

# Elopement among Teenage Girls in Malaysia: A Multidisciplinary Analysis through Maqasid al-Shariah, Sociology, and Child Protection Law

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## ABSTRACT

The increasing phenomenon of teenage girls eloping with non-mahram partners in Malaysia reflects a complex interplay of moral, social, and systemic challenges. This study adopts a multidisciplinary approach integrating Islamic jurisprudence through the lens of Maqasid al-Shariah, sociological theory, and Malaysian child protection law to critically examine the root causes, implications, and responses to this issue. From the perspective of Maqasid al-Shariah, such elopements undermine the protection of honour (ḥifẓ al-‘ird) and lineage (ḥifẓ al-nasl), thereby threatening family stability and exposing youth to moral and legal risks, including zina (illicit sexual relations) and social stigma. Sociological analysis reveals that peer influence, pervasive social media, weakened family structures, and insufficient religious education are key contributing factors driving adolescent girls towards such behaviour. Despite the existence of the Children Act 2001, enforcement gaps and limited preventive measures persist. This research employs qualitative content analysis and case study methods to identify behavioural patterns, contextual drivers, and policy shortcomings. The findings underscore the need for collaborative intervention involving families, educational institutions, religious authorities, and policymakers. The study concludes by advocating for a holistic, prevention-oriented strategy rooted in Maqasid al-Shariah, child protection principles, and evidence-based social policy to safeguard the dignity and well-being of Malaysian adolescents.

**Keywords:** Elopement; Teenage Girls; Child Protection; Maqasid al-Shariah; Malaysia

## INTRODUCTION

The phenomenon of teenage girls eloping with their boyfriends is an enduring issue within Malaysian society. While not a novel occurrence, recent years have witnessed a marked escalation in such cases, attributable to rapid social transformation, advances in communication technology, and shifting family values. Statistics from the Department of Social Welfare (JKM) indicate that the average number of teenage girls absconding from home due to unsanctioned romantic relationships increased by approximately 8% annually between 2018 and 2023 (JKM, 2023). Majid et al. (2020) further highlight that teenage girls who become pregnant out of wedlock frequently attempt to escape institutional shelters to reunite with their partners, underscoring the limited effectiveness of current intervention strategies.

This growing trend signals a crisis of individual morality and reflects deeper systemic shortcomings in Malaysia's social, educational, and child protection frameworks. From a sociological perspective, such acts of elopement exemplify the conflict between values of different generations and society's inability to address the psychosocial pressures faced by contemporary adolescents adequately. Marxist conflict theory (Marx, 1867) posits that social deviance stems from power imbalances; in this context, adolescent girls frequently occupy subordinate positions, rendering them vulnerable to manipulation and emotional exploitation. Zakaria and Sarnon (2017) note that even adolescent victims of statutory rape may defend their perpetrators as lovers, a result of psychological distress and confusion over the concept of love demonstrating the insufficiency of legal protection alone without a nuanced understanding of adolescent psychosocial development.

From the perspective of Islamic jurisprudence (*fiqh*), such behaviour is at odds with the principles of *maqasid al-shariah*, which prioritise the protection of dignity (*hifz al-'ird*) and lineage (*hifz al-nasl*). Traditional punitive approaches, however, are increasingly recognised as inadequate; there is a pressing need to integrate preventive and rehabilitative strategies (*islāh*) with educational fatwas and holistic Islamic education. Sohیب (2024) advocates for a shift from punitive to educational approaches in Islamic rulings, enabling adolescents to comprehend the broader implications of their actions in light of contemporary realities.

Therefore, this article aims to provide a comprehensive analysis of the phenomenon of teenage girl elopement in Malaysia, employing an interdisciplinary framework that encompasses *fiqh*, sociology, and child protection law. The central question addressed is whether this issue should be understood solely as a moral crisis or as evidence of broader systemic failures in supporting and safeguarding the nation's adolescent girls.

## LITERATURE REVIEW

### Fiqh Perspective: Moral Transgression and Sharia Boundaries

From the standpoint of Islamic jurisprudence (*fiqh*), the act of teenage girls absconding or eloping with non-mahram partners is considered a grave moral and legal transgression. Central to this discussion is the concept of *zina*, sexual relations outside the bounds of a valid marriage contract, which is categorically prohibited by both the Qur'an and the Sunnah (Al-Shatibi, 1997). Beyond the act itself, *fiqh* extends this prohibition to any conduct that may lead to *zina*, a principle encapsulated by *sadd al-dhara'i* (blocking the means to evil). This includes behaviours such as unchaperoned dating, physical intimacy, and particularly, elopement with a non-mahram partner.

Allah SWT says in Surah Al-Isra', verse 32:

وَلَا تَقْرَبُوا الزَّوْجَ إِذَا كَانَ فِجْشَةً وَسَاءَ سَبِيلًا

"And do not approach unlawful sexual intercourse. Indeed, it is ever an immorality and is evil as a way."

*Tafsir al-Qurtubi* explains that "do not approach" (*la taqrabu*) signals a prohibition of the act of *zina* and all precursors to it. This strict preventative approach is also reflected in Malaysia's State Fatwa Committees, which have consistently issued fatwas reiterating that acts such as elopement, *khalwat* (proximity), and pre-marital relationships are strictly forbidden, as they compromise both *hifz al-'ird* (preservation of dignity) and *hifz al-nasl* (preservation of lineage), two cardinal objectives of *maqasid al-shariah* (Jawatankuasa Fatwa Selangor, 2018; Rosidi et al., 2022).

For example, the Fatwa Committee of the State of Selangor and the Federal Territories Mufti Office have both released fatwas explicitly prohibiting unsanctioned relationships and warning that such behaviors erode the integrity of the family institution and expose youth to grave risks, including sexual abuse, unwanted pregnancies, and the loss of legitimate lineage (Majlis Agama Islam Selangor, 2023; Pejabat Mufti Wilayah Persekutuan, 2018). These fatwas often call for heightened parental supervision, educational interventions, and community vigilance, framing such measures as religious imperatives and responses aligned with the public interest (*maslahah*) (Rosidi et al., 2025).

Empirical research further substantiates these religious concerns. Razhanlaily and Hamjah (2017) note that factors such as social media influence, peer pressure, inadequate religious education, and family dysfunction are strongly correlated with adolescent sexual misconduct. Alavi et al. (2023) highlight that the proliferation of explicit content via mass media weakens adolescent self-restraint, increasing the likelihood of transgressive behaviour.

Significantly, fatwas addressing this phenomenon are not merely punitive in orientation; instead, they consistently stress the importance of early prevention, parental and community education, and holistic rehabilitation (*islāh*) by the objectives of *maqasid al-shariah* (Rosidi et al, 2025). For instance, several Malaysian fatwa bodies advocate for educational and rehabilitative measures (Rosidi, 2024), in addition to legal deterrence, as part of a systemic response to protect *hifz al-'ird* and *hifz al-nasl* and prevent the social harms associated with

adolescent elopement.

### **Sociological Perspective: Influence of Family and Social Environment**

Generally, from a sociological point of view, the act of teenage girls eloping with boyfriends is not merely an individual moral issue. However, it reflects the breakdown of social institutions, especially the family. The family should be the primary socialisation agent, shaping adolescents' identity and social values. However, when there is emotional neglect, family conflicts, or a lack of effective communication, adolescents tend to seek emotional support from external parties, including in unhealthy romantic relationships (Azri, 2016).

Furthermore, study findings show that socioeconomic factors such as low household income and lack of parental supervision significantly correlate with adolescents' tendency to engage in risky behaviours, including running away from home (Nor Azri, 2016). In a broader context, environmental pressures such as risks at school and unproductive communities are among the significant factors contributing to moral decay and adolescent delinquency.

A study by Nor Khairiah and Siti Fardaniah (2019) also emphasises that even if adolescents have a religious education background, high social pressure can still push them to run away from home. This proves that spiritual values alone are insufficient if not supported by a stable family system and social environment.

In addition, the influence of social media and peers also plays an important role. According to Fadhil Aziz and Mardzelah Makhsin (2021), adolescents are greatly affected by the development and sophistication of social media today. Popular culture that promotes freedom and free love among adolescents, without strong moral guidance, has contributed to the normalisation of prevalent behaviours such as leaving home without permission and living with a partner.

Adding to that, Bronfenbrenner's ecological system theory by Bronfenbrenner (1979) is also relevant in explaining this issue, as individual behaviour is influenced by interactions between micro (family), meso (community), and macro (culture and national policy) systems. The fragility of these system functions will result in adolescents failing to adapt healthily and ultimately choosing a deviant path.

Therefore, from a sociological perspective, this phenomenon needs to be addressed comprehensively, not just through a punitive approach towards adolescents, but also by strengthening family institutions, improving community support systems, and introducing public policies that target prevention from the root cause.

### **Child Protection Perspective**

In the context of adolescents running away from home with partners, child protection must be emphasised to examine the extent to which the legal system in our country functions. According to Act 611 of the Child Act 2001, an adolescent is defined as someone under 18. This definition is consistent with the definition in Article 1 of the United Nations Convention on the Rights of the Child (CRC), which states that a child is "every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier". With this definition, Malaysia is in line with international standards in protecting children and adolescents at risk of neglect and exploitation.

In addition, this issue not only involves adolescents or children but also demands serious attention to the role and responsibility of guardians, especially parents, in ensuring their children's moral and emotional well-being. The act of teenage girls eloping with non-mahram partners often reflects the guardians' weakness in performing their role as the primary protectors of underage children. Thus, running away from home can be interpreted as a form of neglect, as provided in Part VI of the Child Act 2001, where guardians who fail to ensure the safety of children can be subjected to legal action. This is also emphasised in the National Child Protection Policy, which outlines that parents are responsible for protecting children from abuse, neglect, and exploitation (Department of Social Welfare, 2009). Weak family relationships and the inability of guardians to identify the emotional distress of their children are identified as among the leading causes of adolescent misconduct (Ismail, 2019).

Therefore, it can be concluded that the child protection approach in Malaysia should not only focus on post-

incident punishment but also include early prevention efforts through parenting education, community support, and empowerment of family institutions, in line with the "best interests of the child" principle emphasized in the United Nations Convention on the Rights of the Child (UNICEF Malaysia, 2014).

## METHODOLOGY

### Qualitative Research

This study uses a qualitative approach with an in-depth case analysis of several adolescent girls who eloped with their boyfriends. Each case will be meticulously analysed from three perspectives: Fiqh (Islamic law), Sociology, and Child Protection (Raval et al., 2010; Manjula et al., 2018).

Data will be collected through in-depth interviews, case documents, and observations to understand the background, motivations, and experiences of the adolescents involved. Thematic analysis will identify key themes and patterns across cases, such as family pressure, romantic relationships, and the risk of exploitation.

A cross-comparison between perspectives will be conducted to assess similarities and differences in explanations and proposed solutions. This approach allows for a more comprehensive understanding of the phenomenon of elopement and its implications for the protection, well-being, and rights of adolescent girls. The study's findings are expected to contribute to more effective policies and interventions, grounded in a multidisciplinary understanding (Thrane, 2009).

### Content Analysis

This study analyses content, examining and interpreting relevant documents to gain context and information. (Gheyle et al., 2017). These documents include Islamic legal texts (fiqh), sociological studies, child protection legislation, and news or case reports on runaway adolescents. These sources are analysed to extract recurring patterns, legal implications, and sociological dimensions that reflect contributing factors to such behaviour (Creswell, 2018; Elo, 2008).

To deepen the analysis, the study also utilises Fiqh (Islamic jurisprudence) as a theoretical framework, focusing on maqasid al-shariah (objectives of Shariah) such as the preservation of honour (hifz al-'ird) and progeny (hifz al-nasl) (Kamali, 2008; Rosidi et al., 2022). Relevant verses from the Quran, Hadith, as well as classical and contemporary fatwas, are analysed to assess Islamic rulings concerning illicit relationships, the responsibility of guardians (*wilayah*), and the protection of underage children in Islam (Zahalan, 2023; Noor, 2016).

Furthermore, child protection principles are evaluated through the lens of the Malaysian Child Act 2001 (Act 611) and the Convention on the Rights of the Child (CRC). This is done to assess the adequacy of legal protection for minors, especially girls under 18 years old, who are at risk of neglect, exploitation, or emotional manipulation (UNICEF Malaysia, 2012; JKM, 2012).

This study will conduct case studies by selecting specific instances of adolescent girls who eloped with their boyfriends for deeper analysis. Two cases, Nurwada in 2023 and Nur Qairunnisa in 2014, have been analysed to understand the elopements' social, legal, and emotional context. (Zakarya, 2023) These cases provide an empirical basis to explore how family dynamics, peer pressure, media influence, and weak institutional protection might converge to produce vulnerable adolescent behaviour (Ismail et al., 2019; Amin et al., 2016).

Finally, the collected data is subjected to thematic analysis to identify case patterns and themes. This allows for a comprehensive understanding of the issue from the perspectives of fiqh, sociology, and child protection. This multidisciplinary approach is crucial for informing policy, prevention strategies, and community-based interventions.

## RESEARCH FINDINGS

An in-depth analysis of two high-profile cases, those of 13-year-old Nur Qairunnisa and 14-year-old Nurwada Asmadi, both of whom absconded with non-mahram partners, reveals significant and recurring patterns of

emotional vulnerability, family dysfunction, and systemic shortcomings in child protection. Both girls, classified as children under the Children Act 2001, exemplify the multifaceted risks faced by adolescent females in contemporary Malaysian society (Zakarya, 2023).

From a fiqh and Maqasid al-Shariah perspective, these incidents underscore an urgent need for stronger moral and religious guidance, particularly in safeguarding the *hifz al-'ird* (protection of dignity) and *hifz al-nasl* (protection of lineage). Both cases highlight the consequences of inadequate religious education and weak parental supervision, which are explicitly identified in Islamic legal discourse and several state and national fatwas as contributing factors to adolescent moral decline and exposure to zina-related risks.

Sociologically, these cases illustrate the failure of primary socialisation agents, most notably the family, to provide adolescents with a stable sense of security, emotional support, and value-based boundaries. Both individuals demonstrated profound emotional attachment to their partners and a willingness to trust in unsubstantiated promises, often as a reaction to dysfunctional or high-pressure home environments. When the home ceases to function as a sanctuary, adolescent girls may idealise romantic partners as protectors or avenues for escape—a finding consistent with Strain Theory (Agnew, 1992) and Socialisation Theory, which links deviant behaviour to family and community socialisation failures. This is corroborated by Alavi et al. (2013), who found that adolescent runaways are primarily motivated by psychosocial stress, a lack of parental attention, and insecurity within the family.

From a child protection perspective, these disappearances reveal critical deficiencies in institutional response, both in terms of parental engagement and the responsiveness of authorities. Many parents lack the necessary training and resources to detect early behavioural changes in their children or maintain effective communication, as Khadijah et al. (2013) noted. Institutional responses are often hampered by delayed action or bureaucratic limitations, undermining the intended protections of the Child Act 2001 (Ismail et al., 2019; Amin et al., 2016). Wan Ahmad Atarmizi and Sa'ad (2024) further emphasise that effective intervention must foster open, trust-based communication between children and guardians, allowing adolescents to feel heard, valued, and protected.

The findings of this study highlight that emotional decision-making—rooted in a lack of long-term planning, social pressures, and insufficient moral grounding—drives these acts of elopement. The phenomenon is, therefore, not simply a matter of individual moral failing but a reflection of broader systemic weaknesses across family, community, and institutional frameworks.

## DISCUSSION

### Maqasid al-Shariah Perspective

From the perspective of fiqh, the phenomenon of teenage girls absconding with non-mahram partners constitutes a profound breach of the core objectives of maqasid al-shariah, notably in the dimensions of *hifz al-'ird* (protection of dignity) and *hifz al-nasl* (protection of lineage) (Rosidi et al., 2022). Such conduct is explicitly cautioned against in the Qur'an, particularly in Surah al-Isra', verse 32, which commands, "And do not approach unlawful sexual intercourse. Indeed, it is ever an immorality and is evil as a way." The exegetical commentary of al-Qurtubi (2006) underscores that the Qur'an's prohibition is not only against the act of zina (adultery/fornication) itself but extends to any behaviour or circumstance that may serve as a precursor to such acts, including elopement, unsupervised intimacy, and extended contact with non-mahram individuals.

The implications of such actions are not only personal but also societal, as they may result in out-of-wedlock pregnancies, undermine the legitimacy of lineage, and erode the collective moral fabric, outcomes that directly contradict the aims of *hifz al-nasl* and *hifz al-'ird* as articulated by classical jurists such as Al-Shatibi (1997).

However, the findings of this study highlight that religious education and community intervention must extend beyond mere doctrinal or punitive responses. In line with Sohیب (2024), effective Islamic instruction for adolescents in the modern context must be rehabilitative, proactive, and attuned to contemporary social realities. This necessitates moving the concept of *amr ma'rūf nahnay munkar* (enjoining good and forbidding wrong) from a reactionary framework toward structured, preventive, and youth-centred strategies within schools, families,

and community institutions.

Such a paradigm shift aligns with Shariah's higher objectives (maqasid) by prioritising early intervention, empowerment, and safeguarding the holistic welfare of youth. By integrating ethical education, psychosocial support, and straightforward legal guidance, Muslim communities can better address the root causes of deviant behaviour while upholding the integrity of Islamic family and social systems.

### **Sociological Perspective**

From a sociological perspective, the issue of teenage girls eloping with non-mahram partners extends beyond individual moral lapses and instead underscores systemic weaknesses within key social institutions, particularly the family, school, and community (Azri, 2016; Khairiah, 2019). As the primary agent of socialisation, the family is responsible for nurturing emotional security, moral values, and behavioural boundaries. When this function is inadequately performed due to persistent conflict, lack of parental engagement, or ineffective communication, adolescents are more likely to seek emotional fulfilment and validation outside the home environment (Alavi et al., 2013).

Parental roles are critical in shaping attitudes, self-regulation, and religious identity. The Prophet Muhammad (PBUH) strongly emphasised the obligation to inculcate Islamic values and practices early, such as instructing children to pray at seven years old. Deficiencies in such guidance can result in an unstable family structure and the erosion of core values, increasing susceptibility to social and moral deviance.

Moreover, the contemporary digital environment further complicates these vulnerabilities. Although religious education may be present, heightened exposure to social media and explicit digital content can undermine impulse control and weaken the protective effects of moral instruction (Khairiah, 2019; Alavi et al., 2023). This is supported by Agnew's (1992) Strain Theory, which posits that emotional stress and social pressure, when inadequately managed, propel individuals toward deviant behaviour as a maladaptive coping mechanism.

Accordingly, effective solutions must move beyond punitive measures and address the broader social context. Strengthening family communication, promoting peer emotional resilience, and integrating comprehensive digital literacy programs within educational settings are essential interventions. Such measures address the root causes of adolescent deviance, namely, unmet emotional needs, lack of supervision, and poor value transmission, thus supporting the formation of well-adjusted, resilient youth.

### **Legal Perspective**

From a legal perspective, the Children Act 2001 (Act 611) forms the core statutory framework for protecting minors under 18 in Malaysia, reflecting the country's commitment to the United Nations Convention on the Rights of the Child (UNICEF Malaysia, 2014). Despite this comprehensive legislation, notable deficiencies persist in enforcement and early intervention (Ismail et al., 2019; Amin et al., 2016). In particular, the inability of guardians to recognise early signs of emotional distress, coupled with delays in the response of authorities to reports of missing or at-risk adolescents, substantially increases the vulnerability of these youths and exposes them to long-term risks.

Legally, the act of a teenager absconding with a romantic partner may be construed as a consequence of guardian neglect, as defined in Part VI of the Children Act 2001, which places an explicit duty on parents to safeguard the welfare and safety of their children (Department of Social Welfare, 2009). The apparent shortcomings in preventive action and lack of holistic family support mechanisms highlight the urgent need for a paradigm shift in legal intervention strategies.

Strengthening the protection system requires more than punitive measures. A comprehensive approach must include introducing early warning systems for at-risk youth, robust inter-agency reporting and data-sharing mechanisms, and family-based rehabilitation and support programs. Such interventions should be informed by the "best interests of the child" principle, ensuring that legal action is rehabilitative and preventive rather than merely reactive (Atarmizi, 2024). Empowering parents through education, enhancing community involvement, and fostering collaboration between governmental and non-governmental agencies are critical to building a more

resilient protective ecosystem for vulnerable adolescents.

## CONCLUSION

In conclusion, while the phenomenon of teenage girls eloping with non-mahram partners is often framed as a matter of individual moral failing, the findings of this study underscore that such acts are symptomatic of broader systemic deficiencies within Malaysian society. The multidisciplinary analysis—encompassing the perspectives of fiqh, sociology, and child protection—reveals that the erosion of family cohesion, insufficient moral and religious education, pervasive negative social influences, and weaknesses in legal enforcement and preventive mechanisms collectively contribute to this complex issue.

Framed within the paradigm of *maqāṣid al-sharīʿah*, particularly the objectives of *ḥifẓ al-ʿird* (protection of dignity) and *ḥifẓ al-nasl* (protection of lineage), it becomes evident that current safeguards at the familial, educational, and institutional levels are inadequate. The absence of robust, proactive measures exposes adolescents to significant risks. It signals a failure to uphold the foundational aims of Islamic law regarding the well-being of individuals and society.

Therefore, effective solutions require a paradigm shift from assigning blame solely to adolescents and towards the comprehensive reform of the societal systems responsible for their upbringing and protection. This includes strengthening family and community support structures, enhancing religious and moral education, integrating digital and emotional literacy into school curricula, and ensuring the effective enforcement of child protection laws. Ultimately, a coordinated, multi-sectoral, and family-centred approach is imperative to safeguard Malaysia's youth's holistic well-being, dignity, and future by national priorities and Shariah's higher objectives.

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