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THE RAPE THEORY AND PHENOMENON AMONG TEENAGERS

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ABSTRACT

Social problems in Malaysia is on its red alert, especially involving rape and sexual assault among teenagers. Due to this serious increment, all the researches regarding theories and rape phenomenon among teenagers are supposed to benefit the citizens. Thus, this concept paper aims to briefly discuss the rape theories and explain the rape phenomenon among teenagers as well as the advantages obtained from rape case studies. Several rape theories and importance of understanding rape phenomenon include to introduce new branch of knowledge in psychological counselling and consequently, those importance's would benefit the counselling practitioners (teachers, counsellors, counselling and psychology lecturers), parents, citizens, government institutions and not to forget, the NGOs.

INTRODUCTION

As already known to people, teenagers are the hope of all countries in the future. A wide range of expectations instilled in them in order to be a capable and useful individual which will contribute towards the well-being of a nation. However, whether it is realised or not, the social problems are now increasingly worrying especially the one which involved rape cases or sexual assault among teenagers. We often see the reports in newspapers and on the

television regarding sexual assault among teenagers, either it is serious or not (Azizi & Badrulzaman, 2013).

According to Saifol (2013), act of raping generally refers to violent actions involving forced sexual activity. Rape victim is usually a woman regardless of age, either girls, teenage girls, female adults or senior citizens. Rape is a way to insult, threaten and invade a person's dignity. Therefore, rape cases are mostly occurring among the teenagers.

In some cases, the rape victim is forced to do it and also, there are cases where underage rape victims are on mutual consent and basis of love in accordance to section 376 of the Penal Code (Ezarina, Nur Farrah Alya, Norulhuda & Nor Jana, 2017). In addition, there are victims who are willingly to perform sexual activities with different partners or known as random sex (Kamarul Azmi, 2017). Mohammad Aziz Shah (2004) said, incidents of rape are no longer limited to the act of raping and invading their dignity alone, but it also includes the acts of sodomising, doing extreme obscenity, torturing the victims and killing the victims.

The statistics of rape cases involving a victim under the age of 16 years old from the year of 2010 to 2017 in Malaysia (not including incest) is very terrifying, where almost 2500 to 3000 cases reported each year and Selangor recorded the highest number of rape cases as compared to other states. The most worrying is that, there are children under the age of 12 years old (seven percent since 2013) who can be classified as rape victim (Ezarina et al., 2017).

This denotes a clear picture of how serious the phenomenon is, especially when the victims involved in rape cases are among teenagers. Indeed, the growing of rape incidents and number of rape victims among teenagers are very dangerous and have negative impacts in building a healthy community (Danish Yusrie & Mohammad Rahim, 2017). Hence, understanding the rape phenomenon through rape theories is really necessary so that appropriate measures can be taken to avoid them from spreading in Malaysian society.

BACKGROUND OF RAPE PHENOMENON

According to Malaysian Crime Index report of 1980-2015, rape crime is very high (between 2500 to 3000 cases) reported for all states in Malaysia since 1980 as compared to other criminal cases such as murder, gang robbery, armed robbery and snatch theft crime. The highest reported rape cases had occurred in 2009, in which a total of 3626 cases were reported across the country. Meanwhile in the following years, there was a slight decrease in the reported rape cases across the country. Despite of declining, the reported total rape cases were still at a high level. Among them, Selangor and Johor were having the highest reported rape cases annually on an average of 450 to 500 cases and then followed by Kedah, Pahang and Perak.

The constant rise in rape cases among teenagers has raised concerns and contributed a major challenge in developing an enthusiastic citizen. According to a report in Bukit Aman (2010), the statistics of female teenagers being raped between the ages of 13 to 15 years old showed a high amount which was averaged to be over 1000 cases reported each year. Teenagers in this age group had the highest number of rape victims when compared to both age groups, i.e. between 10 to 12 years old (average 159 cases reported each year) and between 16 to 18 years (average 600 cases in the report each year).

Statistics obtained from Global School Health Survey (GSHS) and Board of National Population and Family Development (LPPKN) regarding sex before marriage among teenagers in 1994 to 2012 reflected an increase in sexual activity rate among teens aged 13 to 17 years old in Malaysia for the past two decades (1994-2012), where it had increased from 0.9 percent in 1994 to 8.3 percent in 2012.

According to a report from Sexual Investigation, Women & Children Division (D11) of Department of Criminal Investigation, Bukit Aman (2015), the statistics on rape offences nationwide indicated a total of 16,287 teenagers and women victims of rape in 2009 to 2013 and 80 percent of the rape victims raped by the people known to them. Even before this, Royal Malaysian Police (PDRM) reported that 93.5 percent victims from 12,473 cases in 2011 to June 2015 were teenagers aged 13 to 18 years old.

According to statistics from PDRM in the year 2016 for the period of 2010 till May 2016, there were 13,272 rape cases or 59.7 percent recorded in this period of time. Meanwhile, molestation had 6,014 case or 27.04 percent, incest with 1,766 case or 8.07 percent and sodomy had 1,152 cases or 5.18 percent. Minister of Women, Family and Community Development, Datuk Seri Rohani Abdul Karim said, in the same period of time, Johor registered the highest rape cases (2,089 cases or 15.73 percent). She also added that Sabah had the highest recorded cases of incest (263 cases or 14.64 percent), whilst Selangor was the highest in case of sodomy and molestation, 235 cases or 20.39 percent and 1,052 cases or 17.4 percent respectively. PDRM statistics also recorded 2,244 physical abuse cases, where most of the cases the perpetrator is a male.

Based on the reports, data and statistics shown, rape cases involving teenagers is spreading rapidly in the society and it should be taken into consideration seriously. This petrifying situation has left a vast impact on teenagers especially the rape victims, victim's family members and friends.

DEFINITION OF RAPE

In the World Report on Violence and Health, World Health Organization (WHO) (2007) defines rape as a sexual attack. In addition, Centre for Disease Control and Prevention (CDC) (2007) defines rape as a form of

sexual violence. Sexual violence includes all the sexual assault using drugs, attack on drunk victims, forced attacks done orally, physical attacks including threaten or using weapons. Some countries have a clear differentiation between rape and sexual attacks by defining rape as penetration of penis into the vagina or penetration solely involving penis.

In accordance to Malaysian Laws (2002), Act 574 (1997), Act 375 (f) (Act 574:137-138) mentions: 375. A man is said to be doing "rape" which, except in the case of the exception, having sex with a woman under any evidence of the following:

- a) Contrary to the will of the female;
- b) Without the female's consent;
- c) With her consent, while the consent is given due to any fear (threat) of death or bodily injury or has been given through the misconception of fact and the man know or believe that her consent has been given as a result of the misconception;
- d) With her consent, while the female knows that he is not her husband, and the consent is given because she believes, the man is going to be her husband legally by law or to whom she will give the consent;
- e) With her consent, at which at that time, she is not able to understand the types and consequences she will face in the future resulting from her, giving the consent.
- f) With the female's consent or not, if she is under the age of 18 years old.

Rape victim is referred to the Children Act, 2001 Amendments 2016 (Act 611). According to this, teen sexual activity even if consensual is still subjected to the Act 611, article 41 which states that "the child is in need of protection as soon as possible". Article 41 (2a) states that "the child is threatened or in fear for the purpose of prostitution or for the purpose of doing intercourse with someone else or for any pornographic purpose: Article 41 (2d) also states if the child is a girl, that she is pregnant of illegitimate child." (2011:171).

Hence, the Act 611 provides protection to the children under the age of 18 years old where they themselves become the rape victims but still cannot be convicted or held liable as the guilty of crimes. Instead, they are subjected to the term rape victim because any man who commits sexual relations with teenagers under the age of 18 years old is subjected to criminal law Rape Act A1303 as discussed above.

RAPE THEORIES

Theory is a knowledge that could explain or act as basic structure to the information itself. This means, theory will provide a comprehensive description of a knowledge and can stand as a basis for the next action or study in the upcoming time. Almost all the theories describe how human alter their

behaviours which include the theory of personality and learning theory or the relationships between them.

To learn in-depth regarding the rape cases, then a comprehensive understanding about various rape theories need to be taken into consideration first. Formula cases has been formed in regard to the rape theories which refers to the psychological mechanism of the offenders and victims of rape. On top of that, the rape theories also provide basic rationale in determining the treatment applicable to the rape offenders and victims in order to achieve optimum results.

Ward and Hudson (1998), stated that there are three main theories related to rape, namely; (1) Single factor theory, (2) Theory of various factors and (3) Theory of micro factors. Single factor theory refers to a theory that is trying to explain the main reason for the occurrence of the crime such as the time evolution, culture or social cognitive. In the meanwhile, theory of various factors combines a few single factors theory into a comprehensive explanation about the interaction and casual relations which is believed to create a perfect ambience and sexual feelings. Theory of micro factors is essentially a descriptive theory developed from data analysis and account of rape perpetrator. The offender has stated how this nasty behaviour happens in terms of the main factors, namely: cognitive, behavioural and contextual.

SINGLE FACTOR THEORY

Psychodynamic Theory

One of the earliest explanations for rape is the Psychodynamic Theory, which was founded by Sigmund Freud (1905/1953). Freud believes, this sexual aggression comes from a serious form of psychopathology in individual (or character) originating from childhood memories and it is extremely hard to be treated. The main achievement of the Freud theory is the need to apprehend the sexual aggression and interest that are labelled as taboo subjects. However, Freud did not unify the existing theories and not even a single idea proposed by him is easily tested logically. Thus, Freud theory is invalid (or falsified). Furthermore, in terms of treatment there is no convincing data that the psychodynamic therapy reduces sexual aggression (Gannon, Collie, Ward, & Thakker, 2008).

Feminism Theory

All the members of Feminism Theory have considered rape, the same as the other phenomena which is a manifestation of manly natural trait (Brownmiller, 1975; Griffin, 1979; Russell, 1975, 1988; Ward, 1995). Brownmiller (1975), has pointed out that rape is, "A conscious process of intimidation which causes all women to be in a state of fear." According to the theory of social control, Wright and Murnen Kaluzny, (2002), rape which will give rise to a feeling of fear among women is only one of several mechanisms

used by men to subdue and control the women. Unlike the evolution point of view which sees rape almost entirely as a result of socialisation culture of a normal guy (Gannon et al., 2008).

From the Feminism Theory perspective, it has many strengths and well-known to become an extraordinary contribution to the social and political recognition of rape (Ward, 1995; Ward & Polaschek et al., 2006). The perspective of feminism also played an utmost vital role to the researchers of psychology and sociology in social components which is often neglected in the past. Unfortunately, the use of clinical perspective of Feminism Theory has its own limitations since there is no explicit individual factors that may play a role in rape cases. Meanwhile, Feminism Theory has been used to inform sexual offenders and provide little attention to treatment at the individual level and there is some empirical data supporting its effectiveness under controlled conditions (Gannon et al., 2008).

Evolution Theory

Several Evolution Theories have been proposed to give proper explanation in relation to sexual harassment like Ellis (1989, 1991, 1993); Malamuth Heilman (1998); Shields (1983); Symons (1979) & Thornhill Palmer (2000). Each theory claims that the origin of rape crime is influenced by previous history, but they have their own explanations regarding the evolution strategy which has led to the occurrence of rape. For example, some researchers of the theory have pointed out that rape is the result of direct adaptation striking in the past since their ancestor's time. While others have stressed that rape is just as a result of indirect adjustment, for instance random sex.

Like the most researchers of Evolution Theory, Thornhill and Palmer (2000), argue that rape is resulting from the ancestral marriage strategy which maximises the success of reproduction. Thornhill and Palmer see human minds as having modules in form of evolution that make up a perfect function, but the mind is free to think in terms of solving problems. For example, Thornhill and Palmer argue that rape is only one type of sexual strategies used by men subconsciously at which before this, they are unable to obtain access through social status or sexual attraction, when the cost of rape is relatively low, and when men are in a position of having definite physical control against women (Gannon et al., 2008).

Social Cognitive Theory

According to Hollon Kriss (1984), the main component of the underlying social cognitive understanding about rape are; (1) content and structure of memory (which are, the content of beliefs supporting the offence and how it is arranged to be a scheme), (2) cognitive processing (that is, the mechanism used by the perpetrator to process the information in social world), and (3) cognitive products (i.e., thought at end stage, attributes and belief

resulting from the interaction between the content, structure and cognitive processing).

From this perspective, Ward (2000), builds theory on implications called theoretical framework specific to the rapist to explain supportive beliefs on sexual violation and how it is organised in their memory. According to Ward, the rapists build supportive scheme of violation (or the implied theory) to be used in the prediction of belief, women's desire, and future intentions. In terms of cognitive processing, some studies show that the rapist often process social information in a way that will provide a clear support to them. Let's take an example, a sexually aggressive man rejects a communication with a woman which he regarded it as an appeal. Besides that, a wrong positive communication of a woman has also become a problem. Therefore, a man who is sexually aggressive can be concluded as a suspicious man (Gannon et al., 2008).

THEORY OF VARIOUS FACTORS

Integrated Theory

Integrated theory was founded by Marshall and Barbaree (1990). It is uniting the four factors which are biological factor, developmental factor, socio-cultural factor and the current state factor which is directly contributing to sexual harassment. This theory has been improved gradually and more advanced studies have been carried out since the beginning of its development.

The main focus of Integrated Theory revolves around teenagers. Marshall and Barbaree has made a hypothesis that the biological activity of our body at which the male hormones will naturally trigger aggressive impulses associated with male sexual activity (i.e., biological development). Due to the sexual fantasy has been dominating and cannot be controlled, it will signal sexual arousal and raise erotic stimulation automatically. This dominant biological factor will interact with other temporary factors (sexual arousal, rejection, drunk) which eventually will trigger sexual behaviour. To hinder these aggressive elements associated with sexual stimulation, teenagers should learn how to tackle this problem effectively despite the ability of teenagers to do everything.

In regard to this theory, the imperfect development of childhood like experiencing poverty or drug abuse will reduce the ability of males to control aggressive sexual impulses associated with sexual activity. But when the individual weaknesses such as low dignity or poor rules start to match with manly hormonal activity, he suddenly will have the tendency to make sexual harassment to any individuals (Gannon et al., 2008). To make it simple, a man who does not have dignity may adopt a negative attitude about women and sex to divulge his power, conquer, and domination.

This theory has its own significant strengths in the field of research. Integrated Theory seems to have been encouraging the development of research involving sexual offenders, lack of intimacy, dignity and procrastination style of sexual offender (Marshall, Serran, & Cortoni, 2000; Marshall, Marshall, Sachdev, & Kruger, 2003; Smallbone & Dadds, 1998). A lot of studies support the core hypothesis of Integrated Theory. To quote an example, a hypothesis related to lack of intimacy has been supported on empirical basis by freelance researchers (Smallbone & Dadds, 1998) and has played a major role in recognising the intimacy skills for the treatment programme of sexual offenders worldwide (Marshall, Anderson, & Fernandez, 1999).

Such developments further lead to several clarifications on key issues in the model which has increased the depth of theory explanation and unity power (Smallbone, 2006; Marshall & Marshall, 2000). Nevertheless, the most significant gaps in this theory is that its inability to explain clearly why some offenders start displaying aggressive sexual behaviour at the time of adults or the existence of high dignity offenders (yet unstable) (Baumeister, Smart & Boden, 1996; Ward & Polaschek et al., 2006).

THEORY OF MICRO FACTORS

Self-Regulation Model

Self-Regulation Model emerges from a few models of offences chain process based on empirical model; a model that is developed directly by communicating to the offenders about events, cognitions, and emotions which characterise life and their tendencies. In short, Self-Regulation Theory refers to a process (both internal and external) required for an individual to perform the actions needed to achieve personal goals (Baumeister and Heatherton, 1996). That being the case, this theoretical model is using self-regulation in order to determine the goal of rape offenders. Weak self-control is resulting in failure of goal prevention. In the other hand, a good self-control man can plan and monitor their behaviour effectively to achieve the intended goal (Gannon et al., 2008).

Importance of Understanding Rape Phenomenon

If the rape phenomenon is well-understood, then various crucial benefits can be provided to all especially in the field of education and psychological counselling. All the above suggestions will allow each citizen to be ready and more responsible in preventing rape cases from continuing to occur. The most important thing now is that, the role of all Malaysians in order to plan rehabilitation programmes and prevention. Consequently, a variety of advantages would benefit the teachers, parents, citizen and so on.

Counselling Practitioners (Teachers, Counsellors, Counselling and Psychology Lecturers)

First and foremost, understanding the rape phenomenon in details will be utmost important for the counselling practitioners as a teacher in school, counsellor in an organisation as well as counselling and psychology lecturers in the university in an effort to understand the social problems among teenagers, particularly the sexual behaviour through process of learning the psychology of teenagers and not to forget, guidance and counselling at all levels of age and education. Therefore, by understanding the rape phenomenon among teenagers will provide new knowledge in the field of psychological counselling, especially related to understanding the psychology of teenagers which can be used as discussion tools and references to apprehend and help the at-risk and troubled teens.

At the same time, understanding the rape phenomenon could help all educators such as lecturers and teachers to identify troubled students from various aspects, for instance in terms of morality, behaviour, thinking, social networking, education and many more. Understanding this phenomenon will allow us to answer questions about the factors which drive teenagers to get involved in rape offences or rape victims. The information obtained can be used as a guide for the teachers to provide guidance in designing prevention programmes specifically for self-construction of at-risk youth indulging into sexual behaviour in school or university.

On the other hand, counselling teachers or counsellors who are registered in schools and organizations certainly can fully get benefit by providing guidance on how to play a role in inculcating noble values, morals and students attitude in school. The role of counsellors is enormous and they are believed to be the bridge between students with parents and student with the authorities. In an effort to educate this accordingly, counsellors must play their role based on the counselling principles with moral and ethics to ensure the well-being of everyone. Counselling teachers and counsellors can also enumerate numerous guidance activities and prevention programmes in schools to avert more serious problem from occurring and rehabilitation programmes can be planned well after this.

In addition, understanding the rape phenomenon can help teachers who are directly involved in educating the students in school to have a clear background about the problems arising such as rape and together, they can play a role to resolve, prevent and develop appropriate approaches to address the current problems involving teenagers.

Parents and Citizens

To start with, by understanding the rape phenomenon, it can help parents and the community to better understand and accordingly help the teenagers who are already engaged in crimes such as rape. Studies related to rape ultimately will raise awareness to the parents and community to see the seriousness of rape phenomenon currently happening which can impart negative implications to the community, especially the rape victims in terms of

psychological impact, physical injury, trauma, pregnancy and uncertain future of girls.

Next, an explanation on the effects of rape phenomenon is also undeniably important because it will give holistic understanding to the parents and community in relation to the concerns, needs and problems of teenagers. Hence, parents and the citizen will be more aware of what to do to help and protect teenagers from engaging in rape, which eventually will be expected to influence the formation of better character and attitude among the teenagers. Countless programmes done in form of education, moral support and ongoing guidance from parents and the community certainly can help teenagers who are already involved in rape cases to recover and improve themselves to have a superb life after the events.

Government Institutions and NGOs

In fact, understanding the rape phenomenon will allow certain institutions especially the Royal Malaysian Police (PDRM), State Education Department (JPN) and the Ministry of Education (MOE) to focus and outline specific modules (specialization in guidance and counselling) to address the phenomenon of social problems involving teenagers who are in school or not, especially in sexual crimes such as rapes, uncontrolled relationship, incest and other crimes. Several suitable recommendations can be used as a basis and guidelines in developing preventive and rehabilitation module for the public to be implemented among citizens especially the teenagers. In addition, the implications and recommendations will also contribute to new knowledge for the educational institutions, predominantly in planning the treatment module for rehabilitation programmes and prevention.

On top of that, the comprehension on rape phenomenon provides useful information to Social Welfare Department (JKM) in making proposal of activities and interventions in form of psycho education in various dimensions for the recovery process of rape victims in an integrated manner. Spiritual and religious approaches as well as counselling are deemed to be effective in reconstructing their confidence and self-esteem. Collaborative efforts between the JKM and other agencies such as hospitals and the universities need to be intensified in planning a more integrated rehabilitation programmes such as awareness campaigns and spiritual and moral support. Counselling programmes (other than counselling sessions) should also be diversified in its approach and these collaborative efforts will certainly bring about positive impacts to the nation.

CONCLUSION

All in all, rape phenomenon among teenagers can be classified as a serious matter as statistics always show the average high report every year. This phenomenon reflects that our society is dying with various social

problems, at which the problems would be able to crumble the family and community system. It is very clear that with the understanding of rape definition and explanations related to rape theories, this would enable us to better apprehend the rape phenomenon. Indeed, a review of the theories of rape and studies involving rape and sexual assault was capable of identifying the reasons why things like this happen and the interventions that can be executed.

Ergo, appropriate effective measures, particularly in the field of psychological counselling should be taken into exceptional considerations in the attempt to plan rehabilitation programme modules and prevention of rape cases and sexual assault. It is hoped that the importance of understanding rape phenomenon discussed earlier, will imprint holistic awareness and possibly be the guide in building a more desirable teenagers in the future. Hopefully with the descriptions, interests and recommendations in this concept paper will provide an overview to all Malaysians regarding our role in resolving and preventing social problem, particularly the rape phenomenon from being rampant. Indeed, teenagers of first-class mentality are teenagers who are able to control themselves from indulging into numerous social problems.

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