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## **Voluntary Sex, Rape and Incest among Unmarried Pregnant Female Adolescents in Malaysia**

*(Seks Sukarela, Rogol dan Sumbang Mahram dalam kalangan Remaja Perempuan Hamil tanpa Nikah di Malaysia)*

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### **Abstract**

Unmarried pregnancy among adolescents is a concern for all. This problem is misunderstood and is often associated solely with free sex or voluntary sex outside of marriage. However, the prevalence of unmarried pregnancy among female adolescents also resulted from rape and incest. Understanding the causes of adolescent pregnancy is crucial because it will give a different perspective. In addition, the way how to tackle this problem and the effects on female adolescents involved are also different. Hence, this article attempts to discuss the issues of voluntary sex, rape, and incest among unmarried pregnant female adolescents in Malaysia. This article is also hopefully can enhance the understanding between voluntary sex, rape, and incest that contributes to unmarried pregnancies among female adolescents in Malaysia.

**Keywords:** *Voluntary sex, rape, incest, adolescents, unmarried pregnancy.*

### **Abstrak**

*Hamil tanpa nikah dalam kalangan remaja amat membimbangkan semua pihak. Permasalahan ini disalahertikan dan sering dikaitkan semata-mata dengan perlakuan seks secara rambang atau seks sukarela di luar pernikahan. Namun demikian, kejadian hamil tanpa nikah dalam kalangan remaja juga turut disebabkan oleh kes rogol dan sumbang mahram. Pemahaman mengenai punca kehamilan remaja amat penting kerana akan memberikan pandangan*

yang berbeza. Selain daripada itu, cara mengatasi masalah ini dan kesan yang dihadapi oleh para remaja yang terlibat juga berbeza. Oleh hal yang demikian, artikel ini akan cuba membincangkan isu mengenai seks sukarela, rogol dan sumbang mahram yang berlaku dalam kalangan remaja hamil tanpa nikah di Malaysia. Artikel ini juga diharapkan dapat meningkatkan pemahaman dan perbezaan antara seks sukarela, rogol dan sumbang mahram yang menyumbang kepada kehamilan tanpa nikah dalam kalangan remaja wanita di Malaysia.

**Kata kunci:** Seks sukarela, rogol, sumbang mahram, remaja, hamil tanpa nikah.

### Introduction

Generally, adolescent pregnancy occurs among young women under the age of 20. Adolescent pregnancy refers to a situation involving female adolescents or girls who have yet to attain adulthood and pregnant (United Nations Population Fund [UNFPA], 2015). According to the United States Department of Health and Human Services (2018), the pregnancy process occurs through sexual contact between men and women. A man ejaculates (semen comes out of the penis) into the vagina when a woman is experiencing the process of ovulation. Ovulation is a process where an egg is a release from the ovary to the fallopian tube. This situation can cause sperm to fertilize an egg in the womb of women known as fertilization proses (Masland, 2004; Su, Yi, Wei, Chang, & Cheng, 2017). The fertilized egg (zygote) will floats in the uterus and attaches to the lining of the uterus or called implantation when pregnancy officially begins. Then, the zygote goes through the process of becoming an embryo and developing into a fetus. Eventually, the duration of the pregnancy is 280 days (40 weeks or nine months, seven days) calculated from the first day of the last menstrual period (Manuaba, 2010; Jukic, Baird, Weinberg, McConnaughey, & Wilcox, 2013).

Based on childbirths around the world, it is estimated that 11 percent of the births are from female adolescents who pregnant. In 2014, data from the World Health Organization (WHO) showed that one out of five female adolescents had given birth to a child as early as 18 years old. Meanwhile, some 16 million female adolescents aged 15 to 19 and two million female adolescents under the age of 15 give birth every year. Moreover, the data records that average birth rates by female adolescents in low-income countries are five times higher than those of high-income countries, and the percentage of adolescents who give birth in middle-income countries is more than twice as high as compared with high-income countries. This situation proved that

almost 95 percent of adolescent mothers living in low-income and middle-income countries (WHO, 2014; UNFPA 2015).

In the Malaysian context, adolescent pregnancy rates have been recorded since the 1960s, and adolescent pregnancy rates were only 10 percent of the total births in 1964 (Mohd Azri Mohd Suan, Adibah Hanim Ismail & Haliza Ghazali, 2015). Nevertheless, the birth rates of adolescent mothers or young mothers have increased dramatically in recent years (Mohd Aziz Ngah, 2010). According to the National Population and Family Development Board (NPFDB) data, about 18,000 pregnant adolescent cases in Malaysia are reported annually from 2011 until June 2015. Of that total, about 25 percent or 4,500 cases are involving unmarried adolescents. Relatively, there are about 1,500 pregnant adolescent cases monthly and estimated to be 50 cases a day nationwide (Norizzah Baharudin, 2015; Kumar, 2015).

Conversely, the decline in the number of adolescent pregnancies occurred in 2014, with 16,528 cases. The reduction in the case may be due to a lack of sexual case reports as sexuality is taboo in the country (New Strait Times Online, 2017; Tan et al., 2012). Besides, Dr. Raj Abdul Karim, Women Deliver Asia Regional Director, mentioned that the figures only involve data from the MoH, which depend only on registered sources such as public clinics and government health organizations (Kumar, 2015). This situation clearly shows that the problem of adolescent pregnancy, especially unmarried pregnancy, needs to be concerned and monitored.

### **Unmarried Pregnant Female Adolescent**

Female adolescents who are pregnant at a young age are usually caused by premarital sex. It is estimated that more than 10 percent of female adolescents have not reached the age of 15 have been identified as pregnant during their sexual intercourse for the first time, and some admit it happens without their consent (WHO, 2014; Kirchengast, 2016). This situation leads to unmarried pregnant adolescents. Unmarried pregnant adolescents can be defined as pregnancy due to the opposite sex (men and women) who have sex outside of the lawful marriage (Khadijah Alavi et al., 2012; Psaki, 2015). The unmarried pregnant adolescent is also known as pregnant outside of marriage or pregnant out of wedlock. Commonly, sexual intercourse that causes unmarried pregnancy is regarded as an unwanted pregnancy as it occurs at an unexpected time (Santelli et al., 2003). On the other hand, unmarried pregnancy also can happen in some situations such as voluntary sex (free sex) (Fauwaz Hasbullah, 2016; Mohamad Faizal Mohammad & Mohd Zaki Ishak, 2014), rape (Zaizul Ab Rahman et al., 2018; Zainal Madon & Mohd Sharani Ahmad, 2004)

and incest (Salina Nen, Fauziah Ibrahim, Suzana Mohd Hoesni, & Zaizul Abdul Rahman, 2012; Retnaningrum, 2009). Hence, a clear description and understanding of voluntary sex, rape, or incest that may lead to unmarried pregnancy among female adolescents is vital for identifying the right way of treatments and approaches, helps avoid misunderstandings, stigmatization, and no victim-blaming.

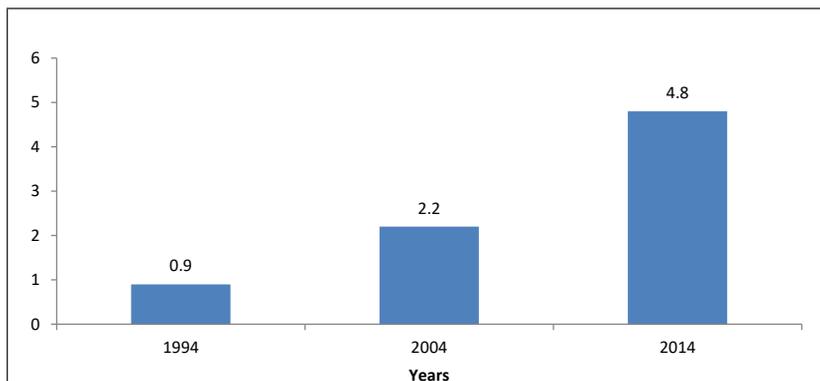
### **Voluntary Sex**

Sex is a simple word but has a comprehensive and subjective understanding. People have been told that sex is a bad thing unless it happens in a legal marriage between a man and a woman. Yet, some of us still involved in sexual activity outside of marriage. Regrettably, sexual activity among unmarried couples is alarming and widespread (Mohamad Faizal Mohammad & Mohd Zaki Ishak, 2014). This is supported by Yusuf and Sugiman (2011) that the percentage of sexual activities among unmarried adolescents in Malaysia was increasing a decade ago.

Several terms are used to define a sexual activity, such as voluntary sex, free sex, and fornication. Voluntary sex is a behavior-driven by strong sexual desire against the opposite sex or the same sex from behavior that does such as fondling, touching and kissing, holding the breast, oral sex, necking, petting and having sex (intercourse) which is outside of the marriage (Sarwono, 2011; Zhang et al., 2015). According to Desmita (2006), free sex is all about expressing and relinquishing a robust sexual drive that comes from the maturation of sex organs such as intimate relationships, kissing, and sexual intercourse. Though, the actions were not evaluated according to norms as adolescents had no sexual experience. In conclusion, voluntary sex is all behaviors that driven by sexual intolerance of different sexes or sex partners, performed outside marriage (no legal marriage), unacceptable, and contrary to the norms of sexual conduct in society.

The research by the Institute for Public Health in 2012 showed that one-tenth of adolescents in Malaysia have experienced engaging in risky sexual intercourse (Cheah, Lim, Kee, & Sumarni, 2016). The study conducted by Maryam, Hanina, Haslinda, Asnarulkhadi, & Amna (2014) revealed that 36 percent of the sexually active girls at age 17 and 20 percent had sexual intercourse with more than one partner. As mentioned by Nasrudin et al. (2012) and Mohamad Shatar (2003), a feeling of love (affection) is a major factor contributing to the acts of voluntary sex. Based on figure 1, the study conducted by the Fifth Population and Family Survey (MPFS-5) showed that only 0.9 percent of adolescents were involved in sexual activities outside of

marriages in 1994 and had risen to 4.8 percent in 2014 (Fauwaz Hasbullah, 2016). The study was conducted every ten years by the MPFS under the National Population and Family Development Board (NPFDB) and revealed no sign of decreasing for over 20 years.



Source. Fifth Population and Family Survey (MPFS-5), 2014 (Fauwaz, 2016).

Figure 1. Percentage of Adolescent Involvement in Sexual Activity Outside of Marriage, 1994-2014.

In addition, surveys conducted in 2012 by the Global School-Based Student Health Survey (GSHS) under the supervision of the MoH on adolescents aged 13-17 years also show that 50.4 percent of adolescents admit that they had the first intercourse as early as 14 years old (Fauwaz Hasbullah, 2016). This study supported by the Health Status of Youth Study in Malaysia (2010) collaborated with the MoH, and the NPFDB found that 6.5 percent of adolescents had sexual intercourse. Therefore, in 2010 until March 2013, there were 10,974 unmarried pregnancies reported, and it is estimated that more than 300 cases of unmarried pregnancies occur each month, equivalent to 12 cases a day (New Strait Times Online, 2015).

Unfortunately, some adolescents are no longer worried about the effects that they will face in the future when engaging with voluntary sex or free sex. Some of them are addicted to sex, having sex with more than one person, and do not use any prevention tools such as condoms or contraception pills. So, when they practicing that kind of sexual activity at a very young age are positive will lead to problems such as poverty, sexually transmitted diseases, drug use, and repeated pregnancy (Paranjothy et al., 2009; Wiemann et al., 2005). The situation will become more complicated and raise the conflict when the couple is unmarried, and the female adolescent is pregnant. Additionally, this

condition will create another major problem such as increase the rate of births out of wedlock, dumping babies and unsafe abortions (Sedgh et al., 2015; Nor Jana Saim, Dufâker, & Ghazinour, 2014; Nor Jana Saim, Dufâker, Eriksson, & Ghazinour, 2013; WHO, 2011). Thus, the government has spent millions of ringgit for rehabilitation and awareness programs by providing shelters, baby hatch center for them to leave their illegitimate children (to decrease the baby dumping cases), and so on to help and prevent them from repeated pregnancy.

### **Rape**

Rape is a crime involving a man who has sex with a woman without consent or against the woman's will. As defined by Akinwole and Omoera (2013), the rape word is taken from the Latin word 'rapere,' which means to seize, to carry off by force, to abduct. The act is considered a crime because of the virginity of women are forcibly taken by criminals who are usually a man. Rape is a sexual crime or non-sexual sexual violence. The rapist uses violence to control and threaten the victim. Rape is an expression of violence, anger, and power, which means to control, hurt, and shame the victim (Basant Singh, 2012). In Criminal Law, legally, rape is inserting (when a man forces) penis into the vagina, and that girl or woman does not want the suspect to do so or against her will. Moreover, if an adolescent or child under 16 years, having sex with their consent or without their consent will be considered as rape (statutory rape) and against the law (Penal Code, 2015; Basant Singh, 2012).

In Malaysia, rape is classified as a violent crime under the category of crime index (Sukumaran, 2013). Violent crimes are regarded as the most inhuman crimes that continue to endanger the community, the victim involved, and are acts of violence that cause harm (may cause injury or loss of life) to a person (Zubairu Abu Bakar Ghani, 2017). Because of that, rape is seen as something that is very disgusting, incomprehensible, and is a crime to be feared. A total 29,698 rape cases have been recorded by the Royal Malaysian Police (RMP) (2016b) between 2006 and 2015. According to statistics, there has been a substantial increase in rape cases reported from 2006 to 2009. More perturbing, RMP had received statutory rape cases approximately for six to seven cases every day from 2013 to 2015.

Paradoxically, the possibility of some sexually abusive crimes is not reported, making the rate of actual cases more worrying than reported. Usually, rapes are performed by strangers but can occur by people they know. Most women recognize their rapists and possibly their neighbors, friends, boyfriends, family members, or those who have a relationship with the victim (Osman, 2014). Besides, this situation is alarming as statistics released by

the Sexual, Women and Children Investigation Division (D11), Criminal Investigation Department (CID), Bukit Aman stated that groups under the age of 16 are known to be sexually active at the young age. In truth, the largest category of victims is in the 13 to 15 age group in the last three years (2013-2015). The statistics showed that colleagues and boyfriends are known as the main suspect of rape (Utusan Online, 2016a; Utusan Online, 2016b). Besides, rape cases occur at any age of women, adolescents, adults, children, and older women from different backgrounds. Rape can also occur regardless of time (during the day or night) and isolated places or unexpected places such as at home, school, or work.

Previous studies have shown that raped victims experience severe and complicated feelings and thoughts (Nik Rahim Bik Wajis, 2014; Osman, 2014). They are always depressed, worried, losing the libido, and felt outside of the community (Felson & Palmore, 2018; Wilson, Miller, Leheney, Ballman, & Scarpa, 2017). Many rape victims who are run away from home have been involved in prostitution to support their living. Some of them begin to be alcoholics, drug addiction, and suicide due to severe depression. According to Nik Rahim Bik Wajis (2014), women who have strong religious beliefs are more influenced by rape because they feel that they have lost their dignity and pride. However, he mentioned that these feelings might not be handled by those who practice free sex or have sex outside marriage. Besides that, it is estimated that up to 5 percent of pregnant women resulted from rape. Most of them will have a negative impression, such as victim-blaming attitudes, mental health, and unsafe abortion, leading to death (Perry, Murphy, Haider, & Harwood, 2015). Therefore, the raped victim (female adolescent) needs strong social support, especially from their close family members. This is to empower female adolescents to come forward and make a police report; they also need to know how to seek help from the government or Non-Governmental Organizations (NGOs) to avoid getting pregnant resulted from rape.

### **Incest**

Incest is an act or behavior (sexual activity) between two people, marriage is prohibited and extremely violates the ethics and social norms (Nor Shafrin & Rohany, 2010; Júnior, 2017). Incest has a high potential that can cause genetic to be weak (both physically and mentally) even fatal (Fizwani, Suhana, Mohammed Sharif & Sulaiman Shakib, 2008). The act of incest has also been identified as a kind of sexual abuse (Krienert & Walsh, 2011; Lawson, 2018), which is very dangerous to the victim in every aspect of physical, mental, and social.

According to Steiner (2013) and Read (2014), incest can include close blood relationships such as sexual relations between a man and his granddaughter, daughter, sister or mother and between a girl aged of 16 and above with her grandfather, father, brother or son with the consent and willingness of both parties. Furthermore, this sexual intercourse may also occur between a person and their adoptive or foster parent, sibling or half-sibling, uncle, aunt, nephew, or niece (Krienert & Walsh, 2011; Azizah Othman & Azelin Aziz, 2004). The practices of incest include oral sex (oral sex), anal sex (s), sexual intercourse between adults and children, masturbation by exposing sex (exhibitionism) and using children for pornography (pedophilia or abusive pedophile) (Salina Nen et al., 2012).

The data collected from RMP (2016a) showed that between 2006 and 2015, a total of 3,272 incest cases were reported in Malaysia. However, some victims do not report because they are young and helpless (Poleetta et al., 2013), do not know the right actions to take, and fear they are likely to be hurt or killed. This situation is due to the fact that most victims are under the age of 18. Surprisingly, the most significant number of reports is from the 13-15 years old category (see Table 1) (Parliament, 2016a). In addition, incest involves the family members and contributes almost half of the suspects, most commonly the father (biological father, stepfather or adopted father) (see Table 2) (Parliament, 2016b; Stroebel et al., 2013).

Table 1

Age Distribution of Incest Victims (2013-2015)

Age	2013	2014	2015
Below 12 years old	65	70	60
13-15 years old	96	125	103
16-18 years old	49	51	47
Above 18 years old	39	58	41
Total	249	304	251

Source: Parliament [Question: 60, Reference: 6504 (2014); Question: 445, Reference: 8748 (2016)]

An innocent child or adolescent will have a high psychological effect due to the growing hatred of his heart, and the respect for the man will be lost. Society must not blame incest victims and need to have deep knowledge about incest and the consequences because this is a very serious matter (Nor Shafrin & Rohany, 2010). At the same time, society as a whole must give them solid social support in the long term because they will face problems in

their psychosocial development. These include inferiority and depression and will involve unhealthy social life as drug addiction and others (Retnaningrum, 2009; Júnior, 2017). More perturbing and the most intimidating effect is when incest victims are girl and pregnant. They will face shame when dealing with family members and the community as a result of unwanted pregnancies. If not, some will decide to dump the baby, but those who care for the baby will have problems with family status (Lawson, 2018; Fizwani Sarkawi et al., 2008). In line with this, neighbors must play essential roles to notice about anything weird and wrong; then, take action to contact the authorities to help incest victims because the victim is likely unable to escape independently. Additionally, as members of our family, we should always be careful and take precautionary measures; do some research by understanding the profile of incest perpetrators deeply to prevent this immoral incident from happening to your own family.

Table 2

## Relationship between Victim and Suspect (2014-2015)

Relationship with Suspect	2014	2015
Father/ Step-/ Adopted Father	164	137
Uncle	54	45
Brother/ Step-Brother	55	39
Brothers In-law	15	29
Grandfather/Grand-uncle/Step-Grandfather	13	8
Cousins/Relatives	13	9
Father/Son In-law	3	1
Child	1	1
Total	318	269

Source: Parliament [Question: 445, Reference: 8748 (2016)]

### Conclusion

Unmarried pregnancy among adolescents has become a serious problem for the country. However, unmarried pregnancy among adolescents not only results from voluntary sex but also due to rape or incest. The community and their own family have caused the adolescents involved to be treated inappropriately because of blaming-attitude, stigma, and discrimination. All parties, especially the family members and community, should first identify the causes of adolescents getting pregnant before blaming the victims. They also should be able to look into these problems with new perspectives. This will help change the

negative perception of the “unmarried pregnancy.” Moreover, getting pregnant resulted from voluntary sex, rape, or incest that requires different approaches or treatments, including the emotional, physical, and health of adolescents. It is hoped that this article will be useful for researchers to understand and differentiate the causes of unmarried pregnancy among adolescents resulted from voluntary sex, rape, or incest. Other than that, this article may provide enough information related to voluntary sex, rape, and incest among unmarried pregnant adolescents for future studies in a way to help adolescents involved with appropriate approaches.

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