

CHILD ABUSE IN MALAYSIA: AN OVERVIEW FROM ISLAMIC PERSPECTIVE

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Abstract

In Islam, children are a monumental trust from Allah (SWT) and parents are mandated with the responsibility to raise and educate them. A well-endorsed treatment is thus a personal and religious imperative. Conversely, maltreatment and abuse are indeed great sins. Hence, this paper seeks to discover an overview of child abuse in Malaysia and how Islam prohibits child abuse by critically analysing existing research works, articles, journals, thesis and books from library and archive. An analysis of Qur’anic verses and interpretations related to prohibition of child abuse, as well as the kind treatment of Prophet Muhammad (PBUH) and his companions towards the children and the youth, is also carried out, which serves as the evidence and living examples of child abuse prevention and its implementation in this modern time in Malaysia. It is expected that this study will be able to create awareness in the society and offer theoretical solutions derived from the original source of knowledge, that is, the Divine Revelation.

Keywords: *child abuse, Islamic perspective, Malaysia*

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Introduction

As the true religion of Allah (SWT), Islam is greatly concerned with the nature of human beings, their complex behaviours, thoughts, and emotions. All of these aspects are strictly governed by the religious principle documented in the Holy Qur’an and the Sunnah. The guiding principles navigating Muslims’ life includes treating youth with mercy and dealing with the elderly with respect. The Prophet (PBUH) was quoted as saying:

“Those who do not show mercy to our young ones and do not realise the right of our elders are not from us. (A true believer)” (Abu Dawud, Sunan Abu Dawud, ed.2003: 4943).

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The above tradition (*hadith*) describes the rights of children to be treated with love and kindness by their parents and guardians. Meanwhile, the elderly deserve to be duly respected by youth on the basis of their adulthood, acquaintances, and sacrifices. This tradition also captures the high value and attention bestowed by Islam to children so that they will be protected, sheltered, and loved. It is because they are regarded as vulnerable groups with little or no defence against all sorts of cruelty and unkindness. It is important to highlight that one of the core responsibilities of the elderly towards children as enshrined in the Qur'an is to guide and teach them. It has been mentioned in several verses in the Qur'an that parents' responsibilities is to nurture their children and this includes providing proper education and advice to their children. Prophet Ibrahim (A.S.) was quoted to have advised his children to remain as a Muslim until the end of their lives:

“And this was the legacy that Abraham left to his sons, and so did Jacob; “Oh my sons! Allah has chosen the Faith for you; then die not except in the Faith of Islam” Qur'an (al-Baqarah), 2:132.

In addition, Islam has put a greater emphasis on children's rights to be cared accordingly since they are a gift and a monumental trust (*amanah*), as well as a trial from Allah (SWT) to all parents:

“And know you that your possessions and your progeny are but a trial; and that it is Allah with Whom lies your highest reward.” Qur'an (al-Anfal), 8:8.

Based on this verse, children can also be a test to all parents. However, this test is not to be regarded as a burden or a disadvantage to parents, but more importantly as a test in attaining the pleasure of Allah (SWT). Another tradition (*hadith*) of the Prophet Muhammad (PBUH) indirectly indicates that children are trust (*amanah*) of Allah for parents to instil them with the right belief and faith:

“Every child is born with a true faith of Islam but his parents convert him to Judaism, Christianity or Magainism” (Muslim, Sahih Muslim, ed.2006: 2658).

Since Allah (SWT) has mandated parents with the trust (*amanah*) to raise and educate their children, treating them well is a personal and religious imperative. Conversely, treating them badly and abusively is indeed a great sin. Apparently, this so-called parental abusive behaviour in some extreme cases may lead to physical injuries, including death. In this regard, Allah (SWT) in the Qur'an has warned of such vile act by saying:

“And do not kill your children for fear of want: We shall provide sustenance for them as well as for you. Verily the killing of them is a great sin.” Qur'an (al-Isra'), 17:31.

As the Qur'an clarifies this statement, it illustrates the consequence by narrating that some people in the pre-Islamic days used to kill their daughters for fear of want and poverty. It then adds a clear order prohibiting the killing of children for any such reasons (Sayyid Qutb, 2005). This attitude similarly equates to child abuse in modern context.

Besides that, the Prophet (PBUH) is the main figure as well as a role model for the whole mankind. His attitude towards children was always compassionate and merciful.

Narrated by Abu Qatadah: “The Messenger of Allah came towards us while carrying Umamah, the daughter of Abi Al-`As (Prophet’s granddaughter) over his shoulder. He prayed, and when he wanted to bow, he put her down, and when he stood up he lifted her up” (al-Bukhari, al-Jami` al-sahih, vol.1, ed. 1979: 516).

This example reflects the Prophet’s gentleness and mercy towards children.

Definition of child abuse from Islamic perspective

Defining child abuse with precision can be of significant complexity as there seems to be no universal meaning based on a broadly acceptable value. This is because form of neglect may not be considered as an abuse in one community, but it may be considered so in another society (Augustine as cited in Afridah, 2102)

In Malaysia, a child is defined as a person under the age of 18 years as stipulated in the Children Act, 2001. Child abuse is a serious violation or infringement of the rights of children to grow in a healthy and dignified condition without any means of posing a risk in their survival. For this matter, abuse can be categorised into physical, emotional, and sexual abuse and neglect. Neglect refers to the continuous and serious failure to provide basic psychological and emotional needs which is crucial for children’s development in terms of health, education, emotions, nutrition, shelter, and security. Neglect can expose children to all forms of harm, including those that can be threatening to their lives (National Child Protection Policy, 2016).

Meanwhile, child abuse from Islamic perspective is clearly discussed and mentioned in numerous occasions in the Qur’an as well as in the Sunnah. During the pre-Islamic era, the killing of female infants was a common practice among the Arab Jahiliyyah society. With the advent of Islam, this act was called out and condemned by virtue of the following verse:

“Kill not your children for fear of want: We shall provide sustenance for them as well as for you. Verily the killing of them is a great sin.” Qur’an (al-Isra’), 17:31.

In another verse, Allah (SWT) commands:

“Kill not your children on plea of want-We provide sustenance for you and for them.” Qur’an (al-An’am), 6:151.

Ibn Kathir (2000) interprets that Allah revealed these verses because the people during the pre-Islamic days used to kill their children, particularly female infants, as a consequence of obeying the lures of the devils. They used to bury their daughters alive for fear of shame, and sometimes kill their sons for fear of poverty.

Another tradition recorded is where ‘Abdullah bin Mas`ud asked Allah's Messenger (PBUH):

“Which is the biggest sin in the Sight of Allah?” He said, “That you set up a rival (in worship) to Allah though He alone created you.” I asked, “What is next?” He said, “Then, that you kill your son, being afraid that he may share your meals with you.” I asked, “What is next?” He said, “That you commit illegal sexual intercourse with the wife of your neighbour” (al-Bukhari, Sahih al-Bukhari, ed.2003: 4761)

Then, the following verse was revealed to confirm the statement of Allah's Messenger (PBUH):

“Those who invoke not with Allah, any other god, nor kill life as Allah has forbidden except for just cause, nor commit illegal sexual intercourse.” Qur'an (al-Furqan), 25:68.

Based on these three verses above, it can thus be deduced that this crime against children's lives is characterised as one of the greatest sins, and no one shall be condoned for committing it regardless of any reasons.

In another verse, Allah also warns those who inflict violence by way of abusing their children in the following verse:

“Who break the covenant of Allah after contracting it and sever that which Allah has ordered to be joined and cause corruption on earth. It is those who are the losers” Qur'an (al-Baqarah), 2:27.

Thus, with reference to the above mentioned verses, good Muslims reading will eventually realise that the act of abusing children violates the trust (*amanah*) of Allah and at the same time deprives children from having a normal life that they deserve.

The Holy Qur'an, since its early revelation in Makkah, vehemently condemns and forbids such horrendous crime:

“When the female (infant), buried alive, is questioned, for what crime she was killed” Qur'an (al-Takwir), 81:8-9.

Islam condemns this attitude and spurns all these practices. It forbids the murder of young girls and shows its abhorrent and horrifying nature. It is listed as one of the subjects of reckoning on the Day of Judgement. Here, the verse mentions it as one of the great events which overwhelms the universe in a total upheaval. It is signified that the murdered girl will be questioned about her murder. The verse also leaves readers to imagine how the murderer will be brought to account.(Sayyid Qutb, 2005) Thus, this verse clearly states that killing children, once practiced by the people of ignorance, is classified as a terrible sin and violates the trust of Allah. Therefore, any parental behaviour, which is abusive and potentially fatal in nature, is also condemned and forbidden.

To conclude, child abuse from Islamic perspective can be defined as: “violation of children's basic physical and emotional needs as well as development in terms of health,

education, religion, moral conduct, spiritual, emotions, nutrition, shelter, and security. It is also considered as a violation of Allah’s trust (*amanah*) where punishment will be due on the Day of Judgment.”

Child abuse phenomenon in Malaysia

The population of Malaysia in 2014 is estimated at 30,261.8 million people. Out of the figure, 10,561 million were children, representing 35% of the whole population (Social Welfare Department, 2014). With children constituting almost more than a quarter (two third) of the population in Malaysia, the number of children’s involvement in child abuse problem is expected to be big. Child abuse is not a new phenomenon in Malaysia, although public and professional awareness has only been awakened in recent years (Zaleha, 2000). There is no denying that the number of child abuse cases in Malaysia is skyrocketing. According to the Social Welfare Department (2009-2014), there were 2789 reported cases in 2009. This number increased to 3831 in 2012 and 4295 in 2014 respectively. That marks an increase of about 53.99 % in less than 6 years. From 2009 up to 2014, there were 21719 cases of abuse reported to relevant authorities. It has to be noted that the number represents only those cases that have been reported. There are substantially more cases that went unreported due to possible negligence and failure in detection (New Straits Times, 2012). Table 1 below illustrates the distribution of cases that occurred between 2009 up to 2014.

Table 1: Number of Reported Child Abuse Cases in Malaysia

Year	2009	2010	2011	2012	2013	2014	Total
Number of Cases Reported	2789	3257	3428	3831	4119	4295	21719

It is clear from Table 1 that an alarming increase of reported child abuse cases has been recorded from one year to another. This shows that the issue is more serious in recent years and is expected to continue to rise if preventive measures are not pursued. Recently, the country was shocked by the heartbreaking story of a disabled child, Muhammad Firdaus Dullah, who was found locked up by her mother in Nilai. Another case is the death of 6-year-old Muhammad Aqil Mustaqim Rushdy due to severe injuries and severe burns, allegedly beaten by his mother relentlessly. Based on these two cases, both of them had been abused by their mothers. Contrary to popular perception, most child abusers are not strangers to their victims. They could be their parents, other immediate family, more distant family, or foster parents. This is supported by the statistics issued by the Department of Social Welfare Malaysia (2009-2014), which clearly indicated that 24.9% of the abuses were done by the mother of the involved child. This is followed by abuses carried out by the father of the child with 19.6%, 7% of the abuses were by non-biological parents and 6.7% of the abuses were by siblings and relatives.

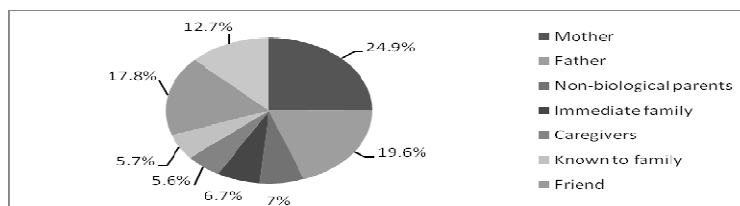


Figure 1: Profile of the Abusers

The characteristics of an abused child can be divided into two main categories: sex and ethnicity. The figures released by the Social Welfare Department of Malaysia between 2009 and 2014 indicate that out of the 21719 cases reported throughout the 6 years, 7439 were male and 14280 were female. Table 2 below shows the detailed distribution of child’s sex and ethnicity.

Table 2: Ethnicity and Sex of Abused Children

Year / Ethnic	2009		2010		2011		2012		2013		2014		Total
	L	P	L	P	L	P	L	P	L	P	L	P	
Malay	543	1436	689	1627	841	1529	845	1826	920	1930	1056	1930	15172
Chinese	129	221	105	195	127	218	121	232	158	227	155	213	2101
Indian	134	245	143	242	191	320	191	276	220	297	204	314	2777
Others	40	41	82	174	94	108	130	210	157	210	164	259	1669
Total	846	1943	1019	2238	1253	2175	1287	2544	1455	2664	1579	2716	21719

The data compiled above reveals that 65.8% of the abused children were female and 34.2% were male. Where races are concerned, 69.9% were Malay, 12.8% were Indian, 9.6% were Chinese and 7.7% belonged to other races. The number of cases described above shows that girls are twice more vulnerable to various types of child abuse in Malaysia. As to types of abuse inflicted upon the child, Table 3 below indicates that neglect which is the failure to provide for the child’s basic needs, is the most common form of child abuse in Malaysia, followed by physical abuse and sexual abuse. These three cases recorded the highest number compared to other forms of abuse, such as emotional abuse and abandonment.

Table 3: Types of Abuse in Malaysia

Types of Abuse	2009	2010	2011	2012	2013	2014	Total
Abandonment	156	115	114	112	175	126	798
Neglect	886	1250	1271	1460	1493	1759	8119
Physical	841	846	1062	1080	1134	1217	6180
Sexual	767	937	824	963	1093	984	5568
Emotional	44	44	65	75	56	59	343
Others	95	65	92	141	168	150	711
Total	2789	3257	3428	3831	4119	4295	21719

Consequently, it has also been shown that a great number of the abusers were those who work in the private sector, where 4414 cases were reported on them from 2009 to 2014. Coming next to private sector workers were housewives with 2718 cases reported, followed by those who were unknown, which means those with unidentified professions recorded 2482 cases reported. This may suggest that the degree of stress and pressure faced by them is naturally the main factor that contributes to their abusive nature.

Furthermore, the incidence of child abuse also shows a great amount of variation of the number of reported cases in the different states in Malaysia. The variation in the numbers is startling and revealing. A distinct trend is noticeable in examining the state-wise distribution of cases with more urbanized and industrialized states marking the highest number of cases. The statistics collected and compiled by the Department of Social Welfare shows that Selangor records the highest incidence of child abuse in Malaysia with 6596 cases from 2009 to 2014, followed by Kuala Lumpur with 4417 cases, and Perak with 1822 cases.

These figures confirm that since most of the socioeconomic activities are concentrated in these major cities leading to overcrowding in slums and high-rise flats, it is inevitable that child abuse and neglect will occur, given the prevalent social and environmental conditions.

Based on the above statistics, it can be concluded that the number of cases of child abuse displayed from 2009 to 2014 shows an increase in cases of child abuse. The most critical type of abuse is neglect against children under the age of one until 18. However, Selangor, Kuala Lumpur, and Perak showed a significant increase in the cases of child abuse due to the high density of major towns in these states. By ethnic group, Malays is the largest ethnic community associated with being the perpetrators and victims of child abuse, followed by India and China. Since in most cases parents are the abusers, it is important to highlight that among the main reasons identified to be the most contributing factor of child abuse in Malaysia is normally derived from the negative personality of the parents themselves, ranging from anger mismanagement, lack of religious awareness, and self-control (Noremy, 2012). Other external factors potentially contributing to the abuse include economic crisis of the parent and lack of positive interaction among family members (roketkini.com, 2015). The alarming rate of child abuse in Malaysia has become the concern of many researchers from sociology, psychology and legal perspective in proposing the best mechanism to overcome this problem based on their specialisation. The problem, nevertheless, remains unsolved and the number is still growing from year to year.

Solutions for Child Abuse from Islamic Perspective

As a complete way of life, Islam caters for all fields of human existence. In fact, Islam, through its Divine Revelation, provides guidance in all walks of life – individual and social, material and moral, economic and political, legal and cultural. Hence, Islam offers the solution right from the root of the problem which are the individual, family and society. Islam is a religion that envisages peaceful and harmonious life for the whole mankind, regardless their different ideologies, beliefs, origins, races and languages. For the realisation of this noble objective, Islam has put in place a comprehensive guideline for people to lead a peaceful life as a community.

Establishment of Individual awareness

In Malaysia, child abuse is usually caused by the personality of parents themselves who lack religious awareness and self-control, and majority of the cases happened in Malaysia are among Malay, where majority of them are Muslim. Mustafa al-Siba`i, as cited in Roudlotul (2012, p.92), also contends “A strong awareness of one’s responsibility towards his religion, as well as the Islamic ethical conduct will definitely reduce all types of harmful acts, to the extent as if the harmful acts never happened at all.

In order to achieve this, there is an urgent need for serious efforts by Muslims, especially by the scholars and preachers, to call for the instillation of *taqwa* (The Fear of God) among individuals as mentioned by Allah thousands of years ago:

“And for those who fear Allah, He (ever) prepares a way out” Qur’an (al-Talaq), 65:2.

From this verse, it clearly indicates that Allah will grant God-fearing people a way out of any tight situation in this present life and in the life to come (Sayyid Qutb, 2005).

Besides that, people will be able to purify their souls when *taqwa* has been inculcated inside them. A person who purifies his soul is likely to control himself against personal desires and lust. In the Qur'an, Allah (SWT) emphasises the purification and purity of the soul as follows:

“And the soul and Him who made it perfect, then He inspired it to understand what is right and wrong for it. He will indeed be successful who purifies it and he will indeed fail whoever pollutes and corrupts it” Qur'an (al-Shams), 91:7-9.

Therefore, an individual who possesses *taqwa* and purifies the soul would not let themselves succumb to child abuse, neither would they treat their children abusively, because they realise that they are fully observed by Allah (SWT) at all times. They will also be more patient and able to control themselves from doing something atrocious to their children.

Establishment of social awareness

When parents demonstrate complete awareness on religion, they will educate their children in following the way of Islam, and their family will not have problem among them. Hence, if all families have basic principles of Islam, it will establish a society with an Islamic environment. The ideal Islamic environment, as defined by the Qur'an and the Sunnah, presents a comprehensive overview of the way in which the Prophet (PBUH) and his Companions lived. It starts with Muslims' relationship with their God as the most important aspect of their lives, and provides for the other relationships with Allah (SWT). From there, Muslims should relate to every person in their lives, starting with themselves, their family, and moving on by stages to encompass every member of the community and society (Raudlotul, 2012).

Besides that, Prophet Muhammad (PBUH) also highlighted the importance of Islamic environment as sitting with the good companions, while comparing the corrupted society as sitting with the evil ones. Each of them has its influence on their companions:

“The example of a good pious companion and an evil one is that of a person carrying musk and another blowing a pair of bellows. The one who is carrying musk will either give you some perfume as a present, or you will buy some for him, or you will get a good smell from him, but the one who is blowing a pair of bellows will either burn your clothes or you will get a bad smell from him” (Al-`Asqalani, Fath al-Bari, vol.9, ed.2004:5534).

To continuously defend the right of children to be treated with love and compassion, the society must be sensitized with religious awareness, *taqwa*, integrity, and duties towards children. The responsibility of carrying out the enhancement and improvement of the society, by enjoining *al-Ma`aruf* and forbidding *al-Munkar* in all aspects of life, where child abuse are regarded as an essential part thereof, must be collaboratively done by the society's

members and the legal authorities as *Fard Kifayah* (Raudlotul, 2102). This group of people is described in the Qur'an as the successful people:

“Let there arise out of you a bond of people inviting to all that is good, enjoining what is right, and forbidding what is wrong: they are the ones to attain felicity” Qur'an (Ali-`Imran), 3:104.

To remain silent on child abuse, which is arguably increasing every year in Malaysia, may be regarded as an act of negligence on the part of authorities to the prevailing *munkar* in the society. In fact, preventing and curbing child abuse as part of enjoining *al-Ma`ruf* is not the purpose of protecting children alone, but equally as an act of protecting parents, by forbidding them from doing *al-Munkar* due to their abusive behaviour and unjust treatment, and therefore saving them from the painful punishment in the Hereafter.

Besides that, continuous campaign is also strongly recommended to create social awareness on the importance of protecting children from any form of abuses. It is because protecting children is not just to be a part of humanity but also an obligation imposed to every Muslims. The Prophet (PBUH) was reported to be concerned when he saw a young boy crying during eid al-fitr. Thus approached him and discovered his problem. The Prophet (PBUH) was also reported to have advised a father who treated his children harshly to educate himself by being kind and loving with orphans (al-Albani, *Sahih al-Jami`*, vol.1, ed.1988: 80).

Institutional reform

The idea of curbing child abuse from Islamic perspective is derived from the Islamic legal maxim that solves the prevailing issue of child abuse in Malaysia in eliminating all types of harmful actions towards other Muslims, not by using another form of harm. As such, in Islamic jurisprudential theoretical abstraction, Muslims recognise that, “harm must be eliminated but not by means of another harm” (*al-dararyuzalwalakin la bi al-darar*), “harm is not eliminated by another harm” (*al-darar layuzal bi al-darar*) and in very exceptional cases where the first two legal maxims are not sufficient enough to overcome the issue, “a greater harm may be eliminated by means of a lesser harm” (*yuzal al-darar al-ashadd bi al-darar al-akhaff*) (Roudlotul,2012). Since child abuse cases arise steadily in the society nowadays, the authority, especially the Islamic legislative body must intervene to establish regulations and controls that ensure a proper application of the law of Allah (SWT) in this matter. This intervention should be set up in order to achieve the interest of the *Ummah* and restrain evil acts, not to allow what is prohibited by Allah (SWT) due to their abusive and fatal behaviour towards children.

Although there are various statutory provisions relating to child protection in Malaysia, but it is still doubtful whether child protection laws can ever be able to completely solve the problem of child abuse. Besides that, call for stiffer punishment on parents found guilty of abusing and neglecting their children also will not be able to curb this problem, because if the society is not well-acquainted with the religion, *taqwa*, and duties towards children, they will repeat the same behaviour towards children in future. Despite all of these things, it is to be noted that there is a need to reform the existing Islamic legal provision,

whereby society is made aware of the religion, *taqwa*, and duties towards children. If the reform of Islamic legal provision on this issue had been done before the establishment of individuals and social awareness, this new provision will not be able to curb this problem such as what happens in Malaysia. Apart from reforming the statutory provision, it is suggested that institutional reform also has to get the department of Social Welfare under the Ministry of Women, Family and Community Development of Malaysia involved since they are the legal institution that handles child abuse cases in Malaysia. It can be done by conducting audits and reviewer from Islamic perspective in order to analyse the effectiveness and transparency of the department in their efforts to manage child abuse cases in Malaysia. So that the child abuse cases in Malaysia can be handled more affectively and in more appropriate way. A summary of the child abuse prevention from Islamic perspective is illustrated in figure 2.



Figure 2: Child Abuse Prevention from Islamic perspective

Conclusion

Child abuse nowadays is being highlighted as an undesirable phenomenon of modern-day stressful living with serious lifelong consequences, including lifelong physical and mental impairment, while the social and occupational outcome can ultimately slow a country's economic and social development that dynamically depends on children as the future generation. Child abuse is also a result of a very deep-rooted problem within a family. Therefore, unless the root of the problem is dealt with, there will always be constant reports of child abuse cases (Zaleha, 2000). This statement coincides with the teaching of Islam to resolve the problem of humanity from its grassroots, although it may seem that many Muslims tend to operate on the 'manual' established from the Western philosophy and principles. According to Kevin Browne (2004), the prevention of child abuse is traditionally classified into three levels which are primary, secondary, and tertiary. The 'primary' prevention involves the whole population, while 'secondary' prevention involves identifying the high-risk populations to offer intervention before the abuse occurs, and finally, 'tertiary' prevention or treatment is given after the abuse has occurred. In Malaysia, besides enforcement of the laws, the three-level preventive solutions proposed by Khadijah Alavi & Ann Wan Seng (2003) are also emulated from the Western principles which comprise primary, secondary and also tertiary level. The increasing number of cases of child abuse renders the proposed solutions ineffective. These preventive solutions can be more comprehensive and holistic if they are combined with the ideas that are endorsed by the Qur'an and the Sunnah. Conclusively; Islam has provided a set of comprehensive approaches in dealing with this phenomenon starting with individual, society, as well as institutional reform. In ensuring that the solutions reach their noble objectives, it is important that all Muslims are nurtured with the awareness on the needs of societal and institutional reform as mentioned above. It is impossible to arrive at the awareness unless there is early step taken to start the process. Without individual awareness, it is also impossible to create societal awareness and drive institutional reform.

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