

## Children in Brunei Darussalam: Their Educational, Legal and Social Protections

AMY YOUNG\*, PG NORHAZLIN PG HJ MUHAMMAD, OSMAN BAKAR,  
PATRICK O'LEARY & MOHAMAD ABDALLA<sup>1</sup>

### ABSTRACT

*The past two decades of academic work, have cemented the idea that childhood is a social construction. As such, how children are conceptualized, educated, protected and interacted with differs from society to society, given the values inherent in each social construction. Culture, history and geography all influence the daily lives of children, and the inherent protections that children are offered in each society. This paper examines child protection provisions embedded in Brunei Darussalam by critically reviewing the sparse literature available. While much academic work has been done on Brunei Darussalam's political system and unique ideology, little has been written on the children of Brunei. Specifically, the focus taken is on the protections offered by the Bruneian legal and education systems, family and cultural institutions, and on Brunei's international commitments to ensuring child wellbeing.*

*Keywords: Brunei Darussalam, child, childhood, Islam, shariah law*

*Negara Brunei Darussalam* is an Islamic sultanate with a particular vision for its people and children. Yet little academic work has focused on children in Brunei. The United Nations Convention on the Rights of the Child (UNCRC) is central to the way children are viewed worldwide. It reflects an awareness that children are not just passive recipients of adult culture in need of protection and provision, but also beings in their own right who participate and interact with the world (Alderson 2012a, 2012b, 2010). This acknowledgement of childhood as a social construction means that childhoods differ significantly across cultures and nationalities.

How countries incorporate child protection into their policies reflects the way that children are conceptualized in that society. Countries with an explicit Islamic ethos, such as Brunei, have policies and principles that espouse Islamic values. Islamic values are articulated by government officials in the newspapers of Brunei. One example included the reporting of a speech given by an official from the Ministry of Religious Affairs on how Islamic education can act as a protective mechanism. The focus was to reinforce the importance of religious education. *"When the children pray and are nurtured with good ethics such as respecting the elderly and*

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<sup>1</sup> **Amy Young\*** (Corresponding author), Ph.D. student at School of Human Services and Social Work, Logan Campus, Griffith University, University Drive, MEADOWBROOK QLD 4131, Australia, email: amy.young3@griffithuni.edu.au; **Pg. Norhazlin Pg. Hj Muhammad**, Ph.D., Deputy Director of Sultan Omar 'Ali Saifuddien Centre for Islamic Studies, Universiti Brunei Darussalam, Jalan Tungku Link BE1410, Brunei Darussalam, email: norhazlin.muhammad@ubd.edu.bn; **Osman Bakar**, Ph.D., Distinguished Professor and Director of Sultan Omar 'Ali Saifuddien Centre for Islamic Studies, Universiti Brunei Darussalam, Jalan Tungku Link BE1410, Brunei Darussalam, email: osman.bakar@ubd.edu.bn; **Patrick O'Leary**, Ph.D., professor at School of Human Services and Social Work, Logan Campus, Griffith University, University Drive, MEADOWBROOK QLD 4131, Australia, email: p.oleary@griffith.edu.au; **Mohamad Abdalla**, Ph.D., professor at Centre for Islamic Thought and Education, Magill Campus, University of South Australia, Lorne Avenue, MAGILL SA 5072, Australia, email: mohamad.abdalla@unisa.edu.au.

being well-behaved, all the things that they aspire towards will become a reality. When such a shield is adequate, all sorts of challenges can be faced calmly" (Othman 2013). Islamic societies have a rich history of child protection practices that have existed for centuries (Authors 2016; Rajabi-Ardeshiri 2009; UNICEF & Al-Azhar University 2005). However, there is recognition in academic and humanitarian circles of the tensions between Islamic child protection mechanisms and the UNCRC (Hutchinson et al. 2015; Rajabi-Ardeshiri 2009; UNICEF & Al-Azhar University 2005; UNICEF 2012).

There is significant conceptual overlap between the UNCRC and Islamic child protection mechanisms, however the differences in epistemological underpinnings often result in differing strategies in how best to protect the rights of children (Hutchinson et al. 2015). This leads to superficial engagement with communities on sensitive issues such as early marriage and gender discrimination (UNICEF 2012; Hutchinson et al. 2015). Hutchinson et al. (2015) used a roundtable methodology to explore child protection mechanisms in Islamic communities, and to discuss with religious leaders and practitioners of practical applications of these beliefs. This work highlighted the diversity of approaches across Islamic schools of thought and cultures (Hutchinson et al. 2015), as well as identifying mechanisms that could ensure child wellbeing including *solh* (reconciliation councils), engaging the support of religious leaders, and the centrality of mosques in promoting child protection (Hutchinson et al. 2015). While this paper's focus is Brunei, the knowledge produced can feed into discussions on Islam and child protection worldwide.

This paper examines child protection provisions embedded in Brunei by critically reviewing the literature. Particular attention is focused on Brunei's education system, legal system, international obligations and family networks. These institutions are shaped by Brunei's Islamic ethos, and how Islam influences childhood in Brunei is explored throughout. Islam has undoubtedly had an effect on Brunei's history and current ideology. However, little work has focused on Islam and its role in the lives of children in the Sultanate. This work comes from a collaborative project between Universiti Brunei Darussalam and Griffith University examining aspects of Islamic law and child protection in Brunei.

### The Bruneian Context

Brunei sits at the heart of Southeast Asia, on the northwest coast of Borneo. The history of Brunei can loosely be divided into four waves: animism, the arrival of Hinduism, the arrival of Islam and colonization (Awang 2013; Gunn 2000; Walker 2010). These four ideologies were not wholly chronological. All four influence how Bruneian society conducts itself today. Brunei is recorded as Po-li in Chinese writings from the Liang, Sui and Tang dynasties (Awang 2013). The Chinese traded with the coastal Brunei Malays who would in turn obtain goods by trading with inland indigenous groups such as the Penan (animists) (Sercombe 2010). Brunei began as an animist society. Practicing animism can still be seen in the country among the Penan and Dusan groups (Sercombe 2010). Brunei was next influenced by the Indic school of thought. The legacy of the Indic element can be seen in the construction of a centralised state order noted in historical sources pre the arrival of Islam (Gunn 1997). Indic influences still seen in Brunei include: the style of *kerajaan* (kingdom), social stratification, ceremonial elements (including the use of the royal drum), regalia (the use of yellow umbrellas) and in protocols surrounding the appointment of officials (*cheteria*) and ministers (*menteri*) (Gunn 1997: 4). After animism and Hinduism came the arrival of Islam (around the fourteenth century), which is the current state religion, with 78.8% of the population ascribing to it (CIA 2016). The late nineteenth century saw colonization by the British, which has influenced Brunei's education and civil legal systems. The influences of Islam and British colonization are the most visible in Bruneian society. Brunei was granted full independence from Britain in 1984 (Sidhu 2010). In the same year Brunei became a member of the UN and Organisation of the Islamic Conference (OIC), the latter renamed Organisation of Islamic Cooperation.

From independence, Brunei Darussalam has been guided by the state's official philosophy, Malay Islamic Monarchy or Melayu Islam Beraja (MIB) (Awang 2013). This reflects the country's dominant ethnicity, religion and governmental system. In his proclamation of independence Brunei's head of state His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adul Khairi Waddien (henceforth Sultan Hassanal Bolkiah) articulated his hope that Brunei will always remain guided by MIB (Awang 2013). MIB is taught to children at every level of education and frames their understanding of society from a young age. It is therefore an important place to begin in gaining an understanding of the Bruneian context. Firstly, to the monarchy. His Majesty Sultan Hassanal Bolkiah is the Prime Minister (Yang Di-Pertuan) and head of the country's military and finance. In the most recent Cabinet reshuffle (2015) he also holds the post of Foreign Minister. Brunei's heredity line of monarchs can be traced to 1363 (Awang 2013). The Sultan is a role model and fulfills the role of Caliph, Sultan and Imam for his people (Awang, 2013). Brunei is an absolute monarchy with elections suspended since 1962 when a State of Emergency was declared, and full executive powers were handed to the monarchy (Kershaw 2001).

"Malayness" is a key factor in Bruneian citizenship. Malay is defined not only by language and ethnicity but also by religion. Being Muslim is almost synonymous with being Malay. There are seven original Malay groups that are still present in Brunei. Sometimes referred to as *puak jati* (original tribes) they are Brunei, Belait, Bisaya, Dusan, Kedayan, Murat and Tutong (Wahsalfelah 2005: 11). These groups are arranged into a hierarchy in Bruneian society. There are also intergroup hierarchies as well. The Sultan is the head of the hierarchy. Hanapi (2006) noted the importance of Brunei's strict social hierarchy plays in child rearing practices, equating its influences on social interaction with that of Islam.

Islam is integral to Brunei's identity. Brunei is a Sunni Muslim state, following the *Ahl Sunnah Waljama'ah* of Shafi'e school of thought (Awang 2013). Interest in Islam in Brunei from academics has focused on the peacefulness and lack of radicalism preached (Mansurnoor 2008). Islam is at the heart of the MIB philosophy, with all laws and practices needing to comply with Islamic law and ethics. There are provisions under shariah laws and roles for child protection, some of which are explored in this paper.

This brief introduction to MIB, and its three interlinking prongs, gives an insight into the Bruneian mindset and governance structures. Further work can be done in understanding how MIB can be used as a child protection tool in Brunei.

### **International Rights of the Child**

Brunei is a signatory to the UNCRC and the Organisation of Islamic Cooperation's Covenant on the Rights of the Child in Islam (OICCRCI). There are similarities and differences between the documents. For example, the OICCRCI focuses less on the rights of individual children than the UNCRC, but places more importance on the community (Hutchinson et al., 2015). Finding convergent and divergent points in child protection practices between Islamic and Western culture is complicated not only by underlying epistemologies, but also by practices mistakenly labeled as Islamic. For example, both Jordan and Syria have acknowledged that the reservations they hold towards UNCRC article 14 (the right of a child to freedom of religion) are not wholly Islamic in nature (Hashemi 2007). Their objections stem from their strict cultural family systems, which do not permit members to renounce their religion (Hashemi 2007). Brunei Darussalam holds reservations to UNCRC Article 14 (*Freedom of Religion*), Article 20 (*Children Deprived of Family Environment*) paragraph 3, and Article 21 (*Adoption*) subparagraphs b, c, d and e (UNTC 2015).

The OIC comprises of 57 member states, making it the second largest intergovernmental organisation in the world. Brunei's membership in the OIC came out of a desire to '*work closely with other OIC members in promoting Islamic interests and values for benefits for the Islamic*

*Ummah* (Sidhu 2010).’ In 2004, the OIC developed the OICCRCI. This document outlines how children residing in member states are to be treated. Despite the myriad of cultures represented in the OIC, this document uses the shariah as a unifying force to provide a framework for child rights in Islamic contexts. Throughout the document a balance is struck between the values espoused by the OIC, and those inherent in the legislation of individual countries. The OICCRCI gives greater consideration to the laws of individual countries than the UNCRC. Another difference between the two documents is in the way that the child is defined. Article 1 of the OICCRCI defines a child as “a human being who has not attained maturity”. This allows the individual state to use their own definition of maturity, and ultimately of a child. This has ramifications for phenomena such as the age of marriage. Whereas Article 1 of the UNCRC defines a child as a human under 18 years of age “*unless under the law applicable to the child, majority is attained earlier*” (UNICEF 2016).

The definition of a child in Brunei reflects the sentiments of the OIC document rather than the UNCRC. In Brunei a “*Child: means a person who has not attained the age of 14 years.*” This definition appears in the *Children and Young Person's Order 2006*, and are coupled with the definition of a juvenile (“*means a person who has obtained 7 years of age but who has not attained the age of 18 years*”) and Young Person (“*means a person who has attained the age of 14 years but has not attained the age of 18 years.*”) (Attorney General 2015).

Another divergence from the UNCRC relates to the right of the child to freedom of religion. While the UNCRC guarantees this right, it is a central formulation of the OICCRCI that children are raised as Muslims, who are encouraged to meaningfully participate in their society, and a wider Islamic civilization. However, there are overlaps between the UNCRC and the OICCRCI. Both documents provide the right of the child to life, guarantee the basic necessities of life and to protect the child from violence and abuse. The importance of family is present in Article 8, which ensures that the Islamic child grows up in a supportive family environment.

UNICEF (2015) reviewed the compliance of ASEAN member states’ laws in relation to child violence. Brunei was found to have strong laws that protect children against trafficking, abduction and sex tourism (UNICEF 2015). Brunei has made significant progress towards constructing strong protection measures to tackle child abuse, child labour, minimum working age and physical violence in the community (UNICEF 2015). However, there are areas highlighted by UNICEF (2015) where legislation needs to be strengthened.

Children who are in conflict with the law are particularly vulnerable. Bruneian legislation lacks a minimum age of criminal responsibility, and safeguards against violence by law enforcement. There are also concerns about violence when children are detained in institutions (UNICEF 2015). Solutions suggested by UNICEF (2015) include developing a separate system for juvenile justice, and setting a minimum age of criminal responsibility. The shariah provides guidance on when a child is considered mature. Sait (2000) argues that under the shariah it is religious knowledge rather than age that informs when a child is judged as mature. Islamic theory relies not only on physical development, but also mental ability when judging whether one is a ‘child’.

Discussions on the age of maturity also concern ages of consent when it comes to sexual activity. Brunei has differing ages for consent between boys and girls (UNICEF 2015). Consent is negated by marriage in Bruneian laws, with the age of marriage being directly linked to ethnicity and religion. Brunei’s customary law allows marriages to take place at 14, while Chinese girls can be married at 15 (Bandial 2016). No age is specified for Muslim marriages (Bandial 2016), however consent must be given by a guardian and the registrar. UNICEF urged Brunei to raise the minimum age, arguing that it is an obligation agreed to by signing the UNCRC (Bandial 2015; Bandial 2016). In 2010, there were 225 Muslim marriages where either one or both partners were under 18 (Bandial 2015). In response, the Bruneian government released a statement stating there were no plans to increase the minimum age of marriage (Bandial 2015). “*The minimum age for marriage varies between existing relevant legislation, taking into account the diverse religious and cultural background of the people in the country. Although the minimum*

age of marriage provided under the relevant laws is below 18 years, the laws lay certain conditions before a marriage can be concluded. These conditions are imposed to ensure that any party . . . has been fully qualified and ready in all aspects to enter into a married life” (Bandial 2016). In response, UNICEF reiterated their concerns that early marriages can lead to young pregnancies, putting both mother and baby at risk (Bandial 2016). UNICEF called for this debate not to be framed as a ‘clash of cultures’ but rather for religious officials to be involved in discussions on the best interests of children (Bandial 2016).

Child pornography is a topic explored by the Bruneian media (Roslan 2015; Suraj 2014). While production and distribution of such material has been criminalized, legislation is lacking a comprehensive definition of child pornography or laws requiring reporting obligations (UNICEF 2015). To further protect children in Brunei from sexual abuse, UNICEF (2015) has requested Brunei reconsider its laws to apply to all acts of sexual penetration, and to cover both male and female sexual abuse survivors. Presently, there are no protections for male children. There is also a need to explicitly include criminal consequences for the ‘grooming’ of children (UNICEF 2015).

After submitting the third report to the UNCRC in 2015, Brunei’s Minister for Culture, Youth and Sport responded to queries from the committee (OHCHR 2016). Here, Brunei was praised for its comprehensive and inclusive education system, and for its exceptional literacy rate (OHCHR 2016). Questions were raised by the committee regarding: The minimum age of marriage, the age of criminal responsibility, the prevalence of corporal punishment, the relation between civil and shariah laws, female genital mutilation, negative gender stereotypes, child labour, religious and public education, the juvenile justice system, alternative care and foster systems, adoption processes, the obesity rate and abortions (OHCHR 2016).

In response to the request for legislation to be brought into line with human rights standards, Bruneian officials maintained that Brunei will “*continue to provide for and protect the rights of the child in line with its Constitution and Shariah principles*” (OHCHR 2016).

### Legal Protections

In 2016, the Brunei Council on Social Welfare released a statement examining the effectiveness of child protection legislation in the Sultanate.

The government has initiated some good programmes geared towards child protection, but many aren’t fully implemented. Perhaps it’s due to a lack of resources in terms of manpower and finances. (The lack of) emphasis on children’s issues, resulting in inadequate budgeting, has led to poor implementation or looking good on paper only . . . I’m not saying that in Brunei we don’t have programmes at all; we do, but in a very limited way, and some are very temporary. It only solves the problem for a couple of months or a couple of years, which doesn’t allow total support to the vulnerable children . . . these children are totally neglected or left to the care of relatives (Thien 2016).

This critique is echoed by the United Nations Human Rights Commission (OHCHR 2016), who labeled Brunei’s lack of technical expertise in child protection implementation as a challenge. Brunei has dual legal systems which work in tandem to protect children; the common law and Shariah law. Children’s rights are assured in the general protections offered to all Bruneians. There are also specific laws that relate to child protection. These include:

1. Births and deaths registration Act.
2. Marriage Act.
3. Labour Act.

4. Registration of Adoptions Act.
5. Chinese Marriage Act.
6. Midwives Act.
7. Kidnapping Act.
8. Dissolution of Marriage Act.
9. Dana Pengiran Muda Mahkota Al-Muhtadee Billah for Orphans Act.
10. Married Women Act.
11. Guardianship of Infants Act.
12. Adoption of Children Act.
13. Islamic Adoption of Children Act.
14. Islamic Family Law Act.
15. And Children and Young Persons Act (Attorney General 2016).

These Acts highlight the role ethnicity plays in Brunei with the inclusion of different laws for not only religious diversity but also ethnicity. These Acts provide protection on various aspects of children's lives, however of particular note is *the Children and Young Persons Act* (2012). This Act covers children's protections in the court, in detention, as victims and as perpetrators (Attorney General 2016). One example of how this Act is applied was reported in the Brunei Times (Kamit 2016). In this case a four-year-old girl had her limbs tied, while being attacked physically and verbally by a male in his twenties, while her mother laughed (Kamit 2016). Action was taken by the Women and Children Abuse Investigations Unit, and both adults were accused under Section 28(1) of the Act, Chapter 219, under which the detailed punishment could be 10 years in prison, a fine of 20,000 dollars, and/or 10 lashes (Kamit 2016). The child has been taken into the care of another family member (Kamit 2016). In this case action was taken against the perpetrators after a video was uploaded on social media. In a small community like Brunei, the child will be identifiable into the future, and the perpetrator has been named in the media. The role of media in Brunei in child protection cases is of future research interest.

Syariah law is significant in discussions of Muslim children in Brunei as it provides legislation on adoption, divorce and custody arrangements. The first phase of the Syariah Penal Code Order 2013, saw the introduction of acts punishable by fine or imprisonment (Attorney General 2013). The Syariah Penal Code applies to Muslim residents, and to offences committed where one or both parties are Muslim. The types of offences include *hadd* offences like *sariqah* (theft), *hirabah* (robbery), *zina* (adultery including rape and sodomy), *qazaf* (accusation of zina), intoxicating drinks and *irtidad* (apostasy). The punishments for *hadd* are outlined in the Quran and Hadith. Where age can play a role is in confessions and witness statements. To give a confession (*irkar*) you must have attained puberty, be of sound mind and it must be voluntarily. To be a witness (*syahid*) the requirements include: being of sound mind, attained puberty, possess good memory and able to see and hear. In theft cases the witness also needs to be above 15 (Attorney General 2013). This suggests that in some cases children may have trouble reporting crimes and in having their voices heard in the Syariah penal system.

There are specific punishments included for Muslim women who become pregnant outside of wedlock (section 94.1). The penalty for both men and women involved is a fine of greater than 8000.00 Bruneian Dollars and/or greater than two years in jail (Attorney General 2013). Sections 201 and 203 both refer to the guardianship of Muslim women (Attorney General, 2013). The penalty for enticing a female Muslim to leave the custody of her parents is a significant fine or more than 2 years in prison. If an unmarried female Muslim leaves the custody of her guardian without a reasonable excuse there is a fine or imprisonment for greater than 3 months (Attorney General, 2013). This will affect young Bruneian women.

Domestic violence is present in Brunei. Jaya (2013) notes that while domestic violence has been present in Brunei for some time, it was not regarded as a 'social problem' but rather as hidden trauma. Domestic violence as a phenomenon can illustrate the strength of Brunei's dual

system of laws, and the protections offered. Protections offered include the Islamic Family Law act, which offers protection to Muslim women in the shariah court, while the civil court offers protection to non-Muslim women through the Married Women Act (Jaya 2013). Jaya (2013) contrasts this with Malaysia's domestic violence legislation. Malaysia has one comprehensive act (Malaysia's Domestic Violence Act 2012) to protect women of all races and religions, which can lead to confusion (Jaya 2013). Domestic violence deeply influences the life of children. The fear of losing children during divorce proceedings can influence decisions made by women to stay with violent partners (Jaya 2013), and thus strengthening legislation is essential.

UNICEF's report (2015) recommends that Brunei strengthen its existing legislation to recognize domestic violence as a distinct form of violence. This should include the young males who are victims of domestic violence (UNICEF 2015). Brunei's current legislation has provisions to protect partners from physical violence, but not sexual violence (UNICEF 2015). Domestic violence legislation can also strengthen the protections for children when being punished in the home, and in the school environment (UNICEF 2015).

### **Educational Protections**

A substantial body of literature exists on education in Brunei (for example Muhammad 2014; Abdullah & Osman 2010; Attwood & Bray 1989). MIB is central to education and taught throughout schooling. *"The education ethos is founded on MIB, which uses religious principles as a guide for cultivating personal values in students"* (Shahminan 2012: 37). The current education system is based on the British model of 7 primary years, 3 lower secondary, 2 upper secondary and 2 pre-university (UNESCO 2009). However, education in Brunei has roots that pre-date the arrival of Europeans.

Pre-residential system Brunei did have religious education where students were taught the basics of Islam including how to read the Al-Quran (Shahminan 2012). These classes took place in mosques and houses, and can be traced back to the 14<sup>th</sup> century (Muhammad 2014). The first Malay speaking school opened in 1913, and was operated from a Mosque (Singh, 1984). 30 male children attended (Shahminan 2012). By 1926, five Malay schools had opened under the supervision of the British resident. A Chinese school was created in 1916. It wasn't until 1938 that significant numbers of female pupils (189) were attending Bruneian schools (Singh 1984). The initial low numbers of female students has been attributed to parents refusing to send their daughters to school. Many of the male students were from the upper classes. Compulsory attendance was introduced in 1929 (Shahminan 2012). Religious education for Muslim citizens is compulsory until the end of primary school, to ensure children are given a spiritual education.

UNICEF (2015) has called on Brunei to explicitly prohibit the use of corporal punishment in schools. This could include rethinking disciplinary practices in schools and including these in regulations (UNICEF 2015). There is also a need to ward against the use of emotional and mental abuse in schools (UNICEF, 2015). Hanapi's (2006) work noted the use of pinching by teachers to control special needs students. Teachers in the study also requested more support and training when dealing with special needs students (Hanapi 2006).

A great deal of literature examines the experiences of special needs children in Bruneian schools (Bradshaw & Mundia 2005; Haq & Mundia 2012; Koay 2009, 2007; Mundia 2009; Tait 2008; Tait & Mundia 2012; UNESCO 2009). Brunei has achieved a 98% rate of special needs enrolment (UNESCO 2009). Support and advocacy is given by NGO's dedicated to those with special needs in Brunei, including SMARTER, KACA, Pusat Ehsan, and La Vida. UNESCO (2009) recommends that teachers' requests for further education on special needs be fulfilled. There is a need to expand services into isolated areas, increase support for complex needs or with multiple disabilities, and more curriculum development (UNESCO 2009).

Another group that may require extra assistance in schools are Indigenous children. The Indigenous groups that reside in Brunei such as the Penan and Iban largely reside in poorer rural areas (Sercombe 2010). Their seclusion leads to children beginning school without a firm grasp of English or Malay, the two languages lessons are taught in (Sercombe 2010). Sercombe (2010) notes that there is little value placed on education by parents in the Penan community, and this influences Penan children's experiences in schools. The success of Brunei's education system is underpinned by the values espoused in Bruneian families.

### Family and Community Protections

Bakar (2011) uses an Islamic lens to critically unpack the family in the twenty-first century. Bakar (2011) explores the word 'commune' and its applicability to Malay family life. The ideal family life for a Malay Muslim family is encapsulated in the phrase *rumahku syurgaku* (my home, my heaven) (Jaya 2013). In Malay family life, the idea of the commune is apt, as it is common for parents to live in the same house as adult children, to provide spiritual and moral leadership (Bakar 2011). Having extended family members living together influences the way children are raised. Challenges of globalization and modernization are affecting the roles played by families throughout the Islamic world. In ensuring family cohesion Bakar (2011) makes some suggestions including:

1. A better understanding and implementation of Qur'anic based teachings on the family.
2. The need to reiterate the importance of the extended family, or to create social mechanisms to compensate.
3. And for Muslim and non-Muslim groups to engage with each other to find common solutions to common family problems.

Chin & Daud's (2015) research examines the discourses of family and relationships that infuse Bruneian culture. Based on research with creative writing students at Universiti Brunei Darussalam, Chin & Daud (2015) found that more than 60% of writings centered on the parent child relationship, and many made reference to the unfillial child. These discourses are interwoven through Brunei's collectivist culture, where family is valued higher than individuals (Chin & Daud 2015; Low 2011; Black 2011). This encourages dispute resolution occurring inside of the family (Low 2008). A family member who is pregnant outside of marriage can bring shame on a family, not just the individuals involved (Chin & Daud 2015). Having a family member with Autism, may also bring shame on the extended family (Tait & Mundia 2012). Comments from parents with autistic children reported in Tait & Mundia's (2012) study included "*as a parent, we should not be ashamed of them as I understand it, a lot of other family tried to hide it*" and "*there is not much support from society in Brunei. The community as a whole does not understand what autism is, so people tend to laugh or just find them troublesome or 'weird'. Even my closest family do not give enough support.*" The importance of extended family in Brunei, both currently and historically, has been detailed by (Black 2011, 2010, 2006; Bernstein 1997; Ellen 2002; King & Wilder 2003; Kumaraswamy 2007; Mani 2008; Maxwell 1991; Roff 2007; Wahsalfeleh 2006). Thus, when this strength of family is not present it can be distressing.

To conclude, as this paper has highlighted, children in Brunei do not attract much direct attention in the literature. Thus, locating the child in the literature requires some reading between the lines. Changes that have emerged in Brunei's history are important to understanding the position of children in Brunei. Current changes outlined in Vision 2035 along with government policies have created a time of flux for considerations of formal and informal child protection. The examination of literature highlighted most child protection issues pertaining to specific issues rather than children in general. Issues attracting most attention include children with special needs, corporal punishment and juvenile offenders. While these concerns are raised in the literature, it is unknown whether these concerns are present in

Brunei, and to what extent these practices are taking place on the ground. It should be noted that while Brunei Darussalam is a bi-lingual country only academic works published in English were reviewed for this paper. If Malay works were reviewed different conclusions may be drawn. However, only with ethnographic research, and the incorporation of Bruneian children's voices, can the realities of life in the Sultanate truly be known.

What can be established is that Brunei has strong cultural and institutional bases to build comprehensive child protection practices. There is a largely inclusive education system, legal coverage provided by two legal systems and great importance placed on extended family cohesion. All of these are overlaid with Brunei's international obligations, which provide accountability. UNICEF (2015) has noted ways in which Brunei's children can be better protected, and these have been detailed throughout this paper. The most pressing of the issues raised is the need for further resourcing and training of social workers. These recommendations deserve consideration through dialogue, to ensure they are compatible with Islamic teachings. This cultural approachability will lead to better outcomes for Brunei's children.

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