

MMA: Punitive Laws Lead To Unsafe Pregnancy, Childbirth

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The Malaysian Medical Association, concerned with Terengganu's criminalisation of out-of-wedlock pregnancy and childbirth, says punitive actions have not been shown to ever decrease unplanned pregnancies in the many decades of research.



Malaysian Medical Association president Dr Muruga Raj Rajathurai. Picture courtesy of the Malaysian Medical Association.

KUALA LUMPUR, Dec 6 – The Malaysian Medical Association (MMA) today expressed concern over Terengganu Shariah legal amendments that criminalise out-of-wedlock pregnancy and childbirth for Muslim women.

MMA president Dr Muruga Raj Rajathurai pointed out that out-of-wedlock and unintended pregnancies and childbirths, particularly among young adults and adolescents, are caused by a lack of education and access to services related to sexual and reproductive health.

“Where childbirth and pregnancy are concerned, global data and research has shown repetitively that punitive actions and restrictive laws only served to convert safe antenatal care and delivery for many women and

adolescents to one of unsafe pregnancy and childbirth fraught with life threatening circumstances and possibility of permanent harm to health,” Dr Muruga said in a statement.

“Punitive actions had not been shown to ever decrease unplanned pregnancies in the many decades of research.

“The current climate of fear and stigmatisation of unwed mothers has already resulted in many negative consequences for many involved, such as school dropouts, stopping work, poverty, domestic violence, and ill health, both physically and mentally.”

MMA cited consequences from unintended pregnancies, such as septic abortions, baby dumping, preterm labour, and maternal and neonatal morbidity, including deaths.

The largest group of doctors in Malaysia pointed out that Malaysia’s maternal mortality rate in 2021 at 68.2 per 100,000 live births was among the highest ever recorded.

MMA also noted that the reported rate of 100 baby dumping cases annually over the past few decades has not declined, while sexual activity among youths with very little reproductive health knowledge is rising rapidly.

“Repeatedly, across the world, the implementation of comprehensive sexual education with access to reproductive health services had been shown to not only decrease unplanned pregnancies, and thus out-of-wedlock pregnancies, but also leads to reduction in incidence of sexual activity in the young and sexually transmitted diseases,” said Dr Muruga.

“We urge and appeal to all authorities and lawmakers concerned to implement what has been scientifically shown to be effective and to approach this life changing issue for women, girls, families, communities and the nation with compassion and to place health as the utmost priority.”

Section 29A of the 2022 amendment of the Syariah Criminal Offences (Takzir) (Terengganu) Enactment 2001 punishes out-of-wedlock pregnancy and childbirth upon conviction with jail of up to three years, whipping not exceeding six strokes, or a maximum RM5,000 fine, or any combination of these penalties.

The Shariah law also deems childbirth within less than six months from a woman’s date of marriage as out of wedlock.