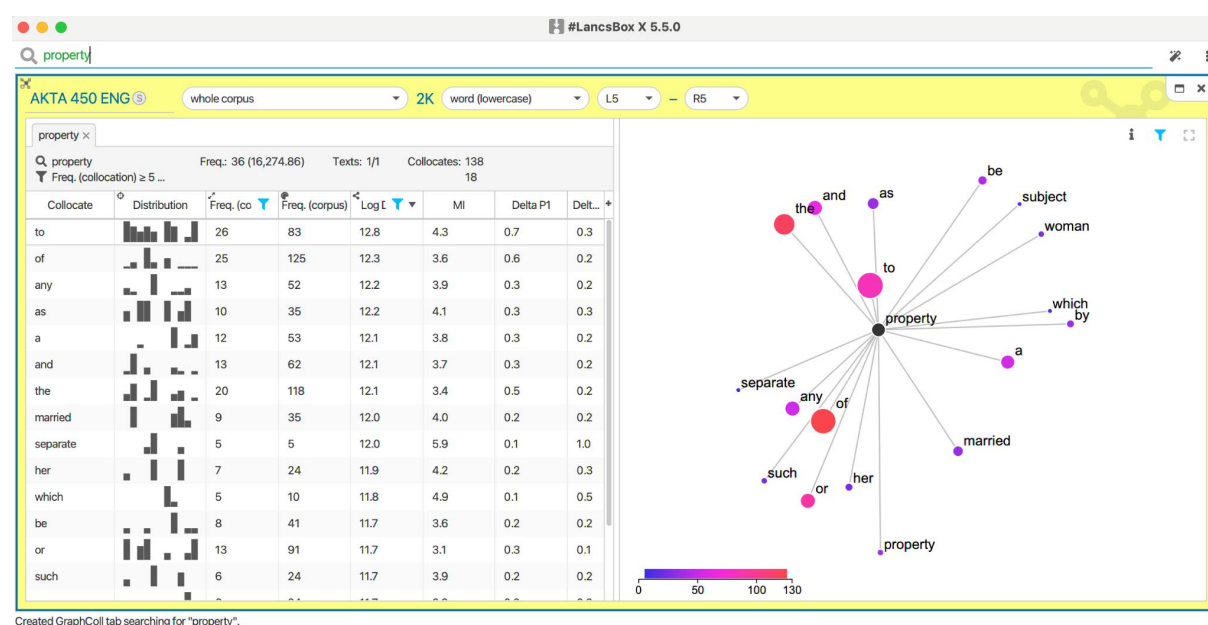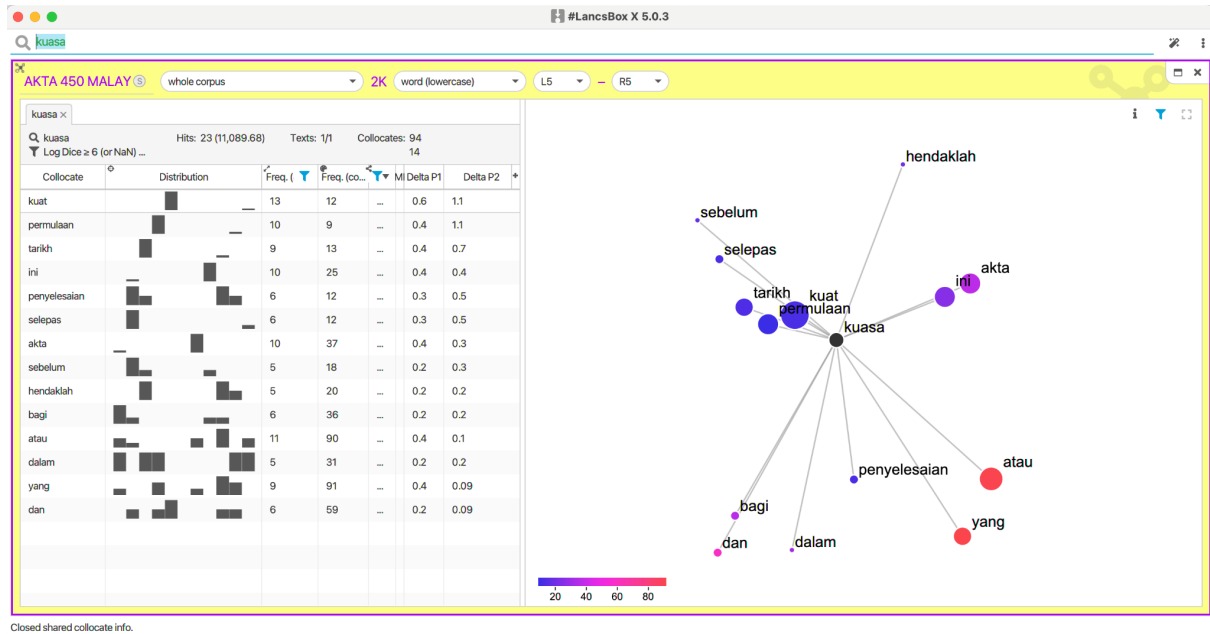

Figure 2. Key Word In Context (KWIC) analysis for the word "property".

The co-occurrence with *"harta"* (property) reinforces the legal emphasis on the woman's role in relation to ownership or entitlement within marriage and divorce contexts. This is exemplified In Figure 1.0 where the top collocates for the word "*harta*" are "*bersuami*" and "*perempuan*". In contrast, the English translation prioritises "property", indicating a shift toward a more asset or obligation-focused discourse, possibly aligning with common law traditions where legal texts often abstract individuals into roles ("spouse") and focus on rights and entitlements. This is again exemplified in Figure 2.0 where the top meaningful collocates for the word "property" are "married" and "separate".

On the other hand, the term *"kuasa"* in *Bahasa Melayu* (13.4) demonstrates higher frequency compared to its English counterparts. The Malay word "*kuasa*" is semantically broad and is commonly used to express a range of legal concepts, such as *authority*, *power*, *jurisdiction*, or

mandate. These terms often used repetition and standardised phrases especially in provisions that assign or limit powers (*kuasa mutlak*, *kuasa mahkamah*, *kuasa budi bicara*). English legal terms, while also formulaic, tend to rely on precise technical terms and syntactic variation to avoid redundancy, which may reduce repeated use of a single term like "power" or "authority." This lexical dispersion leads to lower individual frequencies for any one English term equivalent to *"kuasa"*. This can be confirmed by performing concordance or Key Word In Context (KWIC) analysis done in #LancsBox X for the word *"kuasa"* in Figure 3.0 below.

Figure 3. Key Word In Context (KWIC) analysis for the word "kuasa".

The imbalance in the frequency of *"kuasa"* (13.4) compared to related terms in English suggests that the concept of women's power may be more explicitly stated in *Bahasa Melayu* texts, reflecting the need for explicit emphasis on women's autonomy within Malaysia's socio-cultural context. These linguistic patterns indicate that legal translation is not merely literal meaning transfer but involves cultural adaptation that influences the understanding and implementation of women's rights.

The disparities in terms of frequencies also reveal how language shapes legal discourse around gender. The higher emphasis on relational terms like *"bersuami"* (being married/having a husband) and *"isteri"* (wife) in the *Bahasa Melayu* corpus infers that women's legal identity is often constructed in relation to marital status, which may reflect traditional social structures embedded within the legal language. This linguistic choice potentially impacts how women's rights are conceptualized and exercised within the Malaysian legal system.

CONCLUSION

This paper has explored the intersection of gender representation and translation practices in legal discourse, with a specific focus on Malay and English versions of Malaysian legal acts. Drawing on a corpus-based approach, the analysis highlighted significant lexical and structural patterns that shape the portrayal of women, revealing how terms like *"perempuan"*, *"harta"*, and *"bersuami"* dominate in the Malay legal corpus, while their English counterparts, *"property"*, *"married"*, and *"woman",* reflect a shift in legal framing and abstraction. The study also highlighted how linguistics approaches, for example through deontic modal verbs (*must*, *may*, *should*) can

sometimes be gender biased when associated with women in both male and female translations, reinforcing normative expectations and obligations within religious legal contexts. Furthermore, the comparative analysis of male and female translators revealed subtle yet meaningful differences, with female translators showing a greater tendency toward gender-neutral and inclusive renderings. Frequency analysis also exposes discrepancies in the functions of each term when translated in both Malay and English languages owing to several key reasons such as functionality, formulaic and syntactic differences. These findings demonstrate that translation is not merely a linguistic act but also a socio-cultural process shaped by ideology, gender, and legal traditions. The research thus underscores the need for more gender-sensitive translation practices and critical engagement with how language constructs legal realities for women.

For future research, it is recommended to apply a similar corpus-driven approach to other Acts within Malaysian law to further investigate how language shapes and reflects women's roles, rights, and identities. Through the analysis of frequency, lexical choices, and collocational patterns of gender-related terms across various legal texts, researchers may uncover consistent linguistic trends and underlying biases that influence the portrayal of women in legal discourse. Such analysis can offer meaningful insights into the extent to which legal language supports or challenges existing gender norms, thereby contributing to wider conversations on the need for gender-sensitive reforms in Malaysian legislation.

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