

## **Internal Factors that Lead to Crime Rape according to Islamic Scholars in Malaysia**

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### **Abstract**

*Crime rape in Malaysia has been numerously reported lately. People are now losing their justification, unable to differentiate between right and wrong, as they are shrouded with lust to fulfil their needs. Crime rape rate dated back in 1980 was 138 cases until in 2009 the figure hike up so badly, 3186, and it really surprises Malaysians as we are an Islamic oriented country. The authorities such as the criminal justice affair like the police, justice courts, and prisons management. Thoughtful community and leaders are also welcomed to lend a hand in overcoming this issue. In this paperwork, we will be exploring the factors that prompted crime rape according to Islamic scholars thoroughly; internal as well as external factors. Internal factors could be defined as the main influence of behavioural pattern such in the theory of Fitr, weak faith to Allah S.W.T and strong temptation from Satan. Therefore, this paper will reveal the facts that lie within the internal factor that causes crime rape in our society.*

**Keywords:** Rape, Malaysia, Islam, Crime

### **Introduction**

There are several factors that cause crime rape thus this paper will be studying the relationship between the crime rape cases and increasing figure of the cases till today. Crime rape or zina and such cases have been taking the limelight of news industry whether it is television or newspapers. According to Dr.ZulkifliMohamadAlbakri; a fellow at The Management and Universal Fatwa Research Institute (INFAD) of Islamic Science University Malaysia, satan are weak compared to temptations which has greater influence upon human beings. Allah has a higher level of karamah and nobility whilst satan are not and Muslims' nature as servitude, down to earth, and persistence which make satan not to bother about (Ridhuan Tee Abdullah, 2004). Therefore, it is commonly a declaration of war against temptation which is Mujahadah al-Nafs than satan which is Mujahadah al-Syaitan. Our beloved Prophet Muhammad P.B.U.H decreed that in the hadith literature (Muḥammad bin al-Ḥasan, 1992), we find such sayings of the Prophet as:*The greatest fear I have on thou are astray lust, thou stomach, thou genitals, and other deceivers of temptations.*Sahl bin Sa'ad al-Said'de narrated, Prophet Muhammad P.B.U.H decreed that in the hadith literature (Aḥmad, 1990)

*Those of thou who could guarantee what is between thou legs and lips, I shall grant thou haven.*

Thus, in this paper we will explain further what are the main factors that prompt such crime rape in Malaysia orderly according to the Quran, hadith and Islamic scholars' opinions which are divided into two parts; external and internal factors. The external factors are divided further into four parts; Fitr of humans being delivered to the world, weakness of faith towards Allah S.W.T, strength of family institution and mentality, nerves and hormonal imbalance. Natural tendency of humans are broken into two more parts which is the tendency of human being good or bad. Later on, the researchers will try to solve bit by bit about internal factors which is the vital contributor of crime rape.

### **Factors from Islamic Perspective**

In Islam, natural tendency might have some similarity with Fitr. According to KamusDewan, the word Fitr could be defined as a nature or tendency and the religious feeling (KamusDewan, 1996). Etymologically, the word Fitr comes from an Arabic word which is fitrah which means origin, tendency after birth, self-esteem, and human instinct (Kamus al-Munjid fi al-Lughah al-Arabiyyah al-Muasirah, 2000). In Quran, the word is frequently repeated with mushtarak pronouncement which has varied connotations such as Fatir, and Fitr which means 'creator' or 'to create' that Allah S.W.T said:

*[All] praise is [due] to Allah, Creator of the heavens and the earth, [who] made the angels messengers having wings, two or three or four. He increases in creation what He wills. Indeed, Allah is over all things competent (Al-Quran 35:1)*

Then the word futur means 'worn out or broken' which Allah has said: *[And] who created seven heavens in layers. You do not see in the creation of the Most Merciful any inconsistency. So return [your] vision [to the sky]; do you see any breaks?(Al-Quran 67:3)*

And the word Munfatir means 'something split' *Then the sky would be torn apart on that day as Allah has promised and HIS promises surely be granted(Al-Quran 73:1)*

Moreover, stated in other verses where the soul is being sent to a foetus, the soul has been asked to witness Allah as the god and thus the soul agreed. Humans are then created with a specific tendency of its own.

In Islam, Fitr is a natural phenomenon created by Allah S.W.T to each and every human created on earth while still in the womb of their moms. Simply, Fitr is a natural characteristic which take form of tendency and motivation in every human being born to this world.

*And inspired it [with discernment of] its wickedness and its righteousness (Al-Quran 91:8)*

IbnAsyur (1393H/1973M) said that what is being meant by the term al-hamaha above means Allah S.W.T has gifted a person to have deep understanding of knowledge as akhroma that started with instinct tendency towards beneficial matters, avoiding dangers, and others, until it reaches early stage of being able to gain knowledge levelled as akliyyah. Meanwhile, SayyidQutb (1906M – 1966M) said that the verse above is explaining about Islamic perspective towards human in every aspect. Humans are dual dimensional in its habit, potential and tendency. This is due to its creation from dirt and soul bellowed by his Almighty, where it makes them have the same potential in good and bad, guidance and deviation. Humans are able to distinguish between good and bad also to direct his or herself towards goodness or badness at the same rate (Jalaluddin Rahmat, 2003).

However, the nature could be influenced through nurture, education level, and lifelong experiences. H.M Arifin (1994) has stated a few Quranic verses and Hadiths with its interpretation from Islamic scholars which direct to a tendency based understanding of nativism, convergensis, and empiricism.

According to Arifin (1994), Fitr is a based tendency potential which is already in human to be developed. Then it will be entirely developed which will prompt other personality aspects and influence each other towards a specific direction. Furthermore, the Fitr aspects comprises of basic components such as talent, instinct, lust, character, and intuition which is dynamic and respond towards stimuli from the surrounding including educational influences.

As the surrounding influences present in new born growth development, it is exact to what in the hadith literature (MuhammadNāṣiruddīn1991), the Prophet Muhammad P.B.U.H said:

*Every new born has their own Fitr. The parents (environment) are the one that makes them Jewish, Christians or Majusi.*

Based on Islamic perspective, the relationship between Fitr with the surrounding that influence human growth is not neutral, as said in accordance to empiricism which consider new born are pure of good and bad tendency.

In Islam, humans are born with a Fitr tendency that is active and dynamic with the surrounding of human growth development. (Al-Hafeez Ibn Hajar Abu al-Fadl Shibab al-Den al-Asqalane, 1378H/1959M).

### **Weakness of Faith towards Allah S.W.T**

Crime rape is happening everywhere and resulting at an alarming state nowadays due to weak faith of a person. According to Ibn Qayyem (691/1292-751/1350), an individual that has been astray with lust is actually having a really weak faith in Allah S.W.T. Indeed when the faith is losing thus the sincerity towards Allah S.W.T. decreases and started to do despicable things that Allah has forbid also become the slave of lust. Faith is the most precious thing in everybody life; pure, and clean from any deviation and badness. It also can be portrayed as white clean sheet of cloth that could turn dirty easily even though a tiny spot (Zaizul, et al. 2017).

Ibn Abbas creed (Muhammad 1407) Prophet Muhammad P.B.U.H said: *We lose the light of faith in the heart of adulterers or zina.*

Corrupted heart, soul and manners have made the males forgot Allah S.W.T with the rules. Every religion forbids rape activity to their followers but due to lose of faith have made them lose control and commit crime rape. When a person still has their faith towards God every bit of their activities has borders due to fear of Allah S.W.T. This is supported by Kamal Affandi from Malaysia Crime Prevention Foundation by stating that an individual's understanding of their own religion is really important. This is because one should not be selective by taking God's presence in Arasy only but not everywhere. Consequently, this will make any individual to be brave enough in committing sins compared those who really understand their religion thoroughly. He or she will try to fight the temptation of committing sins when he or she realise that God is everywhere.

This is in line with what (AbūZakaria 1987) Prophet Muhammad P.B.U.H said: *There would not be any zina when one has a strong faith towards Allah.*

Crime rape happens widely due to empty souls without any good practices added with negligent heart filled with lust. As a matter of fact, it is also acknowledged by freelance preachers and lecturers at National Defence University of Malaysia, Ridhuan Tee Abdullah who suggested that all religion encourage their followers to be persistence in their practices. There is no any religion that allows loose mingling among males and females. Thus, everyone should be aware of the importance of religion so that they are able to mingle within limit.

This notion is also supported by other scholars that conclude weakness of faith is the main reason of crime rape happening widely (Zaizul, 2012). These crime rape convicts have forgotten about sins and rewards, impaired mental and most are still in their own fantasies aside of not being able to think for long term effect. Further explain when one is too indulge with emotions and fantasy they will not be able to think wisely unless they have the feeling of shame, fear, worry and faithful. Those who do not have any feeling of that are prone to crime rape.

Most parents nowadays prepare their children needs physically but they do not bother about their children spiritual needs as most parents expect their children will learn the spiritual needs in religious schools. Based from the study, it shows that most crime rape convicts are youth ranging in their 20's, who do not have a strong base in religion and come from ignorant family on religion matters. In Harian Metro, a mother was reported to allow her son to live with his illegitimate wife for about 3 years and already have 4 children. When being interrogated, they simply said that they do not have time for a proper marriage and register it. According to Assistant Director of Planning and Strategic of Selangor Islamic Religious Department, Shahrom Maarop, he said that the illegitimate couple are being charge under Section 25, Syariah Criminal Enactment of Selangor due to illegal sexual intercourse and Section 29 under the same act due to seclusion.

They usually have problematic family which makes them to spend most of the time away from home. Eventually, they will know about the crimes and being involved with it. Sadly, those who are involved in such crime rape cases especially have weak faith in their religion (Zaizul, 2012). They are prone to be influenced with entertainment magazines, pornography and other such sexual entertainments. They fail to control themselves emotionally when they are turned on (Ashford, J. B., Sales, B. D., & Reid, W.H, 2002).

It is obvious for the downfall of manners is because of weakness manifest and faith destruction in this modern day. The challenges from the western value that hold secularism belief. Some might act merely to the westerners and some are much worse than the westerners themselves. Allah S. W. T said: *And I do not acquit myself. Indeed, the soul is a persistent joiner of evil, except those upon which my Lord has mercy. Indeed, my Lord is Forgiving and Merciful.*" (Al-Quran15:53)

Humans are created by Allah S.W.T by two aspects; physical and spiritual. In human body, there is also two types of sources and among of them are corrupt power source that bow upon lust, wild nature, make havoc and chaos. Thus with the world attraction, many of them got sacrificed (Zaizul, 2012). Allah S.W.T said again: *And We have certainly created for Hell many of the jinn and mankind. They have hearts with which they do not understand, they have eyes with which they do not see, and they have ears with which they do not hear. Those are like livestock; rather, they are more astray. It is they who are the heedless.* (Al-Quran 7:179)

Most of those who got involved in such filthy social crime are the ones who came from poorly educated family on religious with ignorant parents. They are free to make any sins as they favour though it is forbidden in their religion. Rape happened when parents do not spend ample quality time with the family aside of solving issues their children having with because they are too busy with their careers. It just worsen when the children spend more time away from home and come back late at night. It is clear that faith or belief be the main cause of rape. Faith influences an individual's characteristics; able to differentiate what are halal, haram and so forth. Strong and deep hearted faith in a person can assure the person from committing a crime; rape. Weak faith will cause bad widespread of multiple perspectives. Such views shall be avoided by a Muslim because, according to al-<sup>◦</sup>Alamahbin Baz, said: "Lowering the views and take care of the genitals (honor) is the most pure of all believers in the world and the hereafter". Ibn Qayyim also supported the opinion by saying "The eye is the root and source of all misfortune that befell the human eye will surely inherit a desire in the mind (the shadows), and create ideas, and raise libido, and requirements, a strong desire, further become stronger and become a determination and strength, which it then fall into the act, if there is no obstacle for him to keep aback ". Ibn Qayyim explained further: "That will affect the eyes in the hearts of slaves who could not be done by the arrows with the bow. If it does not kill, very least it injures ". Muhammad al-Masqārī said that freedom of view is the main reason for making an abomination (adultery) and fall into the despicable acts of others. (Zaizul, 2012). When the eyes freely seeing such abomination in supermarkets, recreation, gatherings or through broadcast television, compact disc (VCD), internet, cell phones with various collection of pornography. Thus his heart is filled with pornos, and farther imagining in his mind all that bad and shameful desires coupled with a burning desire and snares of the devil. Then the drive will continue to ferment his lust to reach its peak until there is a time to release sexual lures and desires with masturbation and otherwise. Eventually he remedies the disease with more dangerous potion. So there shall be expansion of the soul diseases that will make him wreak evil passions with prostitution and corrupt innocent girls. (Abd Allāh Nāsihc Ulwan, 1407 H./1989 M.). Indeed this is the result of a wild eye. Allah S.W.T. has stressed in the Qur'an:

*Say to the believing men: "Let their gaze arrested and guard their modesty: that is purer for them, surely Allah is Aware of what they do," Say to the believing women, "Let them arrest view, or guard their private parts"* (Al-Quran 24:31)

So, why Allah commanded the men at the first place followed by women. This is due to a medical research where it is vulnerable to a man even through eyesight stimulation when compared with the women. So, a man should try to control his eyes from looking at something that is haram to keep them from the effect of the wild eyes which could cause terrible damage (rape) or incest.

### **Eve's Temptation of Satan and Lust**

The involvement of demons and desires is the key element of human destruction where it is very obvious as the internal factors of catastrophic crime rape occurrences. Prophet Muhammad P.B.U.H. said: (AbūBakr Ahmad bin al-Ḥusayn 1990)

*Satan moves through humans in their blood stream, thus I am afraid that it may triggers something in your heart.* Based on this hadith, clearly it shows that the devil is very close to the people where it stands in the way of his blood. Saicd bin Jubair.a, Ibnc Abbas explains Allah S.W.T. has said in His messages where Satan that hides in heart often whisper to do evil. But when he remembers Allah, then Satan will run away, even when uttering 'bismillah'. Such explanations are collected from hadiths as in tafsir Ibn Jarir, al-Qurtubiy and Ibn Athiyyah. The devil's planning and its army never stop without any interruption and regardless of time, Allah S.W.T. uses a noun called 'doubt' taken from the word al-waswasat (الوسوسة). According to al-Asfahani in his book al-Mufradat, one of the original meanings of the word al-waswasat is when bracelets make sounds when moving.

From here we can see that the use of the word in the Qur'an hints to us the distractions and temptations of the devil is permanent and continuous; wearing bracelets that produce sounds unnoticeably when moving. Throughout verse 5, Allah S.W.T. explained to us that the arrows thrown by the devil are whispers to commit crime. If the heart is controlled by the devil then all of the actions taken are against will of Allah S.W.T. not the Satan. Finally, Allah S.W.T. tells that mankind are in charge of straying others too besides jinn. This fact is prominent due to man is an agent that mislead people. It is a reality that cannot be denied in life (Al-Qurtubî, Abū Umar Yūsuf Ibn Abdullah, 1979). In sūrah al-Ancam verse 112, Allah S.W.T. said: *And thus did We make for every prophet an adversary devils of humankind and jinn, revealing varnished speech to each other, lies a beautiful, beautiful arrangement, to deceive the audience and if your Lord willed, they would not do it. So leave them and their inventions (the act of blasphemy, and falsehood) it* (Al-Quran 6:112)

This verse shows that human behaviour can also act like the devil that drives us to do evil; influencing our words and actions. The most effective way to guard yourselves against Satan is described in the words of Allah S.W.T. through verse 201 from sūrah al-Āraf: *Those who fear Allah, when they are touched by a visitation of Satan, they remember (the teachings of God) then they see (the path)* (Al-Quran 7: 201)

Thus we should always be close to Allah S.W.T. and obey Him in all matters by 'ta'awwuz', seeking refuge with Him from the devil. Muslims also must comply with the whispers of angels at the same time to persuade him to do good deeds. Similar additional quotes from tafsir writer al-Muharrar al-Wajiz.

إِنَّ الشَّيْطَانَ لَكُمْ عَدُوٌّ فَاتَّخِذُوهُ عَدُوًّا إِنَّمَا يَدْعُو حِزْبَهُ لِيَكُونُوا مِنْ أَصْحَابِ السَّعِيرِ

*Satan is your enemy, so treat him as an enemy (you). He only invites his adherents, which they may become the dwellers of the blazing fire*

Imam al-Ghazālī in his book Minhaj al-Abidīn says: "You must control the evil passions that drive anger because it was the biggest enemy and the most difficult to be avoided." Therefore it is difficult to treat the disease as it is the worst disease. This is because it has two properties; internal enemy and preferred enemy. Imam al-Ghazālī also stated that 'early signs of abiding the prohibited are from Satan itself after replacing previous lust (arrogance and vengeance)'

*And I do not acquit myself. Indeed, the soul is a persistent enjoiner of evil, except those upon which my Lord has mercy. Indeed, my Lord is Forgiving and Merciful."* (Al-Quran 12:53)

Ibn Atailah al-Sakandari explains in al-Hikām 'the origin of wrong doings, negligent, and lust are adherence toward eve's temptation'. Syekh Zarruq said 'there are three signs adherence towards lust. First, seeing deceitful is good to him (for lust). Secondly, love deceits with logical reasoning so that others could accept it by making people take deceits as good thing. (Yasc Umar Yūsuf, 2000).

*Did I not enjoin upon you, O children of Adam, that you not worship Satan - [for] indeed, he is to you a clear enemy* (Al-Quran 23:60)

Imam al-Ghazālī in Minhaj al-Abidīn 'you ought to go against Satan on two reasons:

- a) A clear enemy
- b) They are made to be your enemies

Yahya bin Muacz al-Rāzī suggested 'Satan has ample time whilst you are busy, watching over you but not helping at all. You forget them but not them and your lust helps them. Thus, indeed it is a war against them or else you will be perished.

*Say, "I seek refuge in the Lord of mankind, The Sovereign of mankind. The God of mankind, from the evil of the retreating whisperer - Who whispers [evil] into the breasts of mankind - From among the jinn and mankind."* (Al-Quran 114: 1-5)

According to Ibn Kather, Satan will always whispers evil into the hearts of humans. Thus, humans are not able to get away from it unless they regain strength and protection from Allah S.W.T. Yet, every actions that towards adultery or zina cannot be differentiated as our lives have been concealed with it (Zidni, et al. 2017); it is just not a meeting between man and woman, having sex but the sight already considered as zina. Whatever in the realm of intellectual, there will be slightly an inclination toward zina where it is called as Satanic whispers which eventually lead to the real occurrence. (Qalyūbī, Sheikh Shihāb al-Dīn t.t.).

In overall, the main factor that could be identified in this issue is the lack of religious appreciation. Humans without any belief are free to disobey any orders that violate the rules set out.

Humans who do not have any dignity would enjoy their lives without bothering the sins committed and the burdens that others have to hold on to.

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