



CHILD ABUSE IN MALAYSIA: AN ANALYTICAL
STUDY OF CONTRIBUTING FACTORS AND
SOLUTIONS FROM THE QUR'ANIC PERSPECTIVE

BY

HAZWANI BINTI HAMDZAH

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ABSTRACT

Children are an integral asset for future development of a nation. In lieu of this notion, almost all countries pay considerable attention to their development and well-being. In recent times, child abuse has become a worrying phenomenon that can no longer be ignored. This issue is constantly making headlines in national newspapers in Malaysia. The statistics issued by the Department of Social Welfare Malaysia indicate that the number of child abuse cases reported is increasing dramatically from 2008 until 2013. In 2008, 2300 children were reported to be abused, and the figure has increased to 44.1% in 2013 when 4119 children were reported to have been abused by either their own parents or guardians. In Islam, children are a monumental trust from Allah SWT, since Allah SWT has mandated parents the responsibility to raise and educate children. Treating them well is thus a personal and religious obligation. Conversely, child abuse is indeed a great sin. Hence, this research seeks to investigate an overview of child abuse in Malaysia and how Islam prohibits child abuse by exploring existing research works, articles, journals, theses and books from library and archive. Analysis of Qur'anic verses and interpretation related to the prohibition of child abuse, as well as the kind treatment of Prophet Muhammad SAW and his companions towards the children and the youth, is also carried out, which serves as evidence of child abuse prevention in modern times in Malaysia. The solutions proposed by this study are mainly divided into three stages: (i) the establishment of individual awareness, (ii) the establishment of social awareness and (iii) institutional reform.

ملخص البحث

يعتبر الأطفال عنصراً مهماً وفعالاً في تنمية الدولة، وبناء على هذا المفهوم، اهتمت جميع البلدان تقريباً بهذه الفئة اهتماماً كبيراً وعملت على تنميتها وحرصت على رفاحتها. غير أنه يلاحظ في الآونة الأخيرة، أن الإساءة للأطفال أصبحت ظاهرة مقلقة لم يعد من الممكن تجاهلها. وتتصدر هذه القضية باستمرار عناوين الصحف الوطنية في ماليزيا. وتشير الإحصاءات الصادرة عن إدارة الرعاية الاجتماعية في ماليزيا إلى أن عدد حالات الاعتداء على الأطفال المبلغ عنها تزايدت بشكل كبير من عام ٢٠٠٨ حتى عام ٢٠١٣. ففي عام ٢٠٠٨ أبلغ عن إساءة معاملة ٢٣٠٠ طفل، وارتفع الرقم في السنوات التالية ليصل إلى ٤٤,١% في عام ٢٠١٣، حيث تم الإبلاغ عن ٤١١٩ طفلاً أفيد بأنهم تعرضوا للاعتداء من طرف آباءهم أو الأوصياء عليهم. وقد أولى الإسلام الأطفال عناية كبيرة، فقد كلف الآباء مسؤولية تربية الأطفال وحسن تنشئتهم. وبالتالي، فإن تربيتهم بشكل جيد ضرورة شخصية ودينية. وعلى النقيض من ذلك، فإن سوء معاملتهم وايدائهم جريمة كبيرة. لذلك فإن هذا البحث يسعى إلى تسليط الضوء على قضية الاعتداء على الأطفال في ماليزيا، مع بيان منع الإسلام لإساءة معاملة الأطفال من خلال الاطلاع على الأبحاث والمقالات والمجلات والرسائل الجامعية، والكتب من المكتبة والأرشيف، وتحليل الآيات القرآنية والتفسيرات المتعلقة بمنع إساءة معاملة الأطفال، فضلاً عن المعاملة الكريمة للنبي صلى الله عليه وسلم وأصحابه للأطفال والشباب، والتي يمكن أن تعتبر أمثلة حية للوقاية من الاعتداء على الأطفال في العصر الحديث في ماليزيا. وتنقسم الحلول التي تقترحها الدراسة إلى ثلاث مراحل: ١- إنشاء الوعي الفردي، ٢- إنشاء الوعي الاجتماعي، ٣- الإصلاح المؤسسي.

APPROVAL PAGE

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.....
Raudlotul Firdaus bt. Fatah Yasin
Supervisor

.....
Radwan Jamal Yousef Hussein
Co-Supervisor

I certify that I have read this study and that in my opinion it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Master of Islamic Revealed Knowledge and Heritage (Qur'ān and Sunnah Studies).

.....
Sofiah Samsuddin
Examiner

This dissertation was submitted to the Department of Qur'ān and Sunnah and is accepted as a fulfilment of the requirement for the degree of Master of Islamic Revealed Knowledge and Heritage (Qur'ān and Sunnah Studies).

.....
Muhammad Adli Musa
Head, Department of Qur'ān and
Sunnah

This dissertation was submitted to the Kulliyah of Islamic Revealed Knowledge and Human Sciences and is accepted as a fulfilment of the requirement for the degree of Master of Islamic Revealed Knowledge and Heritage (Qur'ān and Sunnah Studies).

.....
Mohammad Abdul Quayum
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I hereby declare that this dissertation is the result of my own investigation, except where otherwise stated. I also declare that it has not been previously or concurrently submitted as a whole for any other degrees at IIUM or other institutions.

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This dissertation is dedicated to my beloved parents

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LIST OF ACRONYM & ABBREVIATIONS

ADK	National Drug Agency
CAPTA	Child Abuse Prevention and Treatment Act
ed.	editor/edited by
edn.	edition
et al.	(et alia): and others
etc.	(et cetera): and so forth pages that follow
Ibid	(Ibidem): in the same place
Id	(Idem): in the same below
JAKIM	Jabatan Kemajuan Islam Malaysia
n.d.	no date
n.p.	no place: no publisher
MWFCD	Ministry of Women, Family and Community Development
NPFDB	National Population and Family Development Board Malaysia
PKMNS	Pusat Kaunseling Majlis Agama Islam Negeri Sembilan
SWD	Social Welfare Department Malaysia
trans.	translator/translated by
vol.	volume/volumes

TRANSLITERATION

ء	’	خ	Kh	ش	Sh	غ	Gh	ن	N
ب	B	د	D	ص	ṣ	ف	F	ه	H
ت	T	ذ	Dh	ض	ḍ	ق	Q	و	W
ث	Th	ر	r	ط	ṭ	ك	K	ي	Y
ج	J	ز	z	ظ	ẓ	ل	L		
ح	ḥ	س	s	ع	‘	م	M		

Short Vowels	
◌َ	A
◌ِ	I
◌ُ	U

Long Vowels	
◌َ + ◌َ	ā
◌ِ + ◌ِ	ī
◌ُ + ◌ُ	ū

CHAPTER ONE

INTRODUCTION

1.1 INTRODUCTION

Child abuse occurs when a parent or guardian, whether through verbal or emotional actions or failing to act, causes injury, death, physical or emotional harm to children. These pose varying degrees of damage to the development and well-being of a child. Several forms of child abuse include maltreatment,¹ sexual abuse, exploitation and physical neglect.²

Child abuse has become a phenomenon in heterogeneous society that can no longer be ignored. Reports lodged on child abuse are rising dramatically all over the world, including Malaysia.³ Malaysia is a multiracial country which has a population of 30.07 million consisting of fifty point one percent (50.1%) Malays, twenty two point six percent (22.6%) Chinese, six point seven percent (6.7%) Indians, eleven point eight percent (11.8%) Indigenous and eight point eight percent (8.8%) is other ethnic groups.⁴

According to the statistics issued by the Department of Social Welfare Malaysia in 2008, two thousand and three hundred (2300) children had been reported to have been abused, and the number had increased to forty four point one percent

¹ See: Childhelp, "The Issue of Child Abuse", <<https://www.childhelp.org/child-abuse/>> (accessed 10th October 2015), Medlineplus, "Child Abuse", <<https://www.nlm.nih.gov/medlineplus/childabuse.html>> (accessed on 10 October 2015).

² Neglect occurs when parent fail to meet their child's essential needs, such as adequate food, clothing, warmth and medical care, leaving children who are too young to look after themselves alone is also an example of neglect. See: Zaleha Kamaruddin, "Child Abuse and Neglect, A Malaysian Perspective" in *Overcoming Child Abuse: A Window on a World Problem*, edited by Michael Freeman (United Kingdom: Dartmouth Publishing Company Limited, 2000), 262.

³ See: World Health Organization, "Child Maltreatment", <<http://www.who.int/mediacentre/factsheets/fs150/en/>> (accessed 22 October 2015)

⁴ See: Index Mundi, "Malaysia Demographics Profile 2014", <http://www.indexmundi.com/malaysia/demographics_profile.html> (accessed 30 November 2015)

(44.1%) in 2013, when four thousand one hundred and nineteen (4119) children had been reported to have been abused by either their own parents or guardian.

For cases involving death, Datuk Huzir Mohamed, the Chief Assistant Director of the Special Investigations Division Serious Crimes (D9) points out that a total of one hundred and two (102) children were murder victims from 2010 until 2013.⁵

It is also important to highlight that among the main reasons identified to be the most contributing factor of child abuse is normally derived from the negative personality of the parents themselves, ranging from anger mismanagement, lack of religious awareness, and self-control. Other external factors may also contribute to the abuse such as economic crisis of the parents and financial problem.⁶

Child abuse can have short-term and long-term effects, which can be physical, psychological, and behavioural. For the short-term effects, children may experience internal injuries, fractures, depression, difficulty with academic performance, low self-esteem, poor social skills, poor cognitive and language skills, distrust of others, aggressive behaviours, and inability to express feelings.⁷

The long-term consequences can be devastating, for example, brain damage, permanent blindness or deafness, mental and development delays or retardation, depression, alcohol and other drug abuse, and abusive behaviours.⁸ Besides, studies

⁵ See: Utusan Online, "Trend bunuh kanak-kanak serius" (Kill Children is a Serious Trend), 1 February, 2014, <http://ww1.utusan.com.my/utusan/Laporan_Khas/20140201/lk_01/Trend-bunuh-kanak-kana-k-serius> (accessed on 30 April 2015).

⁶ See: Noremy Md. Akhir, "Relation of Internal Factors that Contribute to Physical Child Abuse among Parents", *e-Bangi: Journal of Social Sciences and Humanities*, vol. 7, no. 1 (2012): 1-14.

⁷ See: Ferry Contry, "Impact of physical abuse on children", <http://www.ferry-county.com/Courts%20and%20Law/Sex%20Offender%20Info/Impact_of_Physical_Abuse_on_Children.pdf> (accessed on 26 October 2015).

⁸ See: Child Welfare Information Gateway, "Long-term Consequences of Child Abuse and Neglect" <<https://www.childhelp.org/child-abuse/>> (accessed 26 October 2015),

have shown that abused children are at greater risk for mental illness, homelessness, crime and unemployment.⁹

Experts agree that the causes of child abuse are complex, and it is possible to develop prevention initiatives that address known risk factors. In order to curb child abuse and reduce the likelihood of long-term consequences, the society must continue to develop and implement strategies that prevent this problem from happening.¹⁰

The Holy Qur'an and the Prophetic traditions (*aḥādīth*) contain guidance for all mankind in all aspects of life. Among the guiding principles underlying the Muslim life is that children are trust (*amānah*) of Allah for parents. It has been mentioned in several verses in the Qur'an that among parents' responsibilities besides nurturing their children include providing proper education and advice to their children. Prophet Ibrāhīm (a.s.) was quoted to have advised his children to remain as a Muslim until the end of their lives:

﴿وَوَصَّىٰ بِهَا إِبْرَاهِيمُ بَنِيهِ وَيَعْقُوبُ يَا بَنِيَّ إِنَّ اللَّهَ اصْطَفَىٰ لَكُمُ الدِّينَ فَلَا تَمُوتُنَّ إِلَّا وَأَنتُمْ مُسْلِمُونَ﴾

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 Islam¹¹.”

Since Allah SWT has mandated parents with the trust (*amānah*) to raise and educate their children, treating them well is a personal and religious obligation. Conversely, treating them badly and abusively is indeed a great sin. Apparently, this parental abusive behavior in some extreme cases, may lead to physical injuries,

⁹ See: Ferry Contry, “Impact of physical abuse on children”, <http://www.ferry-county.com/Courts%20and%20Law/Sex%20Offender%20Info/Impact_of_Physical_Abuse_on_Children.pdf> (accessed on 26 October 2015).

¹⁰ See: Child Welfare Information Gateway, “Long-Term Consequences of Child Abuse and Neglect”, <https://www.childwelfare.gov/pubpdfs/long_term_consequences.pdf> (accessed 26 October 2015)

¹¹ *Al-Baqarah*, 2: 132. This translation from ‘Abdullah Yūsuf ‘Alī, *The Holy Qur’an: Text and Translation*, (Kuala Lumpur: Islamic Book Trust, 2007). All Qur’anic verses in this research will be using this translation.

including death. In this regard, Allah SWT in the Qur'an has commanded such worse scenario by saying:

﴿وَلَا تَقْتُلُوا أَوْلَادَكُمْ خَشْيَةَ إِمْلَاقٍ نَحْنُ نَرْزُقُهُمْ وَإِيَّاكُمْ إِنَّ قَتْلَهُمْ كَانَ خِطْئًا كَبِيرًا﴾

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 sin¹².

As the Qur'an clarifies this statement, it follows a reference narrating that some people in 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 reasons¹³. This attitude similarly equates to child abuse in modern terminology.

The other guiding principles underlying the Muslim life include treating the youth with mercy and dealing with the elderly with respect. The Prophet SAW was quoted as saying:

«من لم يرحم صغيرنا ويعرف حق كبيرنا فليس منا»

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)¹⁴.

The above tradition (*ḥādīth*) 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 the youth with regard to their adulthood, acquaintance¹⁵, and sacrifices. This tradition also captures the high value and attention bestowed by Islam to the children so that they will be protected, sheltered, and loved. It is because they are regarded as vulnerable groups with little to no defence against all sorts of cruelty

¹² *Al-Isrā'*, 17: 31.

¹³ Sayyid Qutb, *Fī Zilāl al-Qur'an*, (United Kingdom: The Islamic Foundation, 2005), vol.11, 154-155.

¹⁴ Sulaimān bin al-Ash'ath, *Sunan Abū Dāwūd*, (Riyadh: Maktabah al-Ma'ārif, 1424h), Hadith 4943: 894. This translation from <<http://sunnah.com/>>, translated by Sahih International. All Hadith in this research will be using this translation.

¹⁵ 'Abd al-Ra'ūf al-Manāwī, *Al-Taysīr bi Sharāḥ al-Jāmi' al-ṣaghīr*, (Riyadh: Maktabah Imam Shafie, 1408h), vol.2, 858.

and unkindness. It is important to highlight that one of the core responsibilities of the elderly to the children as enshrined in the Qur'an is to guide and teach them.

By virtue of the Divine Revelation, which is all inclusive in solving the problems of humanity, the current research attempts to examine and explore how the Qur'an and the Sunnah provide the solutions in resolving child abuse problem. This will be done by analysing the Qur'anic verses and the interpretations related to prohibition of child abuse, as well as the kind treatment of Prophet Muhammad SAW and his companions towards the children and the youth. This will thus serve as the evidence and living examples of preventing child abuse in modern times in Malaysia. Despite the ongoing efforts undertaken by all communities in exploring the potential solutions to this problem, it is very much expected that the result of current research can be a reference not only for Muslims, but also for other races and religions.

1.2 STATEMENT OF THE PROBLEM

The alarming rate of child abuse in Malaysia has become the concern of researchers from sociological, psychological, and legal perspectives in proposing the best mechanism to overcome this problem based on their specialization. However, those studies limit their suggestions and solutions to deter the physical aspects alone, despite the reality that human beings, as explained in the Qur'an, is composed of both spiritual and emotional elements. Both play an important role to develop a successful Muslim individual. It is undeniable that those aspects are important, but they will not be sufficient enough on their own to be proposed as a comprehensive solution to the problem.

Besides, child abuse is also a global problem with serious life-long consequences, including impaired permanent physical and mental health, while the

social and occupational outcome can ultimately slow a country's economic and social development that dynamically depends on children as the future generation¹⁶. It is important to highlight that Islam considers preventing and curbing child abuse as a high priority as enshrined in the Qur'an. Recognising the fact that the Revelation is all inclusive in solving problems of humanity, further research from Qur'anic perspectives are needed to tackle this problem. Therefore, this research examine and explore how the Qur'an provides the solutions for child abuse by addressing the spiritual and emotional solutions sourced from the Qur'anic perspective.

1.3 SIGNIFICANCE OF THE STUDY

This study is significant due to the alarming rate of child abuse in Malaysia. Many researchers have been offering their solutions to curb child abuse from sociological, psychological, and legal perspectives. The problem, nevertheless, remains unsolved. Therefore, suggestions simply derived from human knowledge alone are insufficient to curb the issue of child abuse, especially because Malaysia is a multiracial country consisting of Malay as the majority population, followed by Chinese and Indians. The study is important to create awareness of the society concerning the main reasons that lead to child abuse, thus offering theoretical and practical solutions derived from the original source of knowledge, that is, the Divine Revelation. It is believed that the suggestions may be practiced not only by Muslims, but also by followers of other religions, in order to curb the problem of child abuse in Malaysia.

1.4 RESEARCH QUESTIONS

This research will attempt to answer the following questions:

¹⁶ See: World Health Organization, "Child Maltreatment", <<http://www.who.int/mediacentre/factsheets/fs150/en/>> (accessed 26 October 2015).

1. What is child abuse and how does it occur in Malaysia?
2. What are the factors that contribute to child abuse in Malaysia?
3. What are the best solutions to curb the child abuse from the Qur'anic perspective?

1.5 RESEARCH OBJECTIVES

This research aims at achieving the following objectives:

1. To define child abuse and its occurrences in Malaysia.
2. To study the main contributing factors of child abuse in Malaysia.
3. To explore the best solutions to curb child abuse from the Qur'anic perspective.

1.6 SCOPE OF THE RESEARCH

This research will limit its scope of study to child abuse in Malaysia only. It will examine the recorded cases of child abuse problems from 2012 to 2015 in order to determine the main causes of child abuse in Malaysia. It will also focus on the potential solutions in curbing the abuse from the Qur'anic perspectives. The study will focus on finding workable solutions by referring to the guidance of the Almighty through the Qur'an with references to both traditional and contemporary books of *tafsīr*. It will also include authentic *aḥādīth* as reported in the six books (*kutub al-sittah*) including Ṣaḥīḥ Bukhārī and Ṣaḥīḥ Muslim.

1.7 METHODS AND PROCEDURES

The current research will employ the qualitative research methodology focusing on the two methods as follows:

Inductive method: The proposed research will explore the existing research works, articles, journals, theses, and books from the library. This is to gain basic and fundamental reading materials on child abuse in Malaysia to assist in understanding the relationship within the family, including the children, which leads to the abuse. Another element is to discover as much as possible all the studies undertaken on child abuse to identify the main reasons of the problems in Malaysia. Inductive method will also be utilised to sort out the Qur’anic verses and ḥadīth narrations related to child abuse that enumerate the existing problems, followed by the solutions as emphasised in the classical and modern scholars’ commentaries (*Tafsīr Qur’an*) and (*Shurūḥ Al-Ḥadīth*), including Tafsīr al-Ṭabarī, Ibn Kathīr, Fī Zilāl al-Qur’an, Tafsīr al-Munīr, Faḥ al-Bārī, Sharḥ al-Nawawī and so forth, to help understand further the real meaning of the verses and ḥadīth.

Analytical method: An analytical method will be used to analyse the contributing factors of child abuse from the reported cases in Malaysia. It will be compared with the solutions recommended by previous studies, so as to propose new mechanisms in curbing child abuse in light of the Qur’an.

1.8 LITERATURE REVIEW

Materials on the prevention of child abuse in Malaysia from the Islamic perspective are very rare, although the subject of child abuse itself is diversely discussed in different perspectives. In other words, child abuse has been analysed by a huge number of researchers from different fields of expertise in humanities including

sociology, anthropology, psychology, civil law as well as Shari‘ah Law. Out of all kinds of research carried out, the most fundamental studies are in the field of Shari‘ah where the Qur’an and the Sunnah are the primary sources of the legislation.

The earliest research done on child abuse in Malaysia was undertaken by Leila Nathan and Woon Tai Hwang entitled “**Child Abuse in an Urban Centre in Malaysia**”.¹⁷ This study aims to determine the incidence and other factors associated with child abuse in an urban population in Malaysia. Nineteen cases of child abuse were diagnosed during a prospective two-year study with a service-oriented project conducted at the University Hospital in Kuala Lumpur. There was one death and two cases of permanent brain damage. Apart from parents who were the main abusers, the other abusers in these cases were baby carers and employers. They only discussed the factors that led to child abuse without giving the possible solutions to the studied problem. This research will discuss the factors that lead to child abuse from the Qur’anic perspective, and will also find solutions in curbing child abuse in order to increase the awareness of the society and deal with it accordingly as sanctioned by Islamic jurisprudence.

Sharipah Mariah Syed Hussin conducted a research entitled “**Penderaan Kanak-Kanak: Satu Tinjauan dari Perspektif Hukum dan Masyarakat di Malaysia (Child abuse: A Review from the Perspective of Law and Society in Malaysia)**”.¹⁸ This research was an attempt to investigate how serious the child abuse problem in Malaysia and also to identify the factors leading to this problem. The author explains that the factors causing children to be abused were supported with several sets of evidence from the Qur’an and the Sunnah but the explanation is too general and does

¹⁷ Leila Nathan and Woon Tai Hwang, “Child Abuse in an Urban Centre in Malaysia”, *Child Abuse and Neglect*, vol.5 (1981): 241-248.

¹⁸ Sharipah Mariah Syed Hussin, “Penderaan kanak-kanak: Satu Tinjauan dari Perspektif Hukum dan Masyarakat di Malaysia”, (Degree dissertation, University of Malaya, 1995).