



**UTM**  
UNIVERSITI TEKNOLOGI MALAYSIA

SESSION 19/20

SEMESTER 2

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**UHMT 1012**

<b>NAME:</b> NUR ALEEYA SYAKILA BINTI MUHAMAD SUBIAN	<b>SECTION: 27</b> <b>MATRIC NO: A19EC0127</b>
<b>PROPOSED TOPIC ON CURRENT ISSUE</b>	<b>CHILD MARRIAGE IN MALAYSIA</b>

# CHILD MARRIAGE IN MALAYSIA

There are three distinct kinds of legitimate frameworks that administer marriage in Malaysia. Right off the bat, is affable law which is the nation's essential mainstream law framework. Furthermore, is Syariah law which oversees Muslims. Thirdly is Native law which is an assorted arrangement of customs that administers the nation's indigenous people groups. In Sabah and Sarawak, these traditions have been systematized into composed laws which are upheld by local courts. Under common law, the Law Reform Marriage and Divorce Act 1976 says that the legitimate least age for marriage in Malaysia is 18 with parental assent. You find a good pace your folks' favouring just when you hit 21 (Dingun, 2019). For females who are beneath 18 however over 16 you can wed yet just with included authorization from the Chief Minister of the state. Muslim relationships are administered by Syariah laws. Which determine the base age as 18 for guys and 16 for females. However, those more youthful than that can get hitched, if they get authorization from the Syariah courts. There is no base age for this as long as the Syariah court endorses. Child marriage has started long time ago in Malaysia. Report shows in 2000, 6,800 girls and 4,600 boys that are aged below 15 are affected with child marriage (GNB, 2019). In 2017, this issue has become a controversy when MP Shabudin Yahaya, a member of the Barisan Nasional coalition said that girls are physically and mentally ready for a marriage from the starting age of 9. He also mentioned that the issue of rapist marrying the rape victim is not a big deal (GNB, 2019).

In the matter of kid relationships, anyway there is considerably less assorted variety of sentiment. An ongoing survey by UNICEF (United Nations Children's Fund) says that 70% of Malaysians disagree with child marriage. The survey had 1240 respondents across 11 states running from children to grown-ups. Furthermore, reports and studies all around have demonstrated youngster union with be hurtful. Studies show that young ladies who wed before 15 have a higher danger of biting the dust during labor (BARR, 2016). The infants of adolescent marriage are 60% bound to kick the bucket inside the primary year. Child brides have additionally been appeared to confront higher danger of aggressive behaviour at home and sexual savagery. Youngster marriage and adolescent pregnancy frequently imply that young ladies never again go to class. What's more, the young ladies endure intellectually and truly in the marriage. Numerous young ladies experience the ill effects of despondency and post-horrendous pressure. Eventually, as kid ladies are tossed into residential obligation, overseeing

parenthood and rashly captivating in sexual relations it spells a conclusion to instruction, adolescence and major financial chances. But then, a year 2000 statistics appears more than 10,000 kids between 10 to 14 recorded as wedded.

In the Malaysian context, the neediness rate has diminished throughout the decades. Proficiency rates keep on being high, however child marriage rates have held consistent. There's a great deal of reasons why kid relationships are as yet going on in Malaysia. What makes it hard to end child marriage is on the grounds that the voices of the individuals who are influenced by youngster marriage are hard to hear because of their powerlessness in the public eye. In this manner, the avoidance of kid marriage has not been a subject of open and political discussion. The most compelling motivation why child marriage is still happening today is on the grounds that **it could 'help' the rapist from not being indicted under the crime of raping**. Raping is a crime, but marital rape is known as not illegal in Malaysia. This is demonstrated when a man who has been blamed raping a 14 years of age young lady in Sarawak has been excused charges by the court after they've been informed that the rapist and the victim had married (GOOCH, 2016). Proceeding onward to the following explanation, specialists found that youngster relationships are frequently observed as an answer for stay away from the "disgrace" that accompanies pre-marriage sex and pregnancies without any father present when a young lady was assaulted by the attacker and got pregnant, so **as to spare the family's name**, the guardians offered their little girl rather with the attacker. (Syahirah, 2014). Interview with Syariah judges in this study show that they usually approve child marriages in cases of teen pregnancies and premarital sex. Moreover, the **young ladies were relied upon to be more obedient and steadfast**, to concede to their folks for dynamic and to oblige their future parents in law in a similar way. All choices in regard to their marriage were endowed to the family and the family's (not the women's) feelings were what made a difference most. Their folks choosing about their marriage, regularly without their consent, the broad requests put on them by their parents in-law and the inescapable cultural desires for them to be submissive in all circles of life. A considerable lot of the challenges young ladies experience are identified with cultural convictions and desires that make them progressively defenceless against conceptive sick well-being. Youthful female members outlined the subservient job of ladies in the public arena by alluding to TV serials. A young lady alluded to a sequential that demonstrated how all dynamic lay in the hands of the spouse and afterward inferred that the lady had no influence over her life. This point of view was resounded by different members, who voiced the significance of complying with their future spouses to stay away from the results of separation and being left

for another wife. They comprehended the delicacy of marriage and the simplicity of remarriage for a man in the public eye.

Early this month, Malaysia indeed made it into global news. In a shocking, wound romantic tale, a self-declared imam took the 11 years age girl of a devastated worker to be his third spouse. This is likewise an account of human rights infringement. Che Abdul Karim, the 41 years of age groom revealed that he knows that his significant other, Ayu is at schooling age, yet doesn't go to any school. On the off chance that he genuinely needed to help, wouldn't it be a good idea for him to organize getting Ayu an education instead of marrying the kid? Without education, Ayu will keep on remaining helpless. Uneducated, she couldn't sensibly leave the marriage when she thinks twice about it further down the road. He is obviously exploiting her innocence and youthful age and her family's critical monetary conditions. The last situation fittingly intelligent of UNICEF's report that kid marriage is additionally a technique for financial endurance as families offer their little girls at an early age to lessen their monetary weight during times of emergency. At the point when uncovered and censured by the world, Che Abdul Karim endeavoured to hole up behind his religion. He purportedly asserted that his marriage despite the fact that illegal, is passable in his confidence. However, Perlis mufti Dato' Dr Mohd Asri Zainul Abidin uncovers that Islam has never upheld constraining young ladies and ladies into marriage and a young lady's assent must be found in the correct context. He called attention to that an underage young lady who doesn't comprehend the truth of what she is consenting to can't be considered as offering assent.

Things being what they are, what we as a typical person, do to stop child marriage among society? Initially, if we want to make a difference, we should **increase communities' awareness of children's rights**. The youngster's mindfulness towards their privileges is relying upon the introduction that they got from the grown-up. It is the duty of the grown-up to instruct the kids with respect to their privileges. The mindfulness towards the youngster's right is significant for the kids for them to know the things that they have the right to get as kids. These rights can be found in its training at home, school and by large the general public. This exploratory examination was intended to discover the degree to which the grade younger students knew about their privileges and practice the option to partake. In addition, we can bolster children to get education. Each kid deserves the chance to learn. The kids of today are equipping to become grown-up residents of tomorrow. Very regularly young ladies pass up the chance to learn. Together, we're changing sex standards and enabling young ladies to grow up solid, educated and safe. Moreover, all families ought to be educated about sexual and

regenerative well-being. 12<sup>th</sup> February is a Sexual and Reproductive Health Awareness Day. The day's motivation is to bring issues to light about sexual and contraceptive medical problems, above all else. A significant machine gear-piece right now is to educate individuals on the spread of explicitly transmitted contaminations and sicknesses. Developing countries, where the spread of such contaminations is especially wild, need extraordinary consideration.

## References

- BARR, H. (2016, APRIL 29). *Time to Ban Child Marriage in Malaysia*. Retrieved from HUMAN RIGHTS WATCH: <https://www.hrw.org/news/2016/04/29/time-ban-child-marriage-malaysia>
- BARR, H. (2017, JANUARY 26). *Marrying Your Rapist in Malaysia*. Retrieved from HUMAN RIGHTS WATCH: <https://www.hrw.org/news/2017/01/26/marrying-your-rapist-malaysia>
- Dingun, A. (2019). *Child Marriage*. Retrieved from studocu: <https://www.studocu.com/my/document/universiti-teknologi-mara/law/essays/child-marriage/6446849/view>
- GNB. (2019, FEBRUARY 18). *CHILD MARRIAGE MALAYSIA*. Retrieved from GIRLS NOT BRIDES: <https://www.girlsnotbrides.org/child-marriage/malaysia/>
- GOOCH, L. (2016, AUGUST 13). *Malaysia's child brides*. Retrieved from ALJAZEERA: <https://www.aljazeera.com/indepth/features/2016/08/malaysia-child-brides-160810123204474.html>
- Syahirah, S. (2014, Augusr). *UNVEILING THE REALITY OF CHILD MARRIAGE IN MALAYSIA: ITS FACTORS AND IMPACTS*. Retrieved from ResearchGate: [https://www.researchgate.net/publication/274007709\\_UNVEILING\\_THE\\_REALITY\\_OF\\_CHILD\\_MARRIAGE\\_IN\\_MALAYSIA\\_ITS\\_FACTORS\\_AND\\_IMPACTS](https://www.researchgate.net/publication/274007709_UNVEILING_THE_REALITY_OF_CHILD_MARRIAGE_IN_MALAYSIA_ITS_FACTORS_AND_IMPACTS)