

Ignorance is not bliss

Despite knowing about sex, many teens are still oblivious to the penalty for statutory rape in Malaysia.

ARE teenagers aware that having consensual sex with a minor is considered rape in Malaysia? Or is love such a strong factor that they are blinded by it?

Shockingly, 36% of respondents of an online survey by *The Star* feel that having consensual sex with a girl below the age of 16 is not considered rape – despite knowing that it is against the law.

This figure could be an indication that teens believe they would not get into trouble despite breaking the law. Some may even feel that love is above the law while some others are not even bothered with the law.

The *stuff@school* survey was conducted to find out what students these days understand about the rape laws in our country.

A total of 100 students between the ages of 14 and 20 from urban areas around Malaysia responded to the survey (see charts).

"It's not the problem of us knowing too little, but rather the issue of knowing too much!" says Tei Wei Kheng, a 17-year-old student from Penang Chinese Girls' High School.

And this sentiment couldn't be more true as most teenagers these days are overly exposed to "sex" in their daily lives.

Just by switching on the television, they are transported to a world where teenagers in high school have no qualms about sleeping with each other – even to the extent of switching partners fre-



Puppy love: Many young couples feel that having consensual sex with a girl below the age of 16 is not considered rape – despite knowing that it is against the law. — AFP

Below are some questions from the survey:

> If a boy (aged 13 and above) has sex with a girl aged below 16 with her consent, is it considered rape?

> What is the penalty for having sex with a girl below the age of 16 in Malaysia?

> What do you think the penalty should be?

> If you were to engage in sexual intercourse, would you blog/tweet/Facebook/write in a diary about it? Explain where you would document it.

> Do you think it is okay to have sex with your partner even if they are considered to be a minor by law?

> If you know that your friend is engaging in sexual activities and is considered to be a minor, what would you do?

> Do you think the judgment of letting rapists off with a five-year good behaviour bond instead of being jailed is the right decision? Explain your answer.

> Have you engaged in sexual activities that would be considered unlawful in Malaysia, i.e. having sex below the age of 13 for boys and 16 for girls?

Teen pregnancies and homosexuality are also widely publicised through shows such as *Gossip Girl*, *90210* and *Glee*.

By picking up books, youths step into a fantasy world where sexual activities run rampant. Take, for instance, *Fifty Shades of Grey* by E.L. James.

It talks about a 21-year-old student's relationship with a young business tycoon. Things take a wisted turn when this book goes on to graphically describe physical "adventures" rather than the emotion of love.

While surfing the Internet, young people are exposed daily to a variety of websites teaching them about sexual activities. Not only that, pornography is easily accessible at the mere click of a mouse.

With all the information readily available at their fingertips, it's no surprise that they are knowledgeable when it comes to sex. Especially at an age when their hormones are raging, it's easy to give in to temptation.

However, despite knowing about sex, many teens are still oblivious to the penalty for statutory rape in Malaysia – they are unfamiliar with the severity of the law when it comes to rape in Malaysia.

Although they understand what is considered to be rape, their understanding of the laws in Malaysia is vague as reflected in their comments on two recent cases of statutory rape where former national youth squad bowler Noor Afizal Azizan, 21, and electrician Chuah Guan Jiu, 22, were bound over for five years and three years respectively on a RM25,000 good behaviour bond.

A majority of respondents, 62% to be exact, believed that these offenders should be thrown into prison, fined and caned. Most felt that imprisonment would be the best form of punishment and that the sentence should even go up to 20 years.

"A long jail sentence. But as of



today, I don't know whether the law is being enforced as more and more people are being released with a minimum sentence. Does it make a difference just because you have made the country proud? Just because you've done something for the country, does that give you the right to commit a crime?" wrote one respondent who felt that such a criminal offence should not be taken lightly.

However, another 30% were honest in revealing that they had no idea of a proper punishment that should be meted out on a rapist. About 5% believe the best means of punishment would be to offer some form of rehabilitation to the offenders in the hope that they would not commit the same crime again.

Medical student Lee Qao Shaun, 20, feels that psychological treatment would be a better option. "Find out why and delve into how their minds work."

Similarly, some of the respondents also replied with: "An alternative is heavy, intense psychological treatment."

The remaining respondents believed the death penalty was the only route. (Refer to pie chart.)

Despite the law and possibility of punishment, 15% of the respond-



ents still felt that it was acceptable to have sex with their partner even if they are considered to be a minor by law. While the law does not seem to be a strong deterrent for them, it sure is for the remaining 85% who disagreed with the notion. (Refer to Chart 2.)

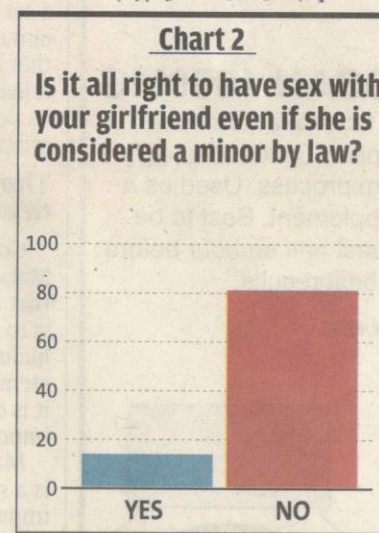
"Teenagers are not as ignorant as they seem. They know the dangers that lie ahead, but they choose to ignore it," says Candice Chan, 16.

In the case of Noor Afizal Azizan, his sexual escapades were only revealed when the victim's father read her diary. This raises the question: Would teens actually blog/tweet/Facebook/write in a diary about their sexual activities?

According to one respondent, "I would document it only in MY memories. To me, these things are 'too private' to be 'socially, publicly publicised'."

This was the general sentiment expressed by most of the respondents, a clear indication that they value privacy and want their sexual activities kept private. However, a few felt that they could confide in a close friend or even a family member.

There were also those who wouldn't think twice about sharing their sexual escapades anywhere.



"I would blog about it as my identity would remain anonymous", "Well, since technology is so advanced, I guess I would use my phone video", "I'd probably not have qualms about writing about it in my personal blog/diary. So yes, I'd probably share the information but in a setting more personal than Facebook or Twitter."

Based on these comments, one does wonder if teens realise the responsibilities that come with a relationship. After all, what would drive them to share their deepest and most personal experiences with random strangers online?

Would the recent "light" judgments encourage teens to participate in more sexual activities? While some teens feel that they could open the floodgates, others like Carlos Chicas, 16, believe they will act as a deterrent.

"Since these are criminal cases that have received a lot of media attention, I actually believe that they might show people what a mistake this can be at such a young age."

What would you do if you knew someone who was sleeping with a minor? Would this drive you to spill the beans? Or would you turn a blind eye?

"I would first advise my friend

and if it's not working, then I'll probably tell the school counsellors and let them handle it," said one respondent.

Many felt that it was their responsibility to advise their friends, hoping that it might prevent their relationship from progressing further. If that failed, many say that they would just leave it be.

"Nothing. It's his/her choice to do so, I see no reason to interfere with his/her relationship. If she/he is fine with it and they both agree to it, then it shouldn't be a problem."

Only a handful would actually report this action to their parents, or even head directly to the authorities.

Surprisingly, despite all the mixed reactions, sometimes bordering on overly liberal, 96.9% of the respondents have not engaged in sexual activities that would be considered unlawful in Malaysia – having sex below the age of 13 for boys and 16 for girls. A mere 3.1% admitted that they have already engaged in such acts. Whether they may have done it without knowing the law, they would have already committed an act of crime.

"An ounce of prevention is better than a pound of cure," says 17-year-old Wu Yee Peng, who finds it ironic that we live in a world that teaches us to "not get raped" instead of "don't rape".

Girls, from a young age, have always been taught to be extra careful. But why are the boys not taught to never rape? Should sexual awareness programmes be held at schools to educate teens not to engage in unlawful sexual activities?

At the end of the day, it all boils down to teenagers themselves. If they understand the law, have heard about the consequences from their family and friends, then why are some still putting themselves in a situation against the law?



For more stories:
See [stuff@schooltomorrow](mailto:stuff@schooltomorrow.com)