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Legislating the Women's "Bill of Rights": Examining Singapore's Civil Society Through the Origins of the Women's Charter (1961)

*Légiférer sur la "Déclaration des droits" des femmes : regard sur la société civile
de Singapour à travers les origines de la Charte des femmes (1961)*

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On the 24th of May 1961, the State of Singapore's Legislative Assembly passed Ordinance No. 18. Upon this decision, Singapore's *Yang di-Pertuan Negara* (Head of State), Yusof bin Ishak (1910 – 1970), assented to the following:

An Ordinance to provide for monogamous marriages and for the solemnization and registration of such marriages; to amend and consolidate the law leading to divorce, the rights and duties of married persons, the maintenance of wives and children and the punishment of offences against women and girls; and to provide for matters incidental thereto.¹

Better known as the "Women's Charter," this Bill was instantly heralded by the government and the press as a "revolutionary" step in advancing women's social rights and securing their welfare in the city-state.² This accolade was echoed by members of the public such as Mrs Judy Lee. When interviewed for her opinion of the Women's Charter by *The Straits Times*, Singapore's "largest and most influential newspaper"³, the stenographer affirmed: "I feel

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1. *Ordinance No. 18 of 1961, The Women's Charter* (Singapore: Government Printer, 1961), p. 1

2. "The Women's Charter," *The Straits Times*, 20 May 1961, p. 8.

3. C.M. Turnbull, *Dateline Singapore: 150 Years of The Straits Times* (Singapore, SPH, 1995), pp. 171 – 174; Francis Seow, *The Media Enthralled: Singapore Revisited* (London: Lynne Rienner, 1998), p. 7.

the Government is at last doing something to protect our many unfortunate women and girls. [...] every woman can now sense a feeling of security.”⁴ Similarly, an unnamed first wife of a Singapore *towkay* (businessman or boss) lauded the government for “this law [which] will keep my husband out of more mischief. [...] I never thought a day would come when the Government will help me to control that husband of mine.”⁵ Amidst the praise of the government, however, were the pleas of Singapore’s Muslim women who urged their political leaders to safeguard their welfare by other legislation.⁶ In “respect of Malay custom and the Islamic faith,”⁷ Muslim women in Singapore had been excluded from the provisions of the newly minted Women’s Charter. Nonetheless, these women, such as a “first wife of a Muslim man” married to six other wives, insisted that “the Government should take steps to see that divorced wives get maintenance.” She entreated: “Look at me. I am like a beggar. I hardly have enough money to keep myself alive because my husband has stopped paying maintenance.”⁸

Despite the government’s conspicuous exclusion of Muslim women as equal beneficiaries of the provisions of the Women’s Charter, it is significant that even opposition politicians acknowledged this piece of legislation as “a great step forward in the protection of women.”⁹ Furthermore, as the voices of the women cited above reveal, it is noteworthy that it was the government – rather than any other organisation – which was largely credited with the conception and introduction of this “Women’s Bill of Rights” in 1961.¹⁰ To all intents and purposes, the government, formed by the People’s Action Party (henceforth PAP) upon its landslide victory of 43 out of 51 seats during the 1959 Singapore General Elections, thus established itself as a protector and advocate for women’s rights and welfare. Indeed, the emancipation of women

4. “All Hail Women’s Charter of Rights: ‘At Long Last – Protection and Security’,” *The Straits Times*, 20 October 1959, p. 2.

5. “Wives Hail Marriage Charter,” *The Straits Times*, 2 March 1960, p. 14. The word “towkay” is derived from the Hokkien expression for “boss” (头家).

6. “The Winds of Change are Blowing: Opinion,” *The Singapore Free Press*, 5 March 1960, p. 6.

7. “One Man, One Wife,” *The Straits Times*, 3 March 1960, p. 6. Also see *Ordinance No 18*.

8. “Muslim Wives in Singapore Ask for Legislation to Protect Their Welfare,” *The Straits Times*, 4 March 1960, p. 15.

9. “Wives Hail Marriage Charter,” *The Straits Times*, 2 March 1960, p. 14. This comment was provided by a spokesman for the Liberal Socialist Party.

10. This expression was used by Dr. Lee Siew Choh (1917–2002), a PAP politician who later led its breakaway faction, the Barisan Sosialis, in 1961. See “Women’s Charter Bill” (Session No. 1), Singapore Parliamentary Debates, Vol. 12, Sitting No. 7, Sitting Date 6 April 1960. https://sprs.parl.gov.sg/search/topic?reportid=024_19600406_S0003_T0019. (Last consulted 12 June 2021).

had been featured as one of its major goals during its electoral campaign.¹¹ In this regard, the legislation of the Women's Charter was thus a fulfilment of the PAP's electoral promises. It was also a decision which, in the words of Finance Minister Goh Keng Swee (1918 – 2010), was inspired by the PAP government's "deep conviction as to how a good society should be regulated."¹² This emphasis on the initiative and determination of the PAP government "to give the weaker sex a higher degree of moral justice" remains dominant in the narratives of the origin and the development of the Women's Charter in Singapore today.¹³ As case in point, Constance Singam (1936 –), the three-term President of AWARE, Singapore's foremost independent women's rights and gender equality advocacy group, accredits the PAP with the foresight of having "recognised the power of the women's vote and made a commitment to a policy of equal rights and opportunities for women."¹⁴ Echoing these views, Leong Wai Kum, the doyenne of Singapore Family Law, has demonstrated that it was "mainly with the political agenda of the leaders of the People's Action Party that the fate of the Women's Charter lay."¹⁵

Other social activists, however, have been quick to offer an alternative viewpoint concerning the successful implementation of such a pioneering Bill. Shortly after the introduction of the proposed Women's Charter during its first reading in parliament, Shirin Fozdar (1905 – 1992), the energetic and outspoken founder of the Singapore Council of Women (henceforth SCW), wrote an editorial for *The Straits Times* to remind the public that the SCW had been "the original fighters" who had paved the path to the Women's Charter.¹⁶ Remarking

11. People's Action Party Central Executive Committee, *The Tasks Ahead. PAP's Five-Year-Plan, 1959 – 1964* (Singapore: Organ of the People's Action Party, 1959).

12. Goh's parliamentary remarks were reported in the following article: "One-Man-One-Wife: Big Debate," *The Straits Times*, 7 April 1960, p. 2.

13. "Register That Marriage – By Melvin Chan," *The Singapore Free Press*, 1 March 1960, p. 12.

14. Constance Singam, "Looking Back," in Tisa Ng (ed.), *Her Story. SCWO (Singapore Council of Women's Organisations) 25th Anniversary – Celebrating Womanhood* (Singapore: World Scientific, 2005), p. 7. AWARE stands for Association of Women for Action and Research. For more information, see Mandakini Arora, *Small Steps, Giant Leaps: A History of AWARE and the Women's Movement in Singapore* (Singapore: AWARE, 2007).

15. Leong Wai Kum, "Fifty Years and More of the Women's Charter of Singapore," *Singapore Journal of Legal Studies*, 2008, p. 2.

16. "Women's Charter: The Original Fighters – By Shirin Fozdar," *The Straits Times*, 29 March 1961, p. 8. For more information on SCW's (now defunct) early years, see Jenny Lam Lin et al., *Voices & Choices: The Women's Movement in Singapore* (Singapore: Singapore Council of Women's Organisations and Singapore Baha'i Women's Committee, 1993). Shirin Fozdar's life and work has also been the subject of the following work: Rose Ong, *Shirin Fozdar: Asia's Foremost Feminist* (Singapore: Rose Ong, 2000).

that politicians had “tried to take credit for having been responsible for the change in marriage laws and for the protection of women,” Fozdar attempted to set the record straight by insisting that women’s rights activists had in reality created “an awakening among the people of Singapore” – even at the expense of receiving death threats.¹⁷ To be certain, Fozdar did recognise that the PAP was “the only party [which accepted] to take up the women’s cause” as “the others shied off when asked to by us.” Still, as her words reveal, she was certain that the PAP did so because the SCW had initiated and prepared the terrain.

Fozdar’s perspective has received the support of researchers such as the literary scholar Phyllis Chew. Drawing upon extensive archival research and oral interviews with former members of the SCW, Chew has argued that “the part played by women in laying much of the preliminary ground-work” for the Bill has “been neglected in historical accounts and often, their contribution has been excluded altogether.”¹⁸ In line with Chew’s argument emphasising the key role played by the SCW, Fozdar has further asserted that it was the SCW’s determination in effecting change which led to Singapore’s burgeoning civil society in 1961, for:

Women’s organisations, political and otherwise, are now sprouting like mushrooms, and the founders of these mushroom organisations find it easy going now that the whole atmosphere has been changed by the Singapore Council of Women. They have suddenly awakened and being leaders, when the fight has already been done by others. [...] Credit must therefore be given to the selfless women who voluntarily spent their time, money, and energy to create an awakening and clear the path for the *unexpected smooth acceptance* in Singapore of such a revolutionary reform.¹⁹ (Emphasis mine)

In hindsight, given the significance of the Women’s Charter in Singapore – on the very cusp of its independence from the British, no less – it is perhaps unsurprising that political leaders and social activists alike have sought to claim responsibility for this landmark Bill. From the perspective of social activists of the SCW, who “had no political or other ambitions except to redress the wrongs done to women,”²⁰ the recognition of their efforts was certainly to be expected. Indeed, they had notably succeeded in ending polygamy (or more accurately polygyny) – the one item on the SCW’s agenda whose suppression was anything but a foregone conclusion in a “polygamous society” such as

17. Ibid. Also see “Freedom For Men Only – Mrs F.: Women too Have Rights,” *The Straits Times*, 4 April 1956, p. 4.

18. Phyllis Ghim Lian Chew, “The Singapore Council of Women and the Women’s Movement,” *Journal of Southeast Asian Studies*, 25, 1, 1994, p. 112.

19. “Women’s Charter: The Original Fighters – By Shirin Fozdar,” *The Straits Times*, 29 March 1961, p. 8.

20. Ibid.

Singapore²¹. From the point of view of Singapore's politicians, however, the passing of the Bill simultaneously represented a social, economic – as well as political – advancement for their people. Indeed, as mentioned prior, they believed that women's emancipation was necessary for Singapore to emerge from "the binds of feudalism." They were also convinced of the urgent need to mobilise "nearly half of our population" to contribute towards the economic development of Singapore and the "gigantic task of nation building."²² Finally, on the political level, the benefits of being able to legitimately lay claim to spearheading this Bill were also considerable. Apart from the possibility of reaping the votes of women, who represented 50% of registered voters,²³ the newly elected PAP government could also meaningfully mark their rise to power by introducing a Bill as pathbreaking as the Women's Charter. As contemporaneous sources have pointed out, this decision was all the more symbolic as the British colonial government had not done so despite Britain's ratification of the United Nations' Charter of Human Rights in 1948²⁴. This consideration might also allow us to better understand the subtle political message embedded within the declaration of locally-elected politicians such as the Minister for Labour and Law, K. M. Byrne (1913 – 1990), who emphasised in 1961 that the Bill "marks a complete break from the past and it is a big step forward."²⁵

Whilst much of scholarly attention has focused on the architects or the "original fighters" (to use Fozdar's expression) of the Women's Charter, far less has been said about the astonishing facility with which this revolutionary Bill came to be passed. Indeed, at the moment of its successful (and uneventful) enactment in parliament, even the veteran activist Shirin Fozdar had been surprised by its "unexpected smooth acceptance" by Singapore's

21. "The Multiple Marriage and the Law (It's Getting Rarer Every Day) – By Jack Newby," *The Straits Times*, 17 October 1965, p. 8.

22. *The Tasks Ahead*, *op. cit.* Also see "Announcement by PAP Chairman at Special Party Congress on 25th April 1959," cited in Leong, "Fifty Years and More of the Women's Charter of Singapore," *art. cit.*, pp. 7 – 11. "Women's Charter Bill" (Session No. 1), Singapore Parliamentary Debates, Vol. 12, Sitting No. 7, Sitting Date 6 April 1960. https://sprs.parl.gov.sg/search/topic?reportid=024_19600406_S0003_T0019. (Last consulted 12 June 2021).

23. "Lessons For the Vital Voters," *The Straits Times*, 10 April 1959, p. 7. Women obtained the vote in 1948 but voter turnout was low until the 1959 General Elections, when voting was rendered compulsory for the first time.

24. "Too Many Marriage 'Injustices' So – 1,000 Women Start a Drive for Equal Rights With Men," *The Straits Times*, 16 May 1953, p. 4. The SCW was quick to point out this "inconsistency" on the part of the British authorities.

25. "Women's Charter Bill" (Session No. 1), Singapore Parliamentary Debates, Vol. 12, Sitting No. 7, Sitting Date 6 April 1960. https://sprs.parl.gov.sg/search/topic?reportid=024_19600406_S0003_T0019. (Last consulted 12 June 2021).

population.²⁶ Similarly, newspaper sources of the era reveal that journalists and social commentators alike were astounded that “there have been no very vocal protests” despite the “real social revolution” which the Women’s Charter represented for the lives of men and women in Singapore. “Indeed,” observed *The Straits Times*, “not the least remarkable feature of a Charter first published fifteen months ago is the relatively modest public interest it has aroused.”²⁷ This lack of dissent to the Women’s Charter remains a point of curiosity. Almost fifty years after its introduction, the legal scholar Leong Wai Kum noted: “The momentous change of imposing monogamy on all non-Muslims was achieved remarkably smoothly. There was hardly any opposition despite this seemingly removing a privilege that Chinese and Hindu men had grown accustomed to. Little opposition was raised to its proposal.”²⁸ In order to explain the “successful implementation” of the Bill, Leong cited “the happy confluence of the economic pragmatism that was the driving motivation of the ruling party, the influence of Westernisation and modernisation on the local population as well as the fact that this modernisation had also taken hold in China and India.”²⁹ However, current historiography has not sufficiently accounted for the manner in which this “Westernisation” or “modernisation” took root in Singapore. For instance, examples of earlier developments in social reform in 1950s Singapore, such as C.R. Dasaradha Raj’s attempt in introducing a “Hindu Monogamous Bill” in 1954, have not received as much scholarly attention. Similarly, the roles which Chinese-educated women and Chinese community leaders played in the development of the emancipation of women both before and after World War II have also remained overlooked in the historiographical record.³⁰ Indeed, as this article aims to demonstrate, the roots of this “modernisation” process stretched far deeper in time – well before the founding of the SCW in 1952. Seen in this light, “Westernisation” had perhaps less of an influence as compared to the lobbying efforts of earlier social activists such as the members of the Malay Women’s Welfare Association (henceforth MWWA).³¹ Their pioneering role in battling for reform in Muslim

26. “Women’s Charter: The Original Fighters – By Shirin Fozdar,” *The Straits Times*, 29 March 1961, p. 8.

27. “The Women’s Charter,” *The Straits Times*, 20 May 1961, p. 8.

28. Leong, “Fifty Years and More of the Women’s Charter of Singapore,” *art. cit.*, p. 8.

29. *Ibid.*, p. 9.

30. More recently, new scholarship has enabled researchers a better understanding of this topic. See, for instance, Karen M. Teoh’s *Schooling Diaspora: Women, Education and the Overseas Chinese in British Malaya and Singapore* (Oxford: Oxford University Press, 2018). Also see Yang Wei-An, “Female Emancipation in a Colonial Context: The Chinese Community in Singapore 1900-1942” (Unpublished Academic Exercise, The University of Sheffield, 2014).

31. Syed Muhd Khairudin Aljunied has contributed towards our knowledge of the

marriages since the establishment of their association in 1947 remains largely overlooked in extant literature.³²

This consideration of the contribution of Malay women towards social reform in Singapore further raises two other points of interest. First, if Malay women were pioneers in lobbying for change in Muslim marriages since 1947, how can we explain their exclusion from a Bill which had an impact on the marriages of every other community in Singapore? Furthermore, what were their reactions to this omission? Did they support the "smooth acceptance" of this Bill? Second, the argument that a wider cross-section of women had battled hard to effect social change also challenges the long-standing assumption that Singapore was "a man's country" and that "[p]olitically, Malayan woman have only a still, small voice in the conduct of affairs."³³ As case in point, a journalist from *The Singapore Free Press* had opined in 1957: "Never has there been a worse city than Singapore for lack of interest in the political scene on the part of women." Questioning the capacity of women, this writer ventured: "I doubt if any given woman could even discuss intelligently, any of the facets of our Governmental setup."³⁴ It also raises questions on the extent to which Fozdar is accurate in claiming that "the women here were not vocal at all [...]. It took a long time to drag them in."³⁵

In light of the above, this article proposes an analysis of the introduction of the Women's Charter, with a particular focus on the perspectives of the Malay community since this community was excluded from the provisions of the Charter. It begins by tracing the civic debates and developments which led to the Bill since the founding of the SCW in 1952. In doing so, it seeks to illustrate that Singapore possessed a dynamic – rather than a placid – civil society in the 1950s and 1960s. Building upon this analysis, it argues for the need to take into consideration

MWWA. See Syed Muhd Khairudin Aljunied, *Radicals: Resistance and Protest in Colonial Malaya* (DeKalb: Northern Illinois University Press, 2015). Also see Muhammad Aidil bin Ali, "Saving the Family: Changing Attitudes Towards Marriage and Divorce in the Muslim Community in the 1950s and 1960s," M.A. Thesis, National University of Singapore, 2012.

32. See Constance Singam, "The Coming Out of the Political Singaporean," in K. Kanwaljit Soin and Margaret Thomas (eds.), *Our Lives to Live: Putting a Woman's Face to Change in Singapore* (Singapore: World Scientific Publishing Co. Pte. Ltd., 2015), pp. 51-52; Jialin Christina Wu, "Private Lives, Public Spheres: Contesting Child Marriage at the Age of Independence in British Malaya, 1950," *Gender & History*, Vol. 29, No. 3 November 2017: pp. 658-674.

33. "Weaker Sex," *The Singapore Free Press*, 10 March 1952, p. 4; "Women May Form New Body," *The Singapore Free Press*, 4 March 1952, p. 5; "Rights of Women are 'Meagre'," *The Straits Times*, 22 November 1951, p. 7.

34. "It's Time to Fight For Our Rights!," *The Singapore Free Press*, 5 March 1957, p. 1.

35. "Grand Dame of Women's Rights – By Lim Soon Neo," *Business Times*, 16 May 1987, p. 8.

precedents such as the work of the MWWA. To do so, it turns next to the case of Laycock's Bill (1950), which aimed at increasing the age of marriage to sixteen in the Colony of Singapore. Whilst this attempt at reform by locally elected Singapore politicians was ultimately unsuccessful, this article seeks to show that civil society was ready to engage with social reform well before the introduction of the Charter. In this endeavour, it also seeks to contribute a concrete case study in support of the argument of Goh Li Sian, Edwina Shaddick and Isabella Oh, who have critiqued "the teleological and even celebratory narrative implicit in many accounts of women's history in Singapore."³⁶

The Birth of the Women's Charter (1952 – 1961): From the Singapore Council of Women to the People's Action Party

At the occasion of the First Asian Woman's Seminar at Bangkok in 1957, Mary Lobo, the Vice-President of the SCW, opined: "I must be honest and say our men are wonderful. We never had to fight for our rights. They are just given to us."³⁷ Her statements provoked a burst of reactions from the Singapore public. One commentator, Rose Minnie, wrote to *The Straits Times* expressing her surprise. She insisted: "Women in Singapore are nowhere. It is only through gradual pressure that we are gaining our rights."³⁸ Lobo's fellow delegates from the SCW were quick to clarify that her opinion was personal and that it did not represent their association. In a bid to distance themselves from her comments, the SCW explained that Lobo had been appointed by the government and that their Council had not submitted her participation in the first place.³⁹ Furthermore, in response to Lobo's suggestions that Asian women should use "gentle persuasion" to bring about social reforms as "the phrase 'fighting for women's rights' [...] sounds so harsh. It isn't Asian,"⁴⁰ Fozdar evoked the plight of the wives of Tengku Mohamed Ariffin bin Tengku Ahmad, whose 70th marriage had been reported in the Malay daily, *Berita Harian*.⁴¹ Condemning the "frivolity" with which the 63-year-old "marathon

36. Goh Li Sian, Edwina Shaddick and Isabella Oh, "Against a Teleological Reading of the Advancement of Women's Rights in Singapore," in Jiyoung Song (ed.), *A History of Human Rights Society in Singapore 1965 – 2015* (New York: Routledge, 2017): p. 132.

37. "Wonderful," *The Straits Times*, 6 August 1957, "'Sangat Ajaib'," *Berita Harian*, 6 August 1957, p. 1.

38. "Wonderful Men? Oh No, Say Women," *The Straits Times*, 7 August 1957, p. 4.

39. For more information, see: "Mrs. Lobo: The Men Still 'Wonderful'. She Spoke of Political Rights," *The Straits Times*, 10 August 1957, p. 4, "Mrs. Lobo Satisfies Women," *The Singapore Free Press*, 30 August 1957, p. 2.

40. "Singapore's 'Wonderful Men' – A Protest Cable to Mrs. Lobo," *The Straits Times*, 8 August 1957, p. 7.

41. "Tidak akan kahwin lagi sa-telah berbini 70 kali," *Berita Harian*, 1 August 1957, p. 5.

marital record" holder had abandoned his wives, Fozdar argued: "This is what our men are REALLY like [...] Political rights have been given to women by the charity of Western men – not by Asians."⁴² It bears reminding that these comments were also first published in *Berita Harian*, which broadcasted these critiques of Muslim marital practices to Malay audiences.⁴³

As the volume of forum letters contesting Lobo's assertion indicates,⁴⁴ many men and women felt strongly about women's rights in Singapore. Between the 1950s and 1960s, discussions of the need to introduce reform in favour of equality between men and women were rife in the print media and public forums.⁴⁵ Issues such as equal pay, job discrimination, and women's political representation dominated these public debates. The significance of these discussions over the equality of the sexes, however, stretched far beyond the subject of granting women rights. As contemporaneous sources indicate, the emancipation of women in Singapore was intimately associated with the attainment of its political independence.⁴⁶ This correlation was articulated by women activists such as Fozdar, who, as early as in 1951, had declared:

The men of Malaya do not deserve independence while they enslave their own women-folk. [...] Men here talk of their rights, but never of their own responsibilities, and many women here are so illiterate that they don't even know what their rights are. [...] Britain is showing us the way to the emancipation of our womenfolk and for that we owe her a debt of gratitude.⁴⁷

This perspective received a stamp of approval from women's rights activists in the region, such as the Indonesian activist Mrs Sutan Sharir. In a meeting with 70 Malay women and 10 men in 1951, she recounted how Indonesian women had obtained equal rights with men upon the establishment

42. "This is What Our Men Are REALLY Like," Talks Told," *The Straits Times*, 13 August 1957, p. 4; "Queen to Hear of 'Bomoh?' Anti-Monogamy Bid," *The Singapore Free Press*, 3 August 1957, p. 2.

43. Fozdar's original comments are as follows: "Inilah perkara yang kami sedang lawan. Tiap2 hari yang berjalan empat perempuan Melayu di-cheraiikan dan di-buang ka-jalan. Tengku Ariffin tentu-lah tiada membayar wang saraan atau pun membela anak2-nya - ia tentu jadi papa kalau ia berbuat demikian." See "Saya Akan Maalum Queen Hal 'Bomoh Pengaseh': Fozdar," *Berita Harian*, 2 August 1957, p. 5.

44. See the above articles, as well as: "Mrs. Lobo Stands Firm," *The Singapore Standard*, 10 August 1957, p. 4.

45. According to some observers, "the whole of Singapore has been discussing equality for women" in the early 1950s. See "Equal Rights For Male Readers – By Feminism," *The Straits Times*, 21 June 1951, p. 6.

46. See the debates on women as jurors: "The Place of Women," *The Singapore Free Press*, 3 February 1950, p. 4; "Women Will Serve With Men: Colony Jury System Revised," *The Straits Times*, 17 December 1950, p. 3.

47. "Independence? You Don't Deserve It, Mrs Fozdar Tells the Men," *The Straits Times*, 21 September 1951, p. 4.

of the Indonesian Republic.⁴⁸ Mrs Sharir thus asserted: “The progress of any society can be judged by the position of its women. I hope the broad-minded men in Malaya will give wholehearted support to women’s welfare movements.”⁴⁹ Inspired by these words and the necessity of effecting change, some of the attendees proposed the idea of uniting women through a common organisation.⁵⁰ In April 1952, the SCW, boasting a multiracial executive committee of “seven Chinese, four Indians, two Malays, one Indonesian and one Briton,”⁵¹ was thus officially formed to promote women’s rights. As Phyllis Chew has shown, the Council swiftly focused their attention upon the eradication of the practice of polygamy, which “could be made into an issue which would be symbolic of the injustices faced by women in Singapore.”⁵² Reforms in marriage practices thus remained the primary agenda of the SCW till the introduction of the Women’s Charter in 1961.

One of the first steps taken by the SCW in this direction was to harness public support through the media for their petitions to the colonial government. In 1953, the Council succeeded in galvanising 1,000 women in support of their request for reforms in Singapore’s marriage and divorce laws.⁵³ It bears reminding that the divorce rate then was, as Fozdar put it, “higher than in Hollywood.”⁵⁴ For instance, there were six divorces recorded for every ten Muslim marriages registered in 1950.⁵⁵ Undeterred by the government’s reluctance to effect change, the SCW next proposed a “Prevention of Bigamous Marriage Ordinance” in 1954, demanding for such marriages to be made void, and for the minimum age of marriage to be raised to sixteen. Through their publicity, the SCW were able to swiftly boost their ranks to 2,000 women

48. Chew, “The Singapore Council of Women and the Women’s Movement,” *op. cit.*, p. 114.

49. “Education the Only Remedy – Mrs. Sharir,” *The Straits Times*, 13 October 1951, p. 4.

50. “Women Plan to Change ‘Cave-Men’: Male Critics get a Reply,” *The Straits Times*, 20 November 1951, p. 7; “Women to Fight ‘Selfish’ Males – They Want Men to Change Attitudes. Equal Rights is Their Aim,” *The Straits Times*, 17 November 1951, p. 7.

51. Chew, “The Singapore Council of Women and the Women’s Movement,” *op. cit.*, p. 116.

52. *Ibid.*, p. 116.

53. “Too Many Marriage ‘Injustices’, So – 1,000 Women Start a Drive For Equal Rights With Men,” *The Straits Times*, 16 May 1953, p. 4.

54. “Divorce Rate Here is Higher Than in Hollywood, Says Mrs Fozdar,” *The Straits Times*, 29 January 1954, p. 1.

55. Judith Djamour, *The Muslim Matrimonial Court in Singapore* (London: The Athlone Press, 1966): p. 129. I have cited Muslim divorces as an example as no other statistics are available on non-Muslim divorces for the period studied. See the work of Saw Swee-Hock, *The Population of Singapore* (Third Edition), (Singapore: ISEAS Publishing, 2012).

members. However, as Fozdar recalls, Malay and Arab women "supported us anonymously for fear of trouble from their husbands and fathers."⁵⁶

The volume and diversity of public reactions to the SCW's propositions reveal both the pertinence and the difficulty of introducing marital reforms in Singapore during the 1950s. Indeed, comments from the public vehiculated in the press illustrate that many women supported such marital reforms. In response to the SCW's resolution to render all marriages monogamous, one anonymous Malay woman admitted that "few Malay women would dare to give open support to so radical a petition, but if the Government made it compulsory for all marriages to be registered, Malay women would feel more secure."⁵⁷ Similarly, one Chinese woman who insisted on the necessity of such reforms disclosed that her Chinese husband had abandoned her and her child after their customary (or non-civil) marriage which had been unregistered. She had since married a European through civil law. Reflecting on her own experiences, she affirmed: "I feel completely safe now. [...] I know that if my husband deserted me, or treated me cruelly or went with other women, I could obtain a divorce and alimony to safeguard myself and our children. It makes me feel a real human being to know I have rights under the law exactly the same as he has."⁵⁸ These comments also indicate that women were actively reflecting and articulating their personal experiences and opinions of such reforms.

Concurrently, as alluded to prior, comments from a mainly male standpoint show the difficulty of introducing reforms in marriage practices. As case in point, when *The Singapore Free Press* sought the view of "the man in the street," it highlighted the ambivalent reactions of the men interviewed. Whilst some considered the SCW's resolution "a sensible move," other men reportedly remarked "there should be freedom in love" and that they "would appreciate less interference." One bachelor, Louie Tan, criticised the "one man, one wife" proposition as being "a silly resolution." In his view, "one man with one wife is MONOTONY [sic]." Echoing these views, another bachelor, Boon Yoon Chan, "strongly protest[ed]" the SCW's move. "If a man has a lot of money, why shouldn't he get himself five wives if he can afford it?" demanded Boon. "After all," he reasoned, "there are more women than men in Singapore. It's better that they get married than go round leading a roaming life."⁵⁹ Others also cited religious reasons to justify their disapproval of enforcing monogamous marriages. As case in point, *Berita Harian* published a letter submitted by

56. "How S'pore Women Won Their Rights," *The Straits Times*, 26 October 1975, p. 5.

57. "Too Many Marriage 'Injustices', So – 1,000 Women Start a Drive For Equal Rights With Men," *The Straits Times*, 16 May 1953, p. 4.

58. Ibid.

59. "Men Sharply Divided on Number of Wives," *The Singapore Free Press*, 8 August 1953, p. 3.

a concerned member of the public, Mohamed bin Tarman, who argued that Muslim law, which permits divorce and polygamy, could not be challenged. In his opinion, it was “essentially unnecessary to suggest amendments to Islamic legislation motivated merely to suit the whims and fancies of a faithless few.”⁶⁰

Considering the extent of societal, religious, and political obstacles to marital reforms in the 1950s, it is arguably more accurate to interpret women’s activism in this era as being exceptional, rather than expected. Indeed, these insights concerning the conservative attitudes prevalent in Singapore society allows us to better understand why women might not have been as outspoken or assertive as activists such as Fozdar had hoped for. Contrary to most of the women she sought to represent, Fozdar had extensive experience in women’s activism as she had lobbied for Hari Singh Gour’s “Age of Consent” Bill in her home country of India since 1925.⁶¹ As an Indian Baha’i, Fozdar had also been raised in an intellectual and spiritual environment which promoted gender equality. Nevertheless, women did speak out promptly on the need for marital reforms, especially when it concerned their ethnic or religious community. For instance, the SCW’s proposition, which eventually led to the establishment of a Syariah Court through the trailblazing Muslim Ordinance (1957), encouraged Malay and Muslim women to articulate their opinions and seek for more ambitious reforms. The Syariah Court was touted as a “big step for equal rights” for Muslim women since marriages and divorces would be better regulated,⁶² but the Ordinance had remained silent on polygamy. In justifying the necessity of women’s emancipation, the SCW had correlated their aim with that of political independence for Singapore in 1955. This was a critical year for the Colony in its path to independence, as most of the seats in its parliament were to be elected (and not appointed by colonial authorities). Fozdar seized the occasion to declare in the press: “It is my experience that a country can get independence only when its men have learnt to part with their self-appropriated rights and give independence first to the exploited sex – the women.”⁶³ Her words resonated with women such as Wan Faridah of Teluk Anson, who demanded: “What is political emancipation when women’s

60. “Cherai: Ikut-lah pengajaran Quran,” *Berita Harian*, 18 July 1957, p. 4. A translation was published in English; see “Islamic Law Needs No Amendment,” *The Straits Times*, 24 July 1957, p. 6.

61. Interview of Shirin Fozdar, A/N: 000336, 30 September 1983, National Archives of Singapore.

62. “Shariah ‘Big Step’ For Equal Rights: Divorce Will Be Harder Now,” *The Straits Times*, 11 September 1957, p. 9.

63. “Independence Should First Go to the Women,” *The Straits Times*, 31 March 1955, p. 12.

rights as equal partners in marriage are denied? Without proper legislation to protect Malay women and the repeal of obsolete Mohamedan laws affecting marriages, we shall never emerge from our bondage."⁶⁴

In this regard, the heated public debates between Muslim men and women in the press reveal the sensitivity of reforms in marital matters. In reaction to Wan Faridah's letter to *The Straits Times*, Hasan bin Mohamed of Kuala Lumpur challenged her assertions by calling into question her "little knowledge of Mohammedan laws."⁶⁵ Wan Faridah fired back by drawing upon her knowledge of the Quran, clarifying that she had "no quarrel" with its provisions but "the interpretations of local origin which adhere to the dual principle of 'sharat' and 'adat'." Explaining that local customs and practices had led to "a denial of justice" for women, she insisted that "[i]n no modern country can we find a procedure such as prevails here [...] The evil is so widespread and docilely accepted that wives are in fact, discarded rather than divorced."⁶⁶ In a subsequent letter, Wan Faridah maintained: "we are merely attempting to put right certain injustices suffered by women silently for some time, and we never ask for more than is equitably due to us as wives and mothers." For her, the reforms were a question of "fairness" and the necessity of being "consistent with humanity and justice."⁶⁷

These words appear to have achieved their desired effect amongst some Muslim men. M. Said of Singapore wrote to the press to support Wan Faridah's views, noting that "the pernicious custom or practice of facile divorces is infinitely more humiliating to Malay womanhood [...] The manner in which women are taken in lawful wedlock and then divorced and discarded like mere chattels is really much more scandalous and revolting." In conclusion, he argued in favour of introducing a "long overdue reform" in Muslim marriages.⁶⁸ Whilst some men such as Cassim Rowther opined that Muslim women should not "adopt 'exotic ways'" or imitate "dangerous western ways of life" in demanding for such reforms,⁶⁹ others, such as Mohamed Isa bin Yunos commended women for having identified this "disreputable flaw in our religious law." "As a male," he added, "I suggest that we redeem ourselves by concrete action in changing the law."⁷⁰ However, some men, such as Megat Osman, attacked Mohamed Isa's statement by asserting that "it is un-Islamic

64. "Denial of Rights", *The Straits Times*, 18 February 1955, p. 6.

65. "Protection of Women," *The Straits Times*, 22 February 1955, p. 6.

66. "Muslim Women Not Divorced But 'Discarded'," *The Straits Times*, 1 March 1955, p. 6.

67. "Muslim Women Ask Only For Their Rights," *The Straits Times*, 28 May 1955, p. 10.

68. "'China-Buta Marriage is Only a Rare Event," *The Straits Times*, 1 July 1957, p. 6.

69. "Western Ways Not For Muslim Women," *The Straits Times*, 27 June 1955, p. 12.

70. "Muslim Women and the Ways of the West," *The Straits Times*, 8 July 1955, p. 6.

70. "Change Muslim Law Plea," *The Straits Times*, 21 June 1957, p. 6.

even to call it [Muslim law] ‘disreputable’ or ‘degrading’.⁷¹ The reactions of women to such challenges indicate that they sought recourse in the argument that reforms and “modern” principles were essential for Singapore’s next step towards independence. For instance, one woman, Siti Arpah, demanded: “It is time we rectified matters [...] in order to usher in sex equality based on modern human values befitting an independent nation.”⁷² Wan Faridah agreed with her views, contending that “religious reform is essentially an expediency were we to forge ahead and progress side by side with the rest of the Malayan racial and religious groups.”⁷³ In one of her letters to the press, she added: “I hope I have touched sympathetic chords somewhere. If I have achieved nothing by going to the Press, I have at least made some men commit themselves to the legitimacy of our cause.”⁷⁴ As her words and this debate shows, Malay women and men were not as silent or docile as previously imagined.

In the political arena, these civic debates on marital reform were increasingly seizing the attention of politicians. The public’s opinion on the incongruity of women’s “outdated” or “servile” status with the project of independence from the British did resonate with some politicians, but activists suggest that they did not openly take concrete actions for fear of losing votes.⁷⁵ In hindsight, it is also possible that the “radical” or provocative stand of the SCW’s members, such as Fozdar, might have discouraged some politicians from openly supporting their Council. Indeed, as Ann Wee, the “founding mother of social work” in Singapore explained, “in terms of radical political awareness,” she [Fozdar] was virtually “an Atlantic salmon landing among rather small riverine trout.”⁷⁶ For instance, Fozdar’s incendiary comment in 1958 that “Singapore is one big brothel” due to the lack of tighter marriage regularisation provoked a public backlash which even distanced her from some members from her own organisation.⁷⁷

71. “Any Reform Now Might Transform Islam,” *The Straits Times*, 28 June 1957, p. 6.

72. “Degrading to the Malays,” *The Straits Times*, 19 June 1957, p. 6.

73. “Muslim Codes Must Suit Merdeka Social Order,” *The Straits Times*, 12 July 1957, p. 8.

74. “Legitimacy of Malay Women’s Cause,” *The Straits Times*, 24 July 1957, p. 6.

75. “‘Assemblymen Are So Frightened’ – Women Fight a Lone War on Polygamy, Says Fozdar,” *The Singapore Free Press*, 25 April 1957, p. 16.

76. Ann Wee, “The Women’s Charter, 1961: Where We Were Coming From and How We Got There,” in Theresa W. Devasahayam (ed.), *Singapore Women’s Charter. Roles, Responsibilities and Rights in Marriage* (Singapore: ISEAS Publishing, 2011), p. 62.

77. “‘Big Brothel’: Mrs Fozdar Explains – By Nan Hall,” *The Straits Times*, 7 March 1958, p. 1; “That ‘Big Brothel’ Charge Going to Assembly,” *The Straits Times*, 23 February 1958, p. 8; “Colony a Brothel? Yes, Says Delegate,” *The Straits Times*, 8 March 1958, p. 2.

The 1959 General Elections proved to be a turning point in the SCW's bid to advocate for marriage reforms in Singapore. Voting was rendered compulsory for the first time. Faced with the prospect of winning the votes of women, whose voter turnout had been low in previous elections, different political parties started to consider the possibility of marital reforms.⁷⁸ Yet, as Manisah Parbury, a SCW member observed, only the PAP had boldly included the principle of "One Man, One Wife" in their political manifesto. Speaking of the fact that the PAP had been "the only political party" to openly campaign for this reform, she remarked: "It seemed that not one of them [the other parties] had the courage to take up this question, no doubt fearing public opposition. It has been left to the PAP to champion the rights of women. They seem to have both the courage and the intelligence to recognise the value of women's votes."⁷⁹ According to the PAP's leader, Lee Kuan Yew (1923 – 2015), his party had done so because of their conviction that the backwardness of Asia was due to women not having achieved emancipation. In order to show his party's serious commitment to their policy on women's rights, Lee agreed to have his wife, Kwa Geok Choo (1920 – 2010) deliver a radio broadcast on this topic.⁸⁰ Prominent PAP women activists such as Oh Su Chen, Ho Puay Choo and Chan Choy Siong also played important roles in calling for women's legal protection to be included in their party's manifesto.⁸¹ Upon their election victory in 1959, one of the PAP's first decision was thus to propose the Women's Charter in order to fulfil their campaign promises.

In hindsight, Singapore's civil society and associations such as the SCW were thus a driving force in the introduction of the Women's Charter. As Malathi Das has suggested, this Bill indeed "owes its existence more to work done by women in the background rather than the foreground."⁸² The novel provisions of the Charter, such as "the right of a married woman to a social life of her own, a wife's right to continue to use her maiden name, and the equal rights of husband and wife in the ownership and the running of the matrimonial household,"⁸³ led contemporary observers to claim that Singapore was "a

78. 200,000 (as opposed to 75,000 in previous years) women were to vote for the first time in the 1959 elections. See "Tun Lim Opens Seminar With Calls to Women... 'Those in Singapore Must Overcome the Assumption that Affairs of the State Should Be Left to Men'," *The Straits Times*, 16 January 1959, p. 2.

79. "Hard and Bitter Fight For Women's Rights," *The Straits Times*, 11 July 1959, p. s8.

80. "Equal Pay: PAP Will Go Easy, Says Mrs. Lee," *The Straits Times*, 9 May 1959, p. 7. Lee Kuan Yew, *The Singapore Story: Memoirs of Lee Kuan Yew* (Singapore: Marshall Cavendish Editions, 1998): pp. 325 – 326.

81. Chew, "The Singapore Council of Women and the Women's Movement," *op. cit.*, pp. 132-134.

82. Das, "Singapore's Women's Charter: Revolution or Evolution?," *op. cit.*, p. 162.

83. One Man, One Wife," *The Straits Times*, 3 March 1960, p. 6.

leader among Asian countries in many matters relating to women's status."⁸⁴

However, as alluded to previously, it bears reminding that Muslim women were excluded from the provisions of the Bill. Indeed, whilst local commentators acknowledged that "the Government has gone quite as far as could be expected" in terms of marriage reform, they were quick to underline that Muslims had not been provided for in the Bill since Singapore could "not move ahead of the Federation Government [of Malaya] in respect of Malay custom and the Islamic faith."⁸⁵ Political and religious reasons thus explained the government's decision not to extend the Bill's provisions to Muslims. As such, even though archival sources and the civic debates mentioned above illustrate that "Muslim women have not been slow to press for some of the safeguards that are promised their non-Muslim sisters by the Women's Charter,"⁸⁶ their community, which represented 13.6% of Singapore's population in the late 1957, were to be excluded.⁸⁷ However, political and religious factors were not the only reasons for this exclusion. Indeed, contextual developments and earlier attempts at Muslim marital reform before the SCW's efforts proved to be obstacles as well. Whilst these developments have been left out of the historiographical record since they were unsuccessful in bringing about the expected reforms, this article argues that it is important to adopt a broader perspective in order to better understand the history of women's rights in Singapore. To do so, this article turns our attention towards Laycock Bill – a piece of legislation which aimed at raising the age of marriage to sixteen in Singapore in 1950.

"A Social Reform Long Overdue in the Colony": Colonial Civil Society and the Laycock Bill (1950)

In 1950, John Laycock (1887 – 1960), a British legislator and founder of the Singapore Progressive Party, sought to introduce an "Age of Marriage Bill" in the Colony of Singapore. In his appeal to the Legislative Council, he declared that "such a social reform was long overdue in the Colony." Explaining that a recent event had drawn "the attention of the public to the undesirability of girls being allowed to marry at the age of twelve or thirteen," he argued that

84. "Women's Rights: Singapore Leads Asia – By Alexandra Lee," *The Straits Times*, 3 June 1962, p. 14, "Singapore Leads in Asia in Many Aspects of Status of Women," *The Straits Times*, 26 May 1962, p. 9.

85. "One Man, One Wife," *The Straits Times*, 3 March 1960, p. 6.

86. "The Winds of Change are Blowing: Opinion," *The Singapore Free Press*, 5 March 1960, p. 6.

87. These statistics are drawn from the census of 1957, which indicate that the total resident population in Singapore was 1,445,929. The distribution of population by race in 1957 is as follows: 1,090,596 Chinese, 197,059 Malays, 129,510 Indians, and 28,764 Others. For more information, see Saw Swee Hock, *The Population of Singapore*, *op. cit.*, p. 29.

the "considerable volume of public opinion" on this issue was proof that the Colony was ready for a Bill which would raise the age of marriage to sixteen.⁸⁸ Although he underlined that "Muslim opinion has expressed itself strongly in favour of this Bill," he was ready to introduce an amendment excluding Muslims from the Bill due to the protests of "a die-hard minority of the Mohammedans." Furthermore, asserted Laycock, "religious toleration as well as the non-communal point of view" was to be respected. However, Laycock's Bill faced opposition from Muslim members of the Council, who challenged the fact that the Bill would "make void and of no effect what is permitted in Islam and is therefore repugnant to Muslim sentiment." Despite Laycock's insistence that Muslims would be excluded, and that their community had "no business to dictate their marriage laws to those Europeans and Chinese," Laycock's Bill was eventually referred to a Select Committee and shelved.

The event which Laycock referred to concerned the marriage of a thirteen-year-old Muslim-Dutch girl, Bertha Maria Hertogh (Nadra), to a 22-year-old Malay, Mansoor Adabi, in Singapore on 1st August 1950. Prior to her marriage, Hertogh had already piqued the interest of both the local and international press. The rights to her legal custody were being bitterly contested between her Dutch parents and her Malay-Muslim adoptive mother, who had raised her as a Muslim since the age of five during World War II. As the press eagerly covered the development of this legal dispute, her unexpected marriage during the period of court proceedings caused a scandal and generated greater attention on her case.⁸⁹ More importantly, the media spotlight on this inter-racial "child marriage" placed Muslim marriage practices under intense public scrutiny and opened them to critique. These public discussions thus encouraged Laycock to propose his Bill in late August 1950.⁹⁰

Laycock's proposition was heartily welcomed by women's rights activists and social workers who had been battling hard to introduce reforms in Muslim marriages since the late 1940s. One of the most important figures was Che Zahara binte Noor Mohammad (1907 – 1962), nicknamed "*Kaum Ibu*." Moved by the plight of destitute women during the hardships of post-war Singapore, she had created the Malay Women's Welfare Association (henceforth MWWA) in 1947.⁹¹ One of the main goals of the MWWA was to assist Malay women

88. "Age of Marriage Bill (Second Reading), 16 October 1950," *Proceedings of the First Legislative Council, Colony of Singapore, Third Session, 1950* (Singapore: Government Printing Office, 1950): pp. B381-B390.

89. "Case of Maria Huberdena Hartogh [sic]," FO 371/84676, National Archives, Kew, United Kingdom.

90. "'Ban Child Marriages' Move in Council – Law Necessary For Colony," *The Straits Times*, 28 August 1950, p. 4.

91. "Malay Women to Tackle Own Welfare Problems," *Malaya Tribune*, 9 October 1947, p. 1; "Malay Women to Fight Desertion," *The Straits Times*, 19 October 1947, p. 7;

with problems related to marriages. Issues such as forced marriages, child marriages, and the guarantee of alimony and child support to Malay women thus occupied the MWWA's agenda. Above all, the high divorce rate of the Muslim community, which stood at 53% for the period 1946 – 1950, preoccupied the MWWA. Recognising that this situation was due in part to the prevalence of child marriages, Che Zahara thus lobbied actively in favour of Laycock's Bill. Indeed, it bears reminding that the median age of marriage for Singapore Muslims was 16.1 years at the time of its first post-war census in 1947.⁹²

In hindsight, considering the "murmurs of disapproval" from men in regard to the establishment of the MWWA,⁹³ the advocacy of the Association and like-minded social workers of this era was indeed remarkable. On top of this hostile reception from men, these early activists also had to face obstacles from the colonial government, which "did not want to interfere with the local customs and the local law" due to a longstanding policy of non-interference concluded with Malays.⁹⁴ Their determination to effect reform, however, remained resolute. As the Muslim women's rights activist Khatijun Nissa Siraj (1925 –) recalled, she had insisted in pushing "our way to the Government, to ask them to see to the law, of marriage and divorce," as the situation of women was "like hanging women without using a rope: *gantung tak bertali*."⁹⁵ These activists' resolve was also exemplified by women such as Sharifah Alwah Alsagoff, who, despite not being able to "speak English well," had appealed to the British government: "*Kita bukan minta apa, kita nak keadilan, keadilan untuk perempuan*" (We do not ask for much, we want justice, justice for women).⁹⁶

The rise of women's advocacy groups such as the MWWA and the interest in the welfare of women as a whole was closely linked to the social changes experienced in Malaya during the post-war era. In particular, social and political observers drew attention to the changes in young Asian women in the post-war period, remarking that they had "none of the courteous but tightly shut passivity

"N. Mamat Replies to – The Challenge of Malay Women," *Malaya Tribune*, 1 November 1947, p. 4. The article included a comprehensive list of the aims of the MWWA.

92. Gavin Jones, *Marriage and Divorce in Islamic South-East Asia* (Singapore: Oxford University Press, 1994), p. 64.

93. "The Progress of Malaya's Women – By K. Jalleh," *The Singapore Free Press*, 27 October 1947, p. 4.

94. Interview of Shirin Fozdar, A/N: 000336, 30 September 1983, National Archives of Singapore. As regards the policy of non-interference, see Thomas Newbold, *Political and Statistical Account of the British Settlements in the Straits of Malacca* (London: John Murray, 1839): p. 489.

95. Interview of Khatijun Nissa Siraj, A/N: 001663, 14 December 1995, National Archives of Singapore.

96. Ibid.

of an older generation of women of the Orient."⁹⁷ Furthermore, as the *Malaya Tribune* noted in 1947, "Women's Associations of the different races have sprung up all over the country." On the political front, the *Tribune* remarked: "Women are writing to the press; women are on the platform at every political meeting that is held. Malaya is changing from the inside, revolting against conservatism, and freeing itself from the remnants of suppressive colonialism."⁹⁸ Above all, the transformation in Malay women formed a talking point for commentators in the 1940s. As early as in 1946, the weekly paper *Comrade* had underlined the "perceptible awakening" of Malay women in particular. Noting that women were articulating their views in public through the papers and radio broadcasts, the journal thus underscored: "The time has now come for us to reconsider our attitude toward our womenfolk [...] in our present struggle for national liberation."⁹⁹ Such observations were similarly reported by colonial officers such as Captain Gammans, who informed the Colonial Office in 1946:

[By] far the most remarkable thing of all – was the part the women were playing in this great national movement. In the fourteen years I have lived in Malaya, I scarcely ever spoke to a Malay woman. But today, they go up on political platforms and make speeches; unmarried girls make speeches through microphones that would not disgrace anybody in this committee. That has all happened in the short space of six months.¹⁰⁰

This remarkable change in Malay women can be attributed to the rapid growth in female education in the 1940s. By 1947, more than 3,000 Malay women were enrolled in English medium schools, with four times as many attending vernacular and religious schools.¹⁰¹ As such, increasing numbers of Malay women had equipped themselves with the tools to effect change for their community. As the *Tribune* observed in 1947, they were frequently contributing to the radio and press, harnessing arguments which were judged as being "commensurate with the teachings of Islam on the subject of women's duties, obligations and responsibilities and their rights and privileges."¹⁰²

97. "Asians Have Lost Their Shyness – By Mary Heathcott," *The Straits Times*, 3 December 1950, p. 10.

98. "New Malaya as Teacher Sees It – By Chin Kee Onn," *Morning Tribune (Malaya Tribune)*, 11 June 1947, p. 4.

99. "Awakening of Malay Women," *Comrade*, 15 December 1946, p. 5.

100. Captain Gammans, cited in Yusof bin Ngah, "Malay Nationalism: 1945-1957," (M.A. Thesis), *University of Otago*, 1967, pp. 76 – 77; Aljunied, *Radicals: Resistance and Protest in Colonial Malaya*, op. cit., p. 140.

101. Ibid., p. 139.

102. "Women Must Have More Than Mere Beauty," *Malaya Tribune*, 10 June 1947, p. 4.

In the midst of these social transformations in Singapore and Malaya at-large, Laycock's Bill was greeted with a warm reception from Malay women in 1950. In support of Laycock's proposition, Che Zahara organised a mass meeting and succeeded in rallying 300 Malay women and 100 men to protest against child marriages.¹⁰³ According to *The Singapore Standard*, "the strongest support for the marriage Bill has come from Malay women,"¹⁰⁴ and the MWWA intended to "move heaven and earth" to appeal to the Governor of Singapore for Muslims to be included under the provisions of Laycock's Bill.¹⁰⁵ At the same time, Laycock's Bill was also enthusiastically welcomed by other leaders representing their respective ethnic communities. For instance, the Hindu Advisory Board approved of a ban on marriages for those below the age of sixteen, drawing on the fact that similar reforms had "already been adopted in India."¹⁰⁶ Echoing these views, Singapore Chinese women leaders such as Loh Poon Lip of the Young Women's Christian Association and Goh Kok Kee of the Family Planning Association, argued that "such a Bill should have been introduced a long time ago."¹⁰⁷ The Chinese-language press, such as the *Nanyang Siang Pau*, also expressed the opinion that Laycock's Bill was timely as men had "treated their wives as clothing [to be changed regularly at their whim]."¹⁰⁸ Furthermore, observed the paper, the People's Republic of China had passed a radical "New Marriage Law" on 1st May 1950, which had raised the age of marriage to twenty for males and eighteen for females, amongst other provisions.¹⁰⁹ As such, the Chinese Advisory Board had already

103. "Women Say: Abolish Child-Marriage," *The Straits Times*, 16 October 1950, p. 7; "Include Muslims in Laycock's Bill, Say Malay Women. Child Mother Relates Evil," *Malaya Tribune*, 16 October 1950, p. 2.

104. "Our Child Mothers," *Singapore Standard*, 5 September 1950, p. 6.

105. "Asks Muslims Included In Marriage Bill," *Singapore Standard*, 16 October. p. 1.

106. "Uncle John Laycock," *The Straits Times*, 16 September 1950, p. 6; "Hindus Also Draft Bill," *The Straits Times*, 2 September 1950, p. 7.

107. "Women Support Marriage Bill," *The Singapore Free Press*, 31 August 1950, p. 5.

108. See "妻子如衣服," *Nanyang Siang Pau* 南洋商報, 28 January 1950, p. 9. It is noteworthy that the Chinese language press also followed subsequent discussions about the SCW. For instance, see: "婦女協會致書總督要求制定一夫一妻制該會秘書希望華人社會予以支持," *Nanyang Siang Pau* 南洋商報, 26 May 1953, p. 5, "婦女協會昨開會員大會 要求婚姻平等," *Sin Chew Jit Poh* 星洲日報, 7 August 1953, p. 5. The fact that the People's Republic of China had adopted a Marriage Law in 1950 promoting monogamy was similarly reported in the press. See "談一夫一妻制," *Sin Chew Jit Poh* 星洲日報, 18 July 1953, p. 11.

109. "罪惡的多妻制度將到何時才能廢除?," *Nanyang Siang Pau* 南洋商報, 30 June 1935, p. 14; "當地司法當局對於華人婚姻依舊婚姻法判斷關於新中國一夫一妻婚姻法尚未被正式承認總領事館發言人談我現行婚姻法," *Nanyang Siang Pau* 南洋商報, 2 June 1947, p. 6. Also see Lisa Tran, "The ABCs of Monogamy in Republican China: Adultery, Bigamy, and Conjugal Fidelity," *Twentieth-Century China*, Vol.36, No.2, July 2011, pp. 99-118.

been engaged in discussion on the application of these new laws for their community since May.¹¹⁰ Given these circumstances, Laycock's Bill thus faced little resistance from members of both the Chinese and Hindu communities.

However, Laycock's Bill faced strong opposition and open hostility from many Muslim men and leading members of their community. The President of the Singapore Muslim Welfare Association, M.A. Majid, criticised the Bill as "a challenge to the very existence of Muslim religious principles." He cautioned that the Bill would widen "the gulf of religious differences and constitute the prelude to communal strife."¹¹¹ In his warning to the public that "Islam will not be mocked," he concluded: "Islam is in danger, and the battle-cry that swept across the continent of Europe will be heard again throughout this ancient peninsula." Echoing these views, Singapore's Chief Kadi (religious judge), Tuan Haji Ali, also denounced the Bill as being "against the Islamic religion."¹¹² Another indicator of their opposition was the number of protest rallies organised to counter Laycock's Bill. As case in point, in less than a week after Laycock had proposed his Bill, a total of 1,000 Muslim men had manifested their disapproval by attending a rally against Laycock's Bill at the Sultan Mosque.¹¹³ Following suit, the All-Malaya Muslim Missionary Society (henceforth AMMMS) sponsored two other anti-Laycock Bill meetings in November. These meetings, however, were criticised by Che Zahara as "farcical."¹¹⁴ Concurrently, comments issued in the press, such as the admonishment by "Father-of-Four" that "Muslims should not raise such a hue and cry over Mr Laycock's Bill,"¹¹⁵ further contributed towards a climate of tension in the Colony. In response to Che Zahara and other Muslim women who sought to include their community under the provisions of the Bill, Wanjur bin Abu Bakar, secretary of the AMMMS, "accused Che Zahara of being un-Islamic for supporting the Laycock Bill."¹¹⁶ On a similar note, Tuan Syed Abdullah bin Idrus, the editor and publisher of the Malay periodical *Qalam*, also attacked Che Zahara's "ignorance of the teachings of Islam."¹¹⁷ As these developments illustrate, it is noteworthy that Muslim men harnessed their understanding of religion and customs in order to justify their arguments.

110. "Less Polygamy Among Chinese," *The Straits Times*, 28 May 1950, p. 8.

111. "Islam Is In Danger," *Malaya Tribune*, 6 September 1950, p. 2.

112. "Bill on Marriage 'Against Islam'," *The Straits Times*, 1950, p. 8; "Kathi Against Marriage Bill," *The Singapore Free Press*, 30 August 1950, p. 7.

113. "1,000 Malays Mass-Meet on Laycock Motion," *Malaya Tribune*, 1 September 1950, p. 1.

114. "Public Debate Demand," *The Straits Times*, 13 November 1950, p. 4.

115. "An Elderly Bridegroom," *The Straits Times*, 20 September 1950, p. 6.

116. "I'm Not Un-Islamic, Says Che Zaharah," *The Straits Times*, 13 November 1950, p. 4.s.

117. "Fresh Challenge to Zahara," *The Straits Times*, 21 November 1950, p. 7.

Furthermore, they also drew upon their authority as gatekeepers of their religion to censure women supporting the Bill. In this respect, it of interest that in 1952, the AMMMS declared that women “should not engage anymore in politics, as politics would lead to excessive mixing of the sexes which of course would be un-Islam.”¹¹⁸

Whilst religion and customs were cited as arguments by Muslim men against Laycock’s Bill, those in favour of the Bill advanced reasons based on science and “civilisation.” One writer in *The Straits Times*, for instance, felt moved to “intervene” and to comment on Muslim marriages because child marriage was “a shocking relic of the past” which had proved that “Malaya is sadly behind most countries of the civilised world.”¹¹⁹ Che Zahara also drew upon this rationale to justify her support. In one of her protest rallies, she declared: “In these modern times, we have to follow the trend of present-day society and today our girls are being educated and advancing. It is not right that they should be forced into child marriage.”¹²⁰ In her opinion, this practice had been “largely responsible for keeping the Malays in the backwaters of social, economic and political advancement of this country.”¹²¹ Such views were also articulated by medical doctors who claimed that Malays were committing “race suicide” by practicing child marriages. In the words of a “Woman Doctor,” those who persisted in marrying young were “letting down their community and hastening the time when they will all be trodden underfoot by more virile races who do not marry until they have finished growing.”¹²² Another writer argued that the Bill was a step towards Malayan independence: “No one can seriously suggest that a nation eagerly looking forwards to self-government can perpetuate a custom which allows its ‘citizens-to-be’ to be born of 14-year-old mothers.”¹²³

As these debates simmered in the Colony, Maria Hertogh’s case came before the Court for a third time.¹²⁴ Under the glare of the media spotlight, her Dutch parents’ counsel, E.D. Shearn, argued that their child had been manoeuvred into marriage. Emphasising that Muslim marriages “need not be of a very lasting nature,” Shearn underlined the facility with which Muslim men could “dissolve [their marriages] almost at will.” He thus inquired of the Judge: “What future is there for this child if she continued to remain the wife of Mansoor Adabi?” On deliberation, the Judge declared the marriage invalid

118. Cited in Asiah binti Abu Samah, “Emancipation of Malay Women, 1945-1957,” p. 46. B.A. Thesis, Department of History, University of Malaya, 1960.

119. “The Child Bride,” *The Straits Times*, 15 August 1950, p. 6.

120. “Child Mother Relates Evil,” *Malaya Tribune*, 16 October 1950, p. 2.

121. “Women Say: Abolish Child-Marriage,” *The Straits Times*, 16 October 1950, p. 7.

122. “Warning to the Malay Race,” *The Straits Times*, 9 September 1950, p. 9.

123. “A Foregone Conclusion,” *The Straits Times*, 10 September 1950, p. 10.

124. The citations in this paragraph are derived from: “Originating Summons No.248 of 1950,” 2 December 1950.

and clarified that Maria was "not in the eyes of this Court a Mohammedan." He affirmed that her Malay mother was "unfit any longer to have custody," ordering that Maria be "repatriated" to Holland. Muslims were gravely offended at the invalidation of a religious marriage in a British Civil Court. Public disturbances broke out, resulting in eighteen dead and 173 injured.

Thus far, these public disturbances have dominated the historiographical record of the events of 1950. Known as "The Maria Hertogh Riots," they have taken centre-stage at the detriment of other developments in 1950, such as the civic discussions of child-marriage, or the lobbying efforts of women who supported Laycock's Bill. The trauma of the riots has also remained a stern reminder of the sensitivity of "interfering" in religious affairs. Yet, as this article has shown, this chapter of history is an integral element of the development of women's rights in Singapore. Indeed, activists had already been heavily involved in fighting for reforms since the 1940s. In hindsight, this insight also allows us to understand why some activists, such as Constance Singam, have asserted that the 1940s were "perhaps the most dynamic phase of women's activism in Singapore."¹²⁵ Furthermore, it is essential to adopt a broader historical perspective in studying the women's movement and the advent of the Women's Charter in Singapore. Doing so allows the historian to better trace the continuities, changes, and adaptations undertaken by activists in their pursuit of reform. It also allows us to understand that civil society was engaged well before 1952, and that local women were far from silent bystanders in their own history.

Reconsidering Social Reform and Activism in Singapore: Some Concluding Remarks

During his speech at the National Trades Union Congress' (NTUC) «International Women's Year Seminar» held on 1st September 1975, Prime Minister Lee Kuan Yew reflected upon the trajectory of the transformation of women's status, roles and position in Singapore. Whilst acknowledging that "a quiet revolution has been taking place" in the country, he nonetheless observed that "there has been no vociferous women's liberation movement in Singapore. It has been government policy to encourage the education of women to their fullest ability and their employment commensurate with their abilities."¹²⁶ As his words suggest, Lee was confident that his government's policies had granted women the power to achieve themselves – to such a degree that Singaporeans saw no need for a "vociferous women's liberation movement." Whilst Lee is justified in claiming credit for the wisdom of his

¹²⁵. Singam, "The Coming Out of the Political Singaporean," *art. cit.*, p. 48.

¹²⁶. "Speech by the Prime Minister, Mr Lee Kuan Yew, at the NTUC's International Women's Year Seminar Cum Exhibition at the DBS Auditorium on Monday, 1st September 1975," A/N: lky19750901, Ministry of Culture, National Archives of Singapore. (Last consulted 13 June 2021).

government's policies concerning women's rights, this article has demonstrated that women themselves have played a key role in obtaining their hard-earned rights since the late 1940s.

Concurrently, Lee's words further raise another point of consideration. As mentioned previously, scholarly work and political discourses in contemporary Singapore have tended to emphasise on the fact that the Charter was "one of the new Government's first moves" upon seizing power in 1959.¹²⁷ This Bill, in turn, has been touted as having "played its part in transforming Singapore from a sleepy trading port to the vital financial centre it is today."¹²⁸ In more ways than one, the historiographical record has thus reinforced the notion of a clear break between the colonial/post-colonial divide since the moment Singapore obtained internal self-governance in 1959. However, the history of the women's movement in Singapore does not necessarily adhere with the political periodisation of the nation's history. Indeed, by including an earlier chapter of women's activism in the broader narrative of the women's rights movement till the enactment of the Charter in 1962, it is hoped that this article has illustrated how the wider historical context had also been pivotal in bringing about reforms in 1962. By extrapolation, it bears reminding that a broader perspective is essential in tracing historical evolution, instead of adopting politically pertinent dates as historical turning-points.

Beyond these historiographical approaches and concerns, it is noteworthy that the Syariah Court in contemporary Singapore has jurisdiction over Muslim marriages (in which both parties are Muslims and where both parties were married under Muslim law).¹²⁹ As such, while the Women's Charter governs the law on civil marriage and its dissolution for all persons in Singapore, Muslims have access to their religious courts for the settlement of marital issues.

In conclusion, this article further wishes to draw attention to other reform societies which were active in the period studied. As mentioned prior, other developments, such as the Tamil Reform Association's activities in resisting Dasaradha Raj's "Hindu Monogamous Marriage Bill" in 1954, were not included due to the constraints of this short article. A study of these other reform societies could thus open new horizons for research.¹³⁰ Furthermore, the activities of the *Angkatan Wanita Sedar* (Generation of Conscious Women) or AWAS, which had mobilised Malays till their ban in 1948,¹³¹ might yield other perspectives.

127. "Women's Decade of Uneven Gains," *The Straits Times*, 23 June 1985, p. 19.

128. Leong, "Fifty Years and More of the Women's Charter of Singapore," *art. cit.*, p. 9.

129. See Part IX of Leong Wai Kum, *The Singapore Women's Charter: 50 Questions* (Singapore: ISEAS Publishing, 2011).

130. See: Interview of Pakriswamy Naidu, A/N: 000827, 22 October 1987, National Archives of Singapore; Interview of K.P. Murthi, A/N: 000849, 27 January 1988, National Archives of Singapore.

131. Khairudin, *Radicals: Resistance and Protest in Colonial Malaya*, *op. cit.*, p.138.

Whilst these issues lay far beyond the scope of this article, an examination of the inter-communal interest in women's rights during this era might also provide scholars with a Singapore example to what Elizabeth Armstrong has termed "a solidarity of commonalty for women's shared human rights."¹³² In this respect, such an investigation might also allow scholars to develop other non-Euro-American approaches and case studies in the study of global feminisms.

132. Elizabeth Armstrong, "Before Bandung: The Anti-Imperialist Women's Movement in Asia and the Women's International Democratic Federation," *Signs: Journal of Women in Culture and Society*, Vol. 31, No. 2 (Winter 2016), p. 305.