

EMPOWERING SINGLE MOTHERS THROUGH IMPLEMENTATION AND RECOGNITION OF LAW IN MALAYSIA

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ABSTRACT

Living life as a single mother in this modern era is challenging. Single mother holds multiple roles and responsibilities. Apart of being the sole breadwinner of the family, she is also obliged to attend to her children's welfare and well-being. Based on Malaysia Home and Population Census in 2010 carried out by the Statistics Department, a total of 831, 860 women or 2.9 % of the population were widowed, divorced or permanently separated. However, Social Welfare Department affirms that only a small number of single mothers are registered and obtained aid from the Ministry. Despite having a good channel to get aid, there are still numerous reported cases on poverty, socio economic, emotional and psychological issues among single mothers. It is our social duty to reach out to this susceptible group as they favor to conceal their marital status and try to evade the normal stigma from the society. This particular group would not necessarily in dire need of financial and emotional assistance, but they need to be honored, recognized and protected under the law. Thus, this paper aims to investigate the awareness and reasons behind the low rate of registration among the single mothers and to examine the current policies or law that protect and empower single mothers. Methodology of this research is qualitative. 18 respondents from various backgrounds and qualifications were interviewed and data were analyzed accordingly. This paper suggests the empowerment of single mothers might be strengthened through the implementation and recognition of existing laws. This paper will look into other countries' law with regard to this issue. Philippines is an example of a country that established a Solo Parent Welfare Act in 2000. It is hoped that the discussion in this paper will be an eye opener to everyone in the country that single mothers are our unsung heroes regardless of the income category and the role as the primary breadwinner of the household need to be respected.

Key words: Single mother-Low rate of registration-Empowerment-Law.

INTRODUCTION

Background

Malaysia acceded to the United Nation Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1995. The Convention defines discrimination against women as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field." Considering the above proclamation, single mothers are entitled for the recognition and enjoyment under the law as other women do.¹

The Ninth Malaysia Plan (2006 – 2010) adopts one of its developments thrust to address the issue of persistent socioeconomic inequalities to eradicate poverty and reduce income, employment and wealth disparities. Furthermore, the 11th Malaysia Plan (2016-2020) also focuses on Malaysian people, to provide them with well-being and prosperity which is based on six strategic thrusts inter alia enhancing inclusiveness towards an equitable society and improving well-being for all. In this context, the dilemmas of single mothers and female-headed households have long been a fear for the government.

¹Noraida Endut, Azman Azwan Azmawati and Intan Hashimah Mohd Hashim, SHS Web of Conferences 18, (03002, 2015)), retrieved from https://www.shsconferences.org/articles/shsconf/pdf/2015/05/shsconf_icolass2014_03001.pdf

The United Nations Development Programme (UNDP) is the United Nations' global development network. It advocates for change and connects countries to knowledge, experience and resources to help people build a better life for them. To support the Government, in 2008, UNDP Malaysia in partnership with the Ministry of Women, Family and Community Development conducted a comprehensive study on the plight of single mothers in Malaysia, specifically those categorized as poor or hard-core poor. The long-term objective is to ensure the necessary institutional support and policy attention to empower and lift single mothers out of poverty.²

Research Issues

As to date, numerous cases and news are still available and seen in our media to prove that single mothers are still facing hardships and need major help from the government and society.³ Dialogues⁴ sessions revealed that some single mothers undertake multiple jobs to make ends meet for the family. Many divorced husbands did not pay for the children support after divorce proceedings were finalized.⁵ Single mothers faced financial difficulties and it is the dominant issue contribute to the challenges of being a single mother. While some are eligible to work, they have problems in providing child care and safety of their children while working. In short, the challenges faced by each category differ from one another. Nevertheless, all factors contributing to the hardship of single mothers are inevitable. Every category of income of single mothers faces different challenges.

Theoretically, policies and programme that can assist single mothers in child care and children's welfare are in depth discussion since 2008 before the implementation of the National Action Plan to Empower Single Mother 2015-2020. Every single mother must be registered with the authority to channel their difficulties and challenges. Income category must not be the yardstick to measure the hardship of being a single mother. It is high time for Malaysia to acknowledge the existing of these single mothers whom are also the taxpayers to the government.

LITERATURE REVIEW

As at 2016, the total number of 83, 775 single mothers from 235,240 have been registered under Women Social Development. Social Welfare Department affirms that it is only a small number of single mothers were registered and received aid from the Ministry because of the unawareness and busy schedule to look after the family.⁶ Single women and single mothers are groups of women that require specific studies and analyses.⁷ Single motherhood can be varied from the status quo of being widowed, divorced or separated and those who are unwed but adopt children. However, the definition of single mothers has expanded to include even those who continue to live with their husbands but become the primary earner due to ill-health, disability or substance and alcohol misuse of the husband.⁸ Malaysian statistics revealed the existence of nearly 235,240 single mothers equals to 1.7% from the Malaysian total population.⁹

In Malaysia, Ministry of Women, Family and Community Development are responsible in strengthening the family institution and play a major role in helping the single mothers. Currently the Ministry is working on their National Action Plan to Empower Single Mothers 2015-2020.¹⁰ Despite having a comprehensive framework and regulation, Malaysia still afar behind from satisfaction of having a good policy or regulations that will guarantee the privileged and wellbeing of single mothers and their families in the long run. Informants from recent research study revealed major hardships and sorrows still exist after holding the title of a single mother.¹¹ According to Noraida Endut et al, it is hoped Malaysia can establish theoretical implications and inform policy for a more gender-sensitive intervention of this single mother group.

Referring to our current National Action Plan to Empower Single Mothers 2015-2020, Malaysia has three major aspects; firstly, to empower single mother, secondly, to improve social welfare of single mother and finally to optimize research and

²Empowering Single Mothers, retrieved from

<https://www.my.undp.org/content/malaysia/en/home/ourwork/womenempowerment/successstories/EmpoweringSingleMothers.html>

³ Eve Sonary Heng. Plight of Single Parent Families, 2017, retrieved from <https://www.theborneopost.com/2017/02/26/plight-of-single-parent-families/>

⁴Empowering Single Mothers in Malaysia, retrieved from

<http://www.my.undp.org/content/malaysia/en/home/ourwork/womenempowerment/successstories/EmpoweringSingleMothers.html>

⁵ Zakaria, S.M., Shafarudin, N.S., Akhir, N.M., Hoesni, S.M., & Manap, J. *Cabaran Hidup Ibu Tunggal: Kesan Terhadap Kesejahteraan Emosi* (International Journal of Education, Psychology and Counselling: 2019, 4(24)), 69-84.

⁶ Ibu Tunggal Berdaftar, retrieved from, <http://www.mstar.com.my/lokal/semasa/2016/02/11/ibu-tunggal-berdaftar/>

⁷ Noraida Endut, Azman Azwan Azmawati, and Intan Hashimah Mohd Hashim. *SHS Web of Conferences 18*: 03002(2015), retrieved from <http://www.shs-conference.org>

⁸ Martin Evans, *Single Mothers in Malaysia: social protection as an exercise of definition in search of solution*. (International Conference: "Social Protection for Social Justice" Institute of Development Studies:UK, April 2011) 13-15.

⁹ Noor Watee Rahman, Haslinda Abdullah, Norazlina Darius, Amiira Ali Mansor. *Journal of Applied Environmental and Biological Sciences*. 7(4)105-109, 2017. ISSN: 2090-4274

¹⁰ Pelan Tindakan Pemerkasaan Ibu Tunggal 2015-2020. KPWK official website.

¹¹ Zakaria, S.M., Shafarudin, N.S., Akhir, N.M., Hoesni, S.M., & Manap, J., *Cabaran Hidup Ibu Tunggal: Kesan Terhadap Kesejahteraan Emosi*. (International Journal of Education, Psychology and Counselling: 4(24)), 69-84.

standardization on single mothers. The implementation of this National Action Plan is doubtful as to the approval of the application from the single mothers group. Malaysians are categorised into three different income groups: Top 20% (T20), Middle 40% (M40), and Bottom 40% (B40).¹² In-depth interview with Puan Bainin, Chair of Persatuan Ibu Tunggal, Kota Belud and conversations with several single mothers revealed stringent and tedious procedures for applicants to be considered for government assistance.¹³ Thus, impliedly only specific group of income category would seek out for help from the government.

Hardship and Challenges of Single Mothers.

Single-parent (also referred to as one-parent or solo parent) families are a particularly vulnerable group. Almost fifty per cent of single parents with dependent children are at risk for poverty or social exclusion.¹⁴ Some even consider single parent families as a euphemism for problem families and there is still a rise in the number of single parent household. The stigma still persists and single parent households are still often considered underclass, broken and deviant.¹⁵ Holding a double role to run a family and being the primary source of financial contributor is uneasy task. Numerous cases of depression and attempted suicide been reported in our media to convey the message of the great impact being a solo parent in the family. Findings from a research titled 'Exploring single parenting process in Malaysia: Issues and coping strategies' revealed that there are two types of coping strategies; internal and external supports.¹⁶

According to Puan Hasiah Haniza Abd. Wahab, Chairperson of the Islamic Single Mothers Association for the Federal Territory and State of Selangor, financial independence is what single mothers are struggling to achieve.¹⁷ Furthermore, single mothers from the employable category are also tax payers. According to the Inland Revenue Board, the total income tax paid by single women amounted to RM3.461bil in the 2013 to 2015 assessment years. This constitutes 5.3% of the total RM65.5bil income tax paid in those three years of assessment.¹⁸ The growing number of single women means there are more households led by single females. However, there are no specific policies for singletons as pointed out by the Universiti Sains Malaysia (USM) Assoc Prof Dr Azman Azwan Azmawati in one dialogue session.¹⁹ The realities of life for single, or never married, women are important aspects to be studied. They may face discrimination rising from deep sociocultural structures around them. Single women need certain kinds of assistance – special considerations for loan eligibility, for example, because they sometimes can't find guarantors to obtain credit²⁰

Areas of Assistance and Need.

Because of the poverty of the M40-B40 group, some single mother acquires housing facility. Singles in these circumstances may face social safety net issues in their senior years because they cannot own a home without first securing a bank loan. There must be clear policies especially in the banking sector to assist singles in the lower income bracket and those running their own businesses. Challenges faced by single mothers can be varied from the aspect of managing household income, providing child care and education, ensuring wellbeing and health of the children and crisis and spiritual management. One may be financially stable but in dire need of emotional assistance.

Positions in Malaysia and Other Countries.

Currently in Malaysia, facilities, welfare and health care assistance can be gained through registration to Social Welfare Department. Single mother financial support can be categorised into three areas. Firstly, medical or health aid consisting of Peduli Sihat and Heart Treatment Scheme. Welfare assistance are distributed through various agencies such as Public Assistance, Financial Assistance for Senior Citizens, Bantuan Kasih Ibu Smart Selangor also known as KISS, Bantuan Sara Hidup and through Zakat aid. In helping through business or entrepreneurship, namely Yayasan Tekun Nasional (TEKUN), Amanah Ikhtiar

¹² *Income Classifications*. Department of Statistics Malaysia (DoSM) in October 2017. Retrieved from, <https://www.comparehero.my/budgets-tax/articles/t20-m40-b40-malaysia>

¹³ *Survival Strategies of Single Mothers among Indigeneous Ethnic In Rural Areas: Case Study in Kota Belud, Sabah*. Dayang Suria Mulia Faculty of Humanities, Arts and Heritage, Universiti Malaysia Sabah. Email: yahmulia@yahoo.com

¹⁴ Policy Recommendations Changing Families and Sustainable Societies: Policy contexts and diversity over the life course and across generations Laura Carlson, Livia Sz. Oláh and Barbara Hobson (SU), (E-print, Stockholm, 2017), retrieved from , www.familiesandsocieties.eu

¹⁵ Barone, John, "How the Law Fails Single Mothers" (2016). Law School Student Scholarship. 763, retrieved from https://scholarship.shu.edu/student_scholarship/763

¹⁶ Siti Rafiah Abd Hamid & Sakinah Salleh, 3rd World Conference on Psychology, Counselling and Guidance (WCPCG-2012). *Procedia-Social and Behavioral Sciences* 84(2013), 1154-1159

¹⁷ Empowering Single Parents in Malaysia, retrieved from,

<http://www.my.undp.org/content/malaysia/en/home/ourwork/womenempowerment/successstories/EmpoweringSingleMothers.html>

¹⁸ Christina Chin & Yuen Meikeng. All the Single Ladies, 2017. Retrieved from

<http://www.thestar.com.my/~media/online/2017/02/05/00/09/single-ladies-malaysian-chart-0502.ashx?h=445&w=500&la=en>

¹⁹ *ibid*

²⁰ Noraida Endut, Azman Azwan Azmawati, & Intan Hashimah Mohd Hashim, *SHS Web of Conferences* 18,03002(2015), retrieved from https://www.shs-conferences.org/articles/shsconf/pdf/2015/05/shsconf_icolass2014_03001.pdf

Malaysia (AIM), E-Kasih Programme, Majlis Amanah Rakyat (MARA) Zakat aid, launching grant, PERWANI and Bazar Wanita Malaysia are providing entrepreneurship skills and funding.²¹

The implementation of these aids is done through application and thorough investigation of the income category. Most applicants are from the B40 category and under certain circumstances only a few from M40 category would benefit from these aids. T20 category will unlikely seek for these aid as they will always feel that they are not entitled for this welfare aid.

Unlike Malaysia, Philippines introduced the Solo Parents' Welfare Act 2000 instead of stating its benefits under the National Plan. The merit of this statutory provisions will raise different legal weightage. The purpose of enacting this Solo Parents' Welfare Act 2000 is to provide benefits and privileges to solo parents and their children in the Philippines. The definition of single parenthood is extensive to ten categories as stated under the Act.²² It developed a comprehensive collaboration of multi agencies to support the implementation of this Act.²³ Among the benefits laid out from the Act are comprehensive package of coordination between local and non-governmental organizations, flexible work schedule, non-discrimination policy, parental leave, educational benefits, housing benefits, medical assistance and essential health packages.

The above said law and regulations are comprehensive and has a wide coverage. Children of single mother require protection and privileges to ease the burden and hardship. By helping them in providing better facilities and appropriate channels, single mother families will have better enjoyment and prosperous living. In Philippines, a Solo Parent Identification Card will be issued to the solo parent within thirty days upon application. This identification card will be necessary for the availment of benefits under the Act. This card may be renewed subject to a new assessment and evaluation.

In Morocco, and in most Arab countries, the issue of single mothers is still a taboo, however women's organizations are working hard to challenge this stigmatization as well as to help these women gain their rights.²⁴ Recently, Moroccan government has worked deeply to improve the status of women in Morocco by reforming the Family Code or the Moudawana. The Moudawana has also reached the situation of single mothers and it has come with a new element that could help to some extent single mothers and their children.²⁵

On average, 15% of European children live in one-parent households, most of them headed by women, and this kind of household has a higher risk of poverty than couple headed households.²⁶ In Europe, policies focus on single-parent families as they are growing in numbers. Single-parent families have been explicitly considered and addressed in all family policy discussions and decisions. For example, home-care cash allowances, which are paid to a parent who abstains from employment to take care for her child at home, can have significant consequences encouraging lower levels of female employment among single-parent families which in turn results in higher childhood poverty.²⁷ Other recommendations discussed were work-life balance policies and workplace practices, provision of educational and skill-building opportunities and affordable quality day care where families should have a higher priority and subsidized access to child care facilities. Plus, governmental agencies should be established to facilitate child support payment from non-resident parents in case of conflicts, disagreements or delayed payments, e.g., after a divorce or separation. Looking at these aspects touched by the European policy makers, we are much assure that single motherhood in Malaysia should be given the same benefits and opportunities.

METHODOLOGY

Research Methodology

This is a qualitative research that use a semi structured interviews. This research is done by purposive sampling which focuses on a few types of individuals whom are categorized as single mothers in examining their awareness of registering under Social Welfare Department namely widow, divorcee, unwed, abandonment and social welfare officers. 18 respondents whom are 1 social welfare officer, 2 unwed single mothers, 5 abandoned single mothers, 5 widows and 5 divorcees are involved in this research. Respondents are interviewed based on themes. In the findings, the respondents' details will be shared.

Themes are based on their responds towards three themes which are highlighting on their opinions on the registration of single parents under Social Welfare Department, opinions on single mother's challenges and opinions on single mother's needs and assistance. While, one respondent whom is the Social Welfare Department officer was interviewed on his opinions on the Social Welfare Department's method of financial aid distribution to the single mothers and other suggestion in improvising the current practice of Ministry of Women, Family and Community Development. Since the respondents are identified from different roles in this research, they were asked questions which are slightly different according to their roles. The analysis is done by using the thematic data interpretations.

²¹ Single Mother Financial Support, retrieved from <http://www.malaysia.gov.my/portal/subcategory/174>

²² Section 6(b)(1)-(10) Solo Parents' Welfare Act 2000

²³ Section 4 Solo Parents' Welfare Act 2000

²⁴ Sidi Mohamed Ben Abdelah University, *The Asian Conference on the Social Science: Morocco*, 2013.

²⁵ *ibid*

²⁶ OECD (2014). OECD Family Database, Paris, retrieved from www.oecd.org/social/family/database.html

²⁷ Laura Carlson, Livia Sz. Oláh and Barbara Hobson (SU). *Policy Recommendations Changing Families and Sustainable Societies: Policy contexts and diversity over the life course and across generations*. collaborative research project financed by the European Union's Seventh Framework Programme 2013-2017 (Grant no. 320116, FP7-SSH-2012-1)

Findings and Discussion

In this research, total respondents are 18. The respondents ranged in age from 25 years old and below, 25 years old to 35 years old, 35 years old and above. Under the category of unwed, 2 of the total respondents are 25 years old and below. While, 5 of the single mothers are under 35 years old and below and the rests are (11 respondents) are 35 years old and above. They are coded as R1- R18. Among them R1-R2 are the single mothers (unwed), R3-R17 are the single mothers (widows, divorcees and abandoned single mothers) and R18 is the social welfare officer.

R1 and R2 declared that they are not working and they are heavily pregnant. They will only search for a job when they have already passed the confinement period and have somebody to take care of the babies.

R3-R17 informed that they are employed. They can be categorized into T20, M40 and B40 income group.

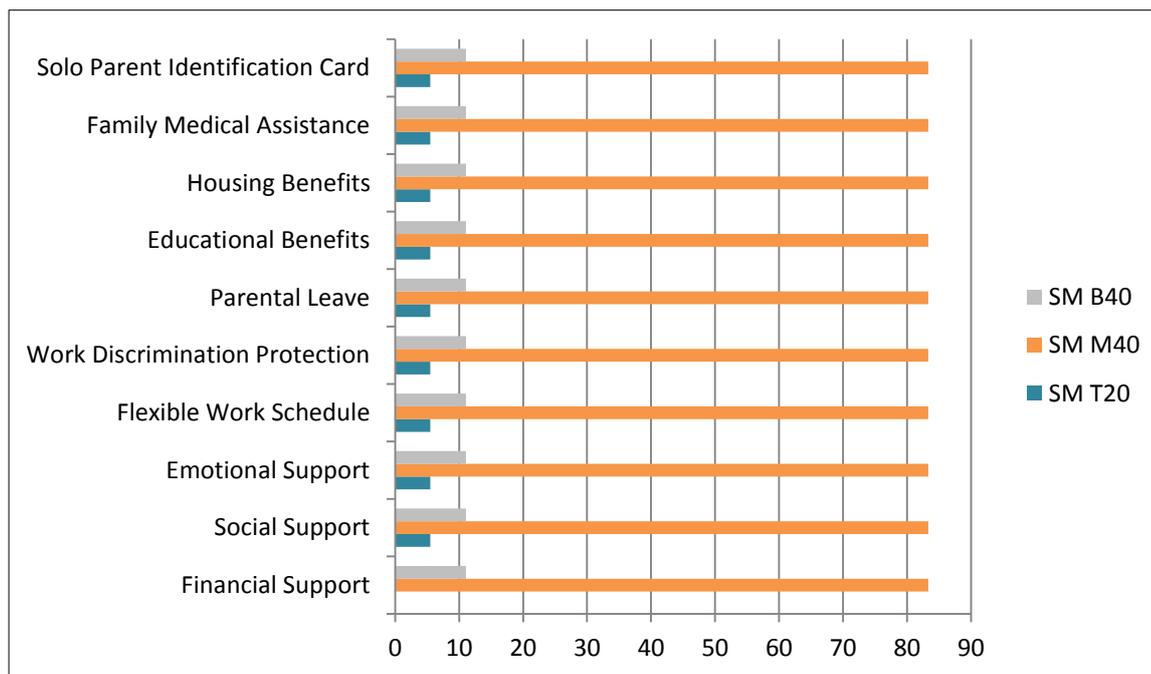
R3-R6 are from B40, R7-R16 are from M40 and R17 from T20.

All of them declared that they have not registered with JKM except for R5. Their responds are categorized into three themes.

Theme 1: Opinions on Single Mother's Challenges and Awareness of Registration

The results suggested that all respondents (R1-R17) agreed that they face a lot of challenges and they realized that they need help. The respondents feel that they are not acknowledged and well taken care of by the authorities. R17 opined that she does not deserve to get assistance from the government because of the salary factor. R16 affirmed that she was not aware of the aids provided by the Social Welfare Department and thought that she does not entitled to get the aids. R5 verified that although she has applied for assistance, after several years of observation she will be secluded from receiving any help and assistance. The main reason for exclusion was she is no longer dependent, and children have gained employment.

Theme 2: Opinions on Single Mother's Needs and Assistance



R1-R2 are the single mothers (unwed), R3-R17 are the single mothers (widows, divorcees and abandoned single mothers) and R18 is the social welfare officer.

R1 and R2 described that they need financial support. R3 –R16 stated that they also need the financial support.

R17 stated that she does need the financial support.

All needs and benefits namely social support, emotional support, flexible work schedule, work discrimination protection are needed by all respondents (R1-R17) despite of any income category that they belong to.

Theme 3: Additional Suggestions in Improvising the Current Practice of Welfare Department and Ministry of Women, Family and Community Development

ITEM	RESPONDENTS	SUGGESTIONS
1.	R17-T20	<ul style="list-style-type: none"> Financial aid should be given to all income category despite of which group income single mothers are belong to especially M40 and B40
2.	R14,R15,R16-M40	<ul style="list-style-type: none"> Financial aid should be given to all despite of which group income single mothers are belong to especially M40 and B40 As a single breadwinner, single mothers still need helps in terms of financial aids and benefits like tax reduction, housing benefits, education, and medical benefits.
3.	R5-B40	<ul style="list-style-type: none"> Selection of identified single mothers that need financial aid should be more lenient as till this date the selection process is strict and somehow it takes a longer time for JKM to identify the single mothers that need helps.
4.	R18	<ul style="list-style-type: none"> Allocation of financial aid should be increased thus more single mothers from various income group can be assisted.

RECOMMENDATIONS AND CONCLUSION

Malaysia should adopt the Solo Parents Welfare Act 2000 which has been applied in the Philippines rather than to continue the practice under the National Action Plan. Once the Act is passed through Parliament and enacted, the number of single mothers register with the Ministry will increase. They will realize the privileges and aids provided by the government and other agencies. Solo Parent Identification Card can be a privilege pass to obtain various assistance and aid. Social Welfare Department and National Registration Department should work hand in hand in ensuring this effort to happen. Moreover, Social Welfare Department should eliminate the barrier of the income category when it comes to the selection of single mothers whom are eligible to get the financial assistance. By doing this, it will enhance the empowerment of single mother throughout the nation. Since this research only studied the reasons of low number of registrations among single mothers and examined the current law that protect and empower the single mothers, it is hoped that further research will discuss thoroughly on the effectiveness of the current practice in distributing financial and other aids to the single mothers in Malaysia. In conclusion, single mothers are our unsung heroes and only through good and strong implementation of law we can empower them.

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