

Religious Fallacies Caused by Misunderstanding of Islamic Teaching in Relation to Out of Wedlock Pregnancy Resolution

Kekeliruan Agama Disebabkan Salah Faham terhadap Ajaran Islam berkaitan Resolusi Kehamilan Luar Nikah

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Abstract: Countless abortions, coerced adoptions, and new-born abandonment due to their illegitimate status are still happening in this country albeit the majority of Malaysian population is Muslim. With limited time and source of information, out of wedlock pregnancy resolutions are often made in haste and not necessarily weighed thoughtfully. In the attempt to curb this phenomenon, the reasonable preventive measure is religious teachings. However, instead of following the prescribed as mentioned in Quran and Sunnah, many base their strategies on common logic and cultural beliefs, which after so long, became the credence they hold on to. Islamic teachings are confused with culture, resulting skepticism and erroneous conclusions. Using library research methodology, this paper explores religious fallacies related to illegitimate children's phenomena that impacted pregnancy resolution among Malay Muslim women in Malaysia. The research concludes these religious fallacies stemmed from systemic bias towards unmarried pregnancy women and their children, contrary to the actual Islam teaching that embraces repentance and holds no one accountable of their past as long as they are truly remorseful. It is evident these misconceptions play a significant role in the process of finding the best pregnancy resolution, resulting in abandonment and death. Therefore, religious fallacies should be rectified so pregnancy resolutions could be made with rumination, and simultaneously save both mother and children.

Keywords: Stigma, Out of Wedlock Children, Out of Wedlock Pregnancy Resolution;

Abstrak: Dewasa ini, kes pengguguran bayi dan bayi baru lahir yang ditinggalkan kerana status tidak sah taraf semakin berleluasa di negara ini, waima majoriti rakyatnya adalah beragama Islam. Sebahagian besar bayi tidak sah taraf pula diserahkan kepada ibubapa angkat untuk dijaga. Dengan masa dan sumber maklumat terbatas yang ada pada si ibu, resolusi bagi kandungan tidak sah taraf biasanya dibuat dengan tergesa-gesa dan tidak dipertimbangkan dengan sewajarnya. Bagi mengekang fenomena ini, pendidikan agama dilihat sebagai langkah pencegahan yang munasabah. Namun dalam hal ini, Quran dan Sunnah tidak dijadikan panduan, sebaliknya, strategi penyelesaian mereka diasaskan kepada logik dan kefahaman budaya, yang mana setelah sekian lama, menjadi sesuatu yang diyakini sebagai kepercayaan. Dalam hal ini, pendidikan Islam dikelirukan dengan budaya, lalu menghasilkan kesangsian dan kesimpulan yang salah. Kertas ini bertujuan membahas kekeliruan agama berkaitan fenomena anak luar nikah yang memberi impak kepada resolusi

anak tidak sah taraf dalam kalangan wanita Melayu Islam di Malaysia. Kajian ini menggunakan kaedah kepustakaan bagi mengumpul data. Kajian mendapati kekeliruan agama ini berpunca dari prejudis sistemik terhadap wanita yang mengandung di luar nikah serta kandungan mereka. Hal ini tidak bertepatan dengan ajaran sebenar Islam yang menggalakkan taubat, dan tidak melihat masa silam mereka asalkan mereka benar-benar kembali ke pangkal jalan. Kesalahfahaman ini telah memainkan peranan penting dalam proses mencari resolusi kandungan luar nikah di mana kebiasaannya akan berakhir dengan pengabaian dan kematian bayi tersebut. Dengan itu, kekeliruan agama ini haruslah diperbetul supaya keputusan boleh dibuat dengan matang, dan kedua ibu dan anak dapat diselamatkan.

Kata kunci: Stigma, Anak Luar Nikah, Resolusi Kandungan Tidak Sah Taraf;

Introduction

Religious fallacies refer to interpretations or explanations that are unjustifiably presumed as religious. The term fallacy originated from a Latin word, *fallacia*, derived from *fallac-* or *fallax* that means deceitful, and from *fallere* which means to deceive (Merriam-Webster, n.d.). Fallacies may be psychologically persuasive, but they are logically flawed, marking them as sophisms or errors in reasoning regardless their conclusions are commonly based on inferences that sound reasonable and valid, causing their unreliability as vague (Grcic, 2008). Fallacies are highly persuasive, hence the widespread use in everyday dialogues, and known to have a psychological dimension in the pattern of illusions and deceptions (Walton, 2010).

The common logic and cultural beliefs in Malay Muslim community regarding out of wedlock children rooted from the shame associated with the disclosure of engaging in premarital sex. Associate Prof Dr Aizura Syafinaz Ahmad Adlan in an interview claimed parents would even send their pregnant daughters to half-way houses to deliver their unwanted babies expecting them to come home alone to avoid their family names tarnished (Said, 2019). Having a child out of wedlock is often viewed as a moral and social transgression, and unwed mothers may face social stigma, ostracism, and discrimination (Saim et al., 2013; Saim et al., 2014; Vin et al., 2014; Nor et al., 2019). While Malay society is beset with three conflicting major influences - *adat* (tradition), religion and the resultant impact of British colonial laws (Kling, 1995), the interplay of these multifarious elements are always concluded with religion as the dominant component that causes the fallacies.

Many unwed mothers were worried about the stigma and punishment from their families, who fear the exposure of their sin through the existence of their children, commonly labelled with derogatory terms like as *anak haram* (bastard) or *anak luar nikah* (illegitimate child) (Tan et al., 2012; Saim et al., 2014). Islamic teachings play a significant role in shaping cultural beliefs towards out of wedlock children in Malay society, emphasising the importance of marriage and family in making sure the rights and welfare of the child as primary consideration. However, there are Islamic teachers and leaders who instead of using Quran and *Sunnah* to deduce Islamic legal maxim, base their rulings on dialectics commonly passed down from older generations. In curbing out of wedlock pregnancy, some even misuse the religion to defend their offensive responses to this phenomenon, substantiating their fallacies by quoting Quranic verses as well as Hadith out of context to give grounds for their justifications. As a result, Islam is seen as unreasonable; especially when the discrimination against out of wedlock children are used to manipulate emotions like the issue of “bin or binti Abdullah” for out of wedlock children as gazetted by The National Fatwa Committee. There was a case in 2017 where The Court of Appeal succeeded in getting the permission to let a Muslim illegitimate child bear his father’s name for the said sentiment but was overturned in 2020 by The Federal Court (Federal Court, 2020), causing public outcry to reassess the Islamic teaching for the sake of social inclusion.

Islam is not a religion of interpretation; it doesn’t need to stay relevant based on the need of society nor does it adjust itself to please its followers. It is a decree that had stood the test of time, maintaining the very same message, unaltered and true. Not only these religious fallacies caused the religion to be seen as vindictive towards

sinners, but these mistaken beliefs also that are falsely attributed to Islam subsequently impacted illegitimate pregnancy resolutions, forcing mothers and their children to be separated, pregnancies to be aborted and newborns to be left in the gutters. This contradicts the basic nature of this religion that is compassionate, empathetic, and nurturing towards remorseful sinners. Allah SWT said:

إِنَّ رَحْمَتِي تَغْلِبُ غَضَبِي

“Verily, My Mercy prevailed over My Wrath.”
(Hadith. Muslim #2751)

This research plays a crucial role in proving many of the religious fallacies in regard to out of wedlock children are in fact misunderstandings of Islamic teaching, an area not talked enough due to its taboo nature and scarce resources. It is hoped that when the society properly understands Islam is a religion of compassion that believes in embracing those who sincerely repent, the stigma of out of wedlock pregnancy could be reversed so that pregnancy resolutions could be made with rumination, and simultaneously save both mother and children.

Research Objectives

To identify the misunderstanding of Islamic teaching as a factor contributing to religious fallacies, causing out-of-wedlock children stigma that significantly impact unmarried Malay Muslim women in Malaysia to resolve to the pregnancy resolution they do not prefer.

Research Methodology

This research adapts Thomas Mann’s *A Guide to Library Research Methods* as the methodology, for the objective of this paper is to explore the actual Quranic verses and *Sunnah* by the Prophet ﷺ in countering the long existing misunderstanding of Islamic teaching that caused out of wedlock pregnancy stigma within Malay Muslim community in Malaysia. Except when there is no prior research, library research methodology is capable of turning up existing information or knowledge records that cannot be found efficiently, or often even at all, by others (Mann, 1995).

The basic steps of the model are; (1) keyword searches, (2) subject searches, (3) recent scholarly books and articles searches, (4) citation in scholarly sources searches, (5) published bibliographies searches, (6) people sources searches, and (7) systemic browsing searches.

Religious Fallacies as an Effect to Misunderstanding of Islamic Teaching

Islamic teaching is notably the key in curbing societal issues in Malay Muslim communities in Malaysia. However, with no scholarly provision within the community, religion and culture inevitably are mixed up, causing confusion and false beliefs. The misunderstandings are often left unattended or uncorrected, in which after repeated exposure for a long time, became the truth people choose. People are oftentimes exploited by spiritual opportunists because they were told from early age to never question anything related to religion especially if it is claimed to have come from authoritative individuals or parties. They are gullible from the inadequacy they feel for lacking the knowledge of Islam, making them the easy target to be indoctrinated by charismatic individuals who manipulates the religion in gaining selfish objectives. This is why it is common to hear in tight communities like Malay Muslim, their practices and beliefs are being said as part of Islamic teaching, when in reality, they are only loosely and selectively linked. Much like superstitions, different versions of similar concepts of common beliefs are usually verbally passed down with no basis nor proof, yet for so many decades could be firmly hold on to. This phenomenon is known as the illusory truth effect, a tendency where false information is believed to be correct as the information they hold on to is in line with their understanding and feels more familiar (Hassan & Barber, 2021).

In the effort to keep premarital issues under control, religion is used as the source of argumentative points. However, when there are conveyers of the message who are not well versed and properly equipped with both Quran and Sunnah, the actual teachings, ideas and practices being passed on are compartmentalised, loosely connected, unexamined, and context dependent. Instead of spreading the true image of Islam that is firm on the sin yet compassionate towards the sinners, misunderstood Muslim - deliberately or not - portrayed this religion as somehow rigid, or worse, vindictive.

Instilling fear is seen as the better preventive measures while educating the society the actual teaching of Islam, creating awareness, and strategising the best methods are thought as lesser. Such indoctrination is easy to achieve because Malay Muslims in Malaysia are raised to always unquestionably accept values, principles or beliefs by superiors, be it by age, status or authorities, causing the younger generations to become blind followers of their predecessors. In time, those misunderstandings eventually created religious fallacies thought to be coming from Islamic teaching. There are attempts along the years to correct them but are ineffective because the society

justifies the fallacies as not the bigger issue than out of wedlock phenomena, and as long as the original intention is good as well as the objective is seen as the greater good, these misunderstandings should be viewed from a positive perspective.

However, Islam does not permit such manipulation and deceit for this divine religion values the importance of being truthful. Even when the intentions are commendable, each action that comes right after has its consequences in the Day of Judgment. Although it can be justified with reasonable and valid logic, if the underlying motives are not in line with the religion, it shall not be accepted as virtuous deed. Rasulullah ﷺ said,

إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ، وَإِنَّمَا لِكُلِّ امْرِئٍ مَا نَوَى
 “The reward of deeds depends upon the intentions and every person will get the reward according to what he has intended.” (Hadith. Al-Bukhari. #1)

Intention alone is insufficient in Islam. In *fiqh*, or Islamic legal maxim, the permissibility of an action is based on both the mean and purpose (Pejabat Mufti Wilayah, 2018).

Table 1. The Islamic Legal Maxim Regarding Means and Purposes.

Mean	Purpose	Islamic Legal Maxim / <i>Fiqh</i>
Right	Right	Accepted
Wrong	Right	Prohibited
Right	Wrong	Prohibited
Wrong	Wrong	Prohibited

Only when a right action is paired with the right intention will it be accepted in Islam. Therefore, resolving to false method to achieve a good intention nullifies the permissibility of the purpose. In Islam, whatever that could lead to anything that is prohibited, then it is also prohibited. The religion is clear in the right and wrong, distinct in good and bad. On things that are in between, Rasulullah ﷺ said:

الْحَلَالُ بَيْنَ وَالْحَرَامِ بَيْنَ، وَبَيْنَهُمَا مَشَبَّهَاتٌ لَا يَعْلَمُهَا كَثِيرٌ مِنَ النَّاسِ
 “Both legal and illegal things are evident but in between them there are doubtful (suspicious) things and most of the people have no knowledge about them.” (Hadith. Al-Bukhari. #52)

Misunderstanding of Islamic teachings - if not from the determination to wilfully dismiss them - may come from sincere viewpoints, with kind intentions and hopeful attempts of attaining goodness for a much better and wider objectives. However, as the knowledge of human are incomparable to Allah who is All-knowing, Muslims

should be able to adhere to the prescribed ways with patience even when the divine instructions have yet to make sense to their comprehensions. This surrender is a proof of a Muslim’s faith as an act of submission to the Creator who knows best.

In reference to the above table, the use of religious fallacies claimed as a necessary step in curbing pregnancy resolution should be rejected as they are not in accordance with *fiqh*.

Table 2. The *Fiqh* in Means and Purpose in Curbing Out of Wedlock Phenomena.

Mean	Purpose	<i>Fiqh</i>
Reminders from Quranic verses (Right)	To refrain Muslims from <i>zina</i>	Accepted
Creating religious fallacies (Wrong)	To refrain Muslims from <i>zina</i>	Prohibited
Reminders from Quranic verses (Right)	To allow Muslims to <i>zina</i>	Prohibited
Creating religious fallacies (Wrong)	To allow Muslims to <i>zina</i>	Prohibited

Both means and purposes must be in line with the righteous path in order for it to be valid. Although the intention to refrain Muslims from *zina* is noble, manipulating the truth or simply creating lies to achieve the goal is not permitted at all. Religious fallacies are common at the family and community level especially when the people in the society are not well versed with the Quran and Sunnah. Fallacies are sophisms; clever but false, and often used to deliberately deceive. Fallacies violate argument rules used in rational thinking or argumentation as they appear reasonable and valid, and always connected with misused inferences, which in this case, verses from al-Quran and the words of the Prophet ﷺ, to mask its vague unreliability. (Walton, 2010).

Malay Muslims are accustomed to not question religious instructions especially from those with the authorities like religious leaders, Islamic teachers and community representatives who are given the power to raise awareness and influence attitudes, behaviours and practices in the society. Requesting justifications and reasonings from the Quran and *Sunnah* for proof somehow is seen as disobedience because it portrays distrust towards the one conveying the knowledge. This contradicts to the real practice of Islam:

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولَى الْأَمْرِ مِنْكُمْ فَإِن تَنَزَعْتُمْ فِي شَيْءٍ فَرُدُّوه إِلَى اللَّهِ وَالرَّسُولِ إِن كُنتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا

“O believers! Obey Allah and obey the Messenger and those in authority among you. Should you disagree on anything, then refer it to Allah and His Messenger, if you (truly) believe in Allah and the Last Day. This is the best and fairest resolution.” (Al-Quran. An-Nisaa’ 4:59)

Everyone who claims to surrender to Allah must live the life as prescribed, not as assumed by oneself; attainable by understanding the basic tenets and practices of the *deen* (religion). There are no prohibitions in asking for proof especially to further comprehension. Even more so, choosing to not blindly follow a common practice by seeking the truth is ordained upon Muslims, as mentioned in the Quran:

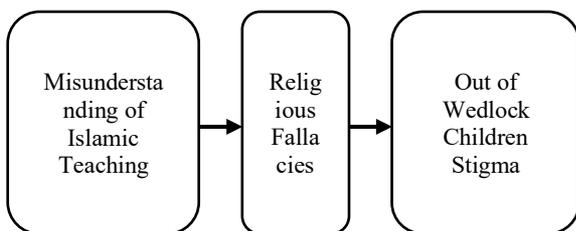
وَإِذَا قِيلَ لَهُمْ اتَّبِعُوا مَا أَنْزَلَ اللَّهُ قَالُوا بَلْ نَتَّبِعُ مَا أَلْفَيْنَا عَلَيْهِ
ءَابَاءَنَا ۗ أُولَٰئِكَ كَانَ ءَابَاؤُهُمْ لَا يَعْقِلُونَ شَيْئًا وَلَا يَهْتَدُونَ

“When it is said to them, ‘Follow what Allah has revealed,’ they reply, ‘No! We (only) follow what we found our forefathers practicing.’ Would they still do so even if their forefathers had (absolutely) no understanding or guidance?” (Al-Quran. Al-Baqarah 2:170)

Muslims are responsible for their choices and should not act on anything without first seeking proof from the Quran and *Sunnah*. If the society truly is sincere in its attempts to curb the stigma of out of wedlock pregnancy, better methods in line with the *syari’ah* should be the option for only when both the means and purpose are righteous, the deed is accepted in the sight of Allah. Based on the above verses and sayings of Rasulullah ﷺ, it is clear intention alone is not a sufficient justification, and Muslims should be more proactive in fact checking before committing to anything claimed to be from religious standpoint. Failing to do so is what caused these misunderstandings from thriving over the years.

Misunderstandings may seem small in the beginning, but without immediate corrections would snowball to irreversible unimaginable things. The figure below illustrates why it is important to have proper understanding of Islamic teaching especially on out of wedlock phenomena.

Figure 1. The Effects of the Misunderstanding of Islamic Teaching



When correcting the misunderstandings of Islamic teaching related to out of wedlock pregnancy is not deemed as priority, the society will not take religious fallacies seriously and shall continue believing them. This falseness will then be passed down uncorrected and unquestioned until they become the truth they hold on to. Gradually, religious fallacies morph into stigmas that target unmarried mothers and their illegitimate children, causing countless abortions, coerced adoptions and newborn abandonment due to their illegitimate status.

Religious Fallacies Related to out of Wedlock Phenomena

Thinking instilling fear is the better strategy than truly understand the wisdom behind the prevention of *zina* in hopes to keep Muslims away from premarital relationships, irresponsible members of society who misrepresent the *deen*, confusing divine revelation with cultural honour end up displaying Islam as callous and uncompromising. Ironically, the positive intention to influence the society to feel repulsed by the sin gradually became the catalyst to a prejudiced community that target the sinners instead. An internet survey was done to inquire the common fallacies related to out of wedlock pregnancy in Malay Muslim community; the recurring responses are as follows:

Table 3. The Religious Fallacies Related to Out of Wedlock Phenomena.

Categories	Fallacies
Personality	Low IQ with problematic behaviour Permitted to kill their sinful parents Impure. Touching them invalidates <i>wudhu'</i>
Family Life	Cannot be married. If they do, the marriage is nullified Cannot be a wali for daughter's marriage Their children will repeat their sins for 7 generations
Ibadah	Cannot lead congregational prayers Cannot visit Makkah & Medina, therefore no <i>haji</i> nor <i>'umrah</i> for them Must cover proper <i>awrah</i> even to his mother
Aakhirah	Can never enter <i>jannah</i> (paradise) The righteous one can only reach between <i>jannah</i> and <i>jahannam</i> (hell) Will be the follower of <i>dajjal</i>

These horrible misrepresentations of religion are passed through the mouth of community elders who learned them from past generations who claimed to be indoctrinated by the community religious leaders. Back then, the younger generation in the society are required to unquestionably offer love, respect, support and deference to their parents as they are eternally indebted to them for the lives provided since birth. This tenet of filial piety also applies to all elders like teachers, professional superiors or anyone who is older in age; which explains why knowledge dissemination are unregulated and unrestricted (Tanggok, 2018). As elders are seen highly as those who have visioned, initiated, developed, guided, nurtured, and anchored the community for decades, by default, whatever they pass to their children are wisdom that should be followed without doubt. All the above are claimed to be based on Islamic teaching simply by the assertions of the fallacies' religious features, for instance, the effect towards one's *ibadah* (religious practices) and the impact it has on the *aakhirah* (eternal life).

Religious affiliations, practices and credences are often connected with Malay cultures and beliefs in Malaysia, confused between each other. Although there are no substantiation from Quran and Sunnah, those ideas and opinions had penetrated deep into the society for a long time and passed on from one generation to another - absorbed and accepted as their value and character. The internalisation of religious fallacies is relatively easy to achieve because it is conceptual, not methodological. The younger generation learns what to believe from the elders through serial or systematic learning based on proposition and verbal kind of learning, as well as from repeated experience (Chaves, 2010). There are no proof to why that misinformation of Islamic teaching occurred, but without solid references from Quran and Sunnah, it is understandable how easy it is to indoctrinate ideas and practices that are mainly fragmented and situational. After decades of internalisation, these religious fallacies, like superstitions, ended up fossilised and difficult to change.

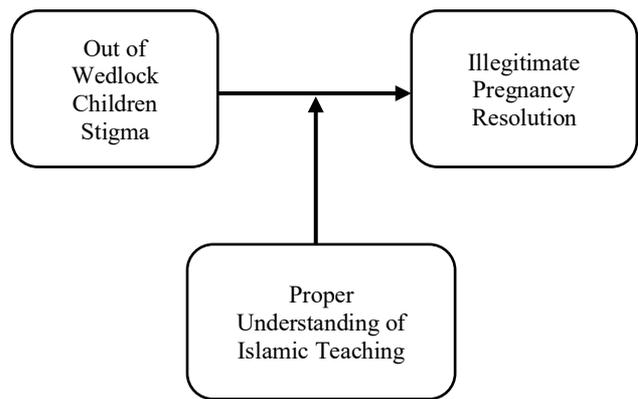
While it is understandable that fearmongering is a successful technique in instilling ideas, understanding cultures and tradition in the society therefore is commonly used in the older generation, the fear appeals have been associated with heightened distress and are detrimental for those who are anxious and have lower self-efficacy (Belcher et al., 2022). Creating false belief in the name of Islam is a not permissible and considered as sin, as mentioned by Rasulullah ﷺ:

مَنْ أَحَدَّثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ فِيهِ فَهُوَ رَدٌّ

"If somebody innovates something which is not in harmony with the principles of our religion, that thing is rejected." (Hadith. Al-Bukhari. #2697)

Even with good intention, the invention of religious fallacies is unacceptable in Islam as it was drawn upon lies. Although the society tolerates a certain degree of manipulation of truth such as tact, excuses, politeness, reticence, avoidance or evasion to protect privacy, promote social harmony, and encourage interest, a deception is still a lie, therefore forbidden in Islam (Adler, 1997). The research believes misunderstanding of Islamic teaching causes religious fallacies that contributes to out of wedlock children stigma in Malay Muslim communities in Malaysia which ultimately influence illegitimate pregnancy resolutions. The best way to ensure the future of both unmarried mother and their illegitimate children is by educating the society the proper Islamic view on this matter.

Figure 2. The Importance of Proper Understanding of Islamic Teaching



Many unmarried mothers chose the pregnancy resolution they do not prefer due to the stigma of out of wedlock children. Many ended up having abortion even the child is wanted, some had to give their child up for adoption even they wish to raise them, and a number of them are forced to marry to save their family honour even if the partners are not desired. Therefore, to ameliorate pregnancy resolutions in Malay Muslim community in Malaysia, the stigma should be reversed so it would no longer contribute to the unmarried mothers' hasty decisions, and the best attempt to achieve this is by having proper understanding of Islamic teachings on the phenomenon of children born out of wedlock.

Proper Understanding Of Islamic Teaching In Regard To The Fallacies Related To Out Of Wedlock Phenomena

Islam is a religion that is adamant in taking stern precautions, but different approaches are applied on things that had already been done. Strict provisions only apply before the occurrence of a sin, not after. All that is

needed for a sinner to be free from their past disobedience is a sincere *tawbah*, done with innermost conviction. Repentance is supposed to be easy and personal to motivate sinners from looking back to the sins that hold them from moving forward.

Although the proper Islamic teaching is to never merit any human beings based on what they have done but who they are in present time, Muslim society in general still fails to truly embrace those who had repented even when Allah specifically had mention in His Book the horrendous sin of *zina* is forgivable:

وَالَّذَانِ يَأْتِيَانِيهَا مِنْكُمْ فَأَمَّا تَابَا وَاصْلَحَا فَأَعْرَضُوا عَنْهُمَا إِنَّ اللَّهَ كَانَ تَوَّابًا رَحِيمًا

And the two among you who commit this sin—discipline them. If they repent and mend their ways, relieve them. (Al-Quran. An-Nisaa' 4:16)

While Islam has no bias on one's past as long as they perform *tawbah* and commit to their act of atonement, the society in contrary vindictively participates in *tajassus* (investigating) other people's affair, harbouring ill intentions. The reality is there are Muslims who are displeased with those who have committed *zina*. When it is commendable to hate sin, some just went overboard by manifesting their ill thoughts through self-righteous causes that turned out to be fallacies, which eventually stigmatise the children conceived from the premarital relationship - even before they were born - until the end of their lives, and their generations to come. The society seems to neglect the warning by Rasulallah ﷺ when it comes to addressing other people's personal issues:

لَا تُؤْذُوا الْمُسْلِمِينَ وَلَا تُعْزِرُوهُمْ وَلَا تَنْبَغُوا عَوْرَاتِهِمْ
 “Do not harm the Muslims, nor revile them, nor spy on them to expose their secrets. (Hadith. At-Tirmidhi. #2032)

Even if the fallacies are true, no one is permitted to talk negatively towards them nor about them. Choice of words are important in Islam, that if the message has the possibility to sound too harsh to the ears of those who are listening, the better approach suggested by Rasulallah ﷺ is to remain quiet. With that in mind, it should be clear how impossible it is for Islam to condone such degradation of human beings for the status they are born with and has no control upon, subsequently proving all of the fallacies said to have come from religious perspectives are basically just lies.

Nature Versus Nurture

With a loose estimation of 20 – 60% at best, genetic studies provide no clear pattern of inheritance nor specific genes that confer specific temperamental traits in human (“Is Temperament Determined by Genetics?”, 2022). Similarly, there are no correlation of sin between two people albeit their biological relationship. This is confirmed by Allah in al-Quran:

وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ ۗ وَإِن تَدْعُ مُثْقَلَةٌ إِلَىٰ جَمِيلِهَا لَا يُحْمَلُ مِنْهُ شَيْءٌ وَلَوْ كَانَ ذَا قُرْبَىٰ

No soul burdened with sin will bear the burden of another. And if a sin-burdened soul cries for help with its burden, none of it will be carried— even by a close relative. (Al-Quran. Fatir 35:18)

There are no definite genetic predictors to sins that would support the fallacy of children of adulterers will become adulterers themselves. The assertion is believed to root from a *hadith* mentioned “Children of *zina* will never enter *jannah*, as will never his children, for 7 generations”. The *hadith*, however, according to Muḥammad Nasir and Mashhur (2010) had been graded as *batil* (invalid) as it contradicts the Quranic verse:

وَالَّذِينَ ءَامَنُوا وَاتَّبَعَتْهُمْ ذُرِّيَّتُهُمْ بِإِيمَانٍ أَلْحَقْنَا بِهِمْ ذُرِّيَّتَهُمْ وَمَا أَلْتَنَاهُمْ مِنْ عَمَلِهِمْ مِنْ شَيْءٍ ۚ كُلُّ امْرِئٍ بِمَا كَسَبَ رَهِينٌ

As for those who believe and whose descendants follow them in faith, We will elevate their descendants to their rank, never discounting anything (of the reward) of their deeds. Every person will reap only what they sowed. (Al-Quran. At-Tur 52:21)

Each will be graded based on their deeds; any transgressions should be repented on their own account, not at the expense of others like the practice of honour killings. In extreme circumstances particularly in Islamic communities in Middle Eastern, Kurdish and Pakistani, honours can be regained by committing the offensive act. As the patriarchs are given the license to kill their unmarried pregnant daughters for the sake of redeeming family honour (Knudsen, 2004), children born out of wedlock in Malay Muslim community permitted to kill their parents in order to expiate their sins of *zina*. Such tradition is not in line with the teaching of Islam, proven by this verse:

أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا

“Whoever takes a life— unless as a punishment for murder or mischief in the land— it will be as if they killed all of humanity; and whoever saves a life, it will be as if they saved all of humanity. (Al-Quran. Al-Maidah 5:32)

If Allah had promised his unconditional forgiveness to all— should they ask sincerely for it— it is incongruous of his creations to condemn one another. No one can change their past especially the things they are born with, no matter how hard they try.

Marriage and Family

None of the reputable *fuqaha*, or Islamic jurists, have ever stated the ruling on marrying someone with illegitimate status is *haram* (forbidden). There are, however, opinions on the importance of good lineage as a factor in deciding a compatible partner for marriage, but this only applies to the consequential choice of marrying someone from a family of transgressors. Man are not judged based on their backgrounds, but who they are in the sight of Allah (swt), as mentioned in Al-Quran:

إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ ۗ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

Surely the most noble of you in the sight of Allah is the most righteous among you. Allah is truly All-Knowing, All-Aware. (Al-Quran. Al-Hujerat 49:13)

The stigma of being born out of wedlock continues until they become fathers as the society uses more fallacies to disqualify them from taking the responsibility of *wali* (guardian) for their daughters. *Nikah* (marriage) is in fact a serious matter in Islam and the selection of *wali* must be in accordance with Islamic law for it would affect the validity of marriage, but all fathers, regardless their birth status, are critically assessed based on the same condition that may or may not qualify them the sought-after responsibility.

Ibadah (Religious Practice)

Children born out of wedlock are outcasted so bad that they are claimed to be impure to the extent that touching them will nullify *wudhu* (ablution). Such preposterous fallacy is baseless and has no substance, just pure prejudice to segregate them from the so-called pure members of the society.

Not only that, they are said to be forbidden from leading congregational prayers due to their birth status. While there are narrations saying Rasulullah ﷺ mentioned prayers offered behind a disliked *imam*, or leader of congregational prayers is not preferred, it should not be taken literally without prior understanding the whole context:

ثَلَاثَةٌ لَا تَرْتَفِعُ صَلَاتُهُمْ فَوْقَ رُءُوسِهِمْ شِبْرًا رَجُلٌ أَمَّ قَوْمًا وَهُمْ لَهُ كَارُهُونَ، وَامْرَأَةٌ بَاتَتْ وَرَوْحُهَا عَلَيْهَا سَاخِطٌ وَأَخْوَانٌ مُتَّصِرَانِ

“There are three whose prayer do not rise more than a hand span above their heads: A man who leads people (in prayer) when they dislike him; a woman who has spent the night with her husband angry with her; and two brothers who have severed contact with one another.” (Hadith. Sunan Ibn Majah #971)

The word “dislike” in the *hadith* should not be confused with personal view and feeling; rather, it refers to the *imam*’s lack of knowledge or inability to properly fulfil the conditions of prayer. As such, if this legal cause is not present, then the disliked nature of praying behind him no longer remains. Thus, despite being illegitimate, if a person possesses the necessary characteristics of being an *Imam*, then he can be an Imam without any dislike. In fact, if an illegitimate person is more righteous and more knowledgeable than others in regard to the rules of prayer, then he is more worthy of leading the prayer.

Conclusion

The misunderstanding of Islamic teachings is what caused the stigma of out of wedlock children to exist in Malay Muslim community, significantly affecting the pregnancy resolutions among unmarried women. The decisions to countless abortions, coerced adoptions and newborn abandonment are still made in haste and not necessarily weighed thoughtfully as the mothers are fearful of the society more than the days of judgement, resulting in psychological trauma of endless guilt that haunts them with infinite suppositions that they could have done better for their children. Over and over again, statistics show that in clinically depressed patients, it is guilt, not shame, that predicts depression (O’ Connor et al., 2001), proving the victims of this phenomenon are not only the children but their mothers as well.

The fallacies that portray Islam as vindictive and unforgiving are left uncorrected for so long, fossilised within the community and had become the made up truth passed from one generation to another. In actuality, the fallacies related to out of wedlock pregnancy created with

the intention to instil fear in the society are evidently gratuitous and superfluous. Instead, society should choose to be more forgiving, for it would give people hope, which then would provide people positive meaning of life and drive. Allah said in His Book:

قُلْ يَا أَيُّهَا الَّذِينَ آمَنُوا عَلَىٰ أَنفُسِهِمْ لَا تَقْنَطُوا مِن رَّحْمَةِ اللَّهِ إِنَّ اللَّهَ يَغْفِرُ الذُّنُوبَ جَمِيعًا إِنَّهُ هُوَ الْغَفُورُ الرَّحِيمُ

"Say, O My servants who have transgressed against themselves by sinning, do not despair of the mercy of Allah. Indeed, Allah forgives all sins. Indeed, it is He who is the Forgiving, the Merciful" (Al-Quran. Az-Zumar 39:53)

To conclude, it is hoped that when the society properly understand Islam is a religion of compassion that believes in embracing those who sincerely repent, the stigma of out of wedlock pregnancy could be reversed so that pregnancy resolutions could be made with rumination, and simultaneously save both mother and children. The stronger the stigma, the worse it could get for the pregnancy, unless if proper understanding of Islamic teachings intervenes during the process.

References

- Adler, J. H. (1997). Lying, Deceiving, or Falsely Implicating. *The Journal of Philosophy*, 94(9), 435. <https://doi.org/10.2307/2564617>
- Al-Bukhari. n.d. *Sahih al-Bukhari*. Revelation: How The Divine Revelation Started Being Revealed To Allah's Messenger. Retrieved November 25, 2022, from <https://sunnah.com/bukhari:1>
- Al-Bukhari. n.d. *Sahih al-Bukhari*. The Book of Belief: Chapter The Superiority Of That Person Who Leaves All Doubtful (Unclear) Things For The Sake Of His Religion. Retrieved September 23, 2022, from <https://sunnah.com/bukhari:52>
- Al-Bukhari. n.d. *Sahih al-Bukhari*. The Book of Peacemaking: Chapter If Some People Are (Re)conciled on Illegal Basis, Their Reconciliation is Rejected. Retrieved September 25, 2022, from <https://sunnah.com/bukhari:2697>
- Al-Qur'an al-Karim*.
- At-Tirmidhi. n.d. *Jami' at-Tirmidhi*. Chapters on Righteousness And Maintaining Good Relations With Relatives: What has been Related About Honoring The Believer. Retrieved September 28, 2022, from <https://sunnah.com/tirmidhi:2032>
- Belcher, J., Wuthrich, V. M., & Lowe, C. J. M. (2022). Teachers use of fear appeals: Association with student and teacher mental health. *British Journal of Educational Psychology*, 92(2), 610–626. <https://doi.org/10.1111/bjep.12467>
- Chaves, M. (2010). Rain Dances in the Dry Season: Overcoming the Religious Congruence Fallacy. *Journal for the Scientific Study of Religion*, 49(1), 1–14. <http://www.jstor.org/stable/40664673>
- Federal Court also orders NRD to remove 'bin Abdullah' from birth certificate. (2020, February 13). *The Star*. Retrieved November 12, 2022, from <https://www.thestar.com.my/news/nation/2020/02/14/federal-court-also-orders-nrd-to-remove-bin-abdullah-from-birth-certificate>
- Grcic, J. (2008). The Halo Effect Fallacy. *E-LOGOS*, 15(1), 1–6. <https://elogos.vse.cz/pdfs/elg/2008/01/14.pdf>
- Hassan, A., & Barber, S. (2021). The effects of repetition frequency on the illusory truth effect. *Cognitive Research: Principles and Implications*, 6(1). <https://doi.org/10.1186/s41235-021-00301-5>
- Ibn Majah. n.d. *Sunan Ibn Majah*. Establishing The Prayer And The Sunnah Regarding Them. Chapter: The One Who Leads People In Prayer When They Do Not Like Him (To Lead Them). Retrieved September 28, 2022, from <https://sunnah.com/ibnmajah:971>
- Kling, Z. (1995). The Malay Family: Beliefs and Realities. *Journal of Comparative Family Studies*, 26(1), 43–66. <https://doi.org/10.3138/jcfs.26.1.43>
- Knudsen, A. (2003). Traditional (in)Justice: Honour killings in Pakistan. *Human Rights in Developing Countries*. <https://doi.org/10.1163/22116087-90000005>
- Mann, T. (1995). *Library Research Models: Guide To Using Classifications, Catalogs And Computers*. Oxford University Press.
- MedlinePlus Genetics. (n.d.) Is temperament determined by genetics? Retrieved September 30, 2022, from <https://medlineplus.gov/genetics/understanding/traits/temperament/>
- Muhammad Nāṣir al-Dīn al-Albānī, & Mashhūr bin Ḥasan Āl Salmān. (2010). *Silsilah al-Aḥādīth al-Ḍa'īfah wal-Mawḍū'ah Mujarradah 'An al-Takhrīj*. Maktabah al-Ma'ārif.
- Nor, A. M., Shah, S. S. A., Balasingam, U., & Zainudin, Z. N. (2019). The turning point in an unwanted teenage pregnancy: a psycho-emotional

perspective. *Malaysian Journal of Medicine and Health Sciences*.

O'Connor, L. J., Berry, J. W., Weiss, J., & Gilbert, P. (2002). Guilt, fear, submission, and empathy in depression. *Journal of Affective Disorders*, 71(1–3), 19–27. [https://doi.org/10.1016/s0165-0327\(01\)00408-6](https://doi.org/10.1016/s0165-0327(01)00408-6)

Pejabat Mufti Wilayah Persekutuan. (2018). Irsyad Usul Al-Fiqh Series 26: Islamic Legal Maxim Regarding The Method Of Achieving One's Goals. Retrieved September 23, 2022, from <https://muftiwp.gov.my/en/artikel/irsyad-usul-fiqh/2880-irsyad-usul-al-fiqh-series-26-islamic-legal-maxim-regarding-the-method-of-reaching-one-s-goals>

Said, S. (2019, February 4). *Teenage Pregnancy: Who Is To Blame?* Bernama.com. Retrieved November 12, 2022, from <http://youth.bernama.com/v2/news.php?id=1681533&c=7>

Saim, N. J., Dufåker, M., Eriksson, M., & Ghazinour, M. (2013). Listen to the Voices of Unwed Teenage Mothers in Malaysian Shelter Homes: An Explorative Study. *Global Journal of Health Science*, 5(5). <https://doi.org/10.5539/gjhs.v5n5p20>

Saim, N. J., Dufåker, M., & Ghazinour, M. (2014). Teenagers' Experiences of Pregnancy and the Parents' and Partners' Reactions: A Malaysian Perspective. *Journal of Family Violence*, 29(4), 465–472. <https://doi.org/10.1007/s10896-014-9595-4>

Tan, P., Tohid, H., Su, X. V., Tan, K. G., M, A., & O, K. (2012). A study on pregnant adolescents residing in a government home: common characteristics and their views on the pregnancy. *Malaysian Family Physician*, 7(1), 11–15. <https://doi.org/10.4066/mfp.2012.1710>

Tanggok, M. I. (2018). Filial Piety In Islam And Confucianism [A Comparative Study Between Ahadith And The Analects]. Proceedings of the International Conference on Qur'an and Hadith Studies (ICQHS 2017), Syariff Hidayatullah State Islamic University of Jakarta, Indonesia, 6-8 November 2017. <https://doi.org/10.2991/icqhs-17.2018.15>

Vin, S. X., Muhammad, N., Sun, T., Meng, K., Tohid, H., & Omar, K. (2014). Physical and psychosocial impacts of pregnancy on adolescents and their coping strategies: A descriptive study in Kuala Lumpur, Malaysia. *Malaysian Journal of Public Health Medicine*, 14(3), 71–80.

Walton, D. (2010). Why Fallacies Appear to be Better Arguments Than They Are. *Informal Logic*, 30(2), 159. <https://doi.org/10.22329/il.v30i2.2868>