

Rights of Children in Islam and Contemporary Scenario

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Abstract

In recent times, worldwide there has been much hype about female infanticide, child labour, fatherless children, juvenile delinquency, poor access to education, malnutrition, AIDS in children, immunization against killer diseases and so on. These problems coupled with the disintegration of family institution and torn social fabric have lead to poor child-parent relationships ranging from child neglect to parent discard forcing the cordial atmosphere of family to evaporate and polarize into boarding schools and old-age homes particularly in so called progressive liberal developed societies. The gravity of situation genuinely and understandably attracted the attention of individuals and institutions leading to a huge input of suggestions and solutions to local and global problems. United Nations through its different wings particularly Human Rights and UNICEF took the lead in mitigating the problems faced by children with variable results.

Islam guarantees not only the rights of children but imposes certain duties towards their parents, fellows, living and nonliving environment around and towards Allah not only for peace and prosperity of this universe but an everlasting peace of the afterlife. It is interesting to note and explore that the roots of an ideal and humane behaviour of youth lie deeply embedded in the quality of care provided to him/her as neonate, infant and child. We can't and shouldn't expect more from them, than we have provided them with, while young. In this paper the researcher intends to look at the contemporary problems faced by children and parents and suggest solutions inferred from Quranic injunctions and the practical model provided by the Prophet of Islam long back in 7th century CE. It would be useful and interesting to bring forth the importance of following Islamic guidelines for the achievement of targeted goals regarding problems faced by children in different spheres. The paper thus highlights the importance of following Islamic guidelines for achievement of benefits much higher than the expected few. The researcher will further argue that world bodies and organizations can make laws and recommendations only while the moral and ethical values that can really change the scenario emanate from religious education in the form of practical models played by parents and family.

Key Words: Children, Islam, Parents, Rights.

Introduction

In recent times, worldwide there has been much hype about female infanticide, child labor, fatherless children, child abuse, juvenile delinquency, poor access to education, malnutrition, AIDS in children, immunization against killer diseases and so on.

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These problems coupled with disintegration of the family institution and torn social fabric have lead to poor child-parent relationships ranging from child neglect to parent discard forcing the cordial atmosphere of family to evaporate and polarize into boarding schools and old-age homes particularly in so called developed societies. The gravity of the situation genuinely and understandably attracted the attention of individuals and institutions leading to a huge input of suggestions and solutions to local and global problems. United Nations through its different wings particularly Human Rights and UNICEF took the lead in mitigating the problems faced by children with variable results. (Al-Azhar University, 2005, p.10).

Human beings enjoy a special place (*ashraful makhluqaat*) among all creations of God and necessitate special laws and treatments in all the affairs material, moral and social. That is why Almighty Allah was kind enough to depute a series of Prophets with written manuals and revelations for guiding humanity throughout the history of human civilization right from Prophet Adam (as) through Abraham, Moses, Jesus and Muhammad (*Peace Be Upon All*). It is strange to note that all creatures are lower in intelligence than man and lead their lives by instinct while human beings being gifted with highest intellect and free will are helpless in all fields and go astray frequently despite Divine guidance. All the prophets provided guidance to their people while Prophet Muhammad (saas), the last in the line of Prophets was deputed with a book of guidance (*kitab al-mubeen*) for all times to come and a blessing for the whole universe including its living and non-living creations (*Rehmat ul lil Aalimeen*); and not only for human creation or not even to Muslims only as generally considered.

Islam through Al-Quran, the word of God and Sunnah, the practical model of Holy Prophet (saas), have laid down clear guidelines in respect of not only children but women, human beings, plants, animals and even nonliving material utilization. Islam guarantees not only the rights of children but imposes certain duties on these unraveling diamonds towards their parents, friends, living and nonliving environment, towards their Creator even not only for peace and prosperity of this universe but an everlasting peace of the afterlife. It is interesting to note and explore that the roots of an ideal and humane behavior of youth lie deeply embedded in the quality of care provided to him as neonate, infant and child. We can't and shouldn't expect more from them, than we have provided them with while young. We intend to analyze the contemporary problems and effectiveness of solutions provided by

different world organizations and groups both logically and historically, and then compare with the Islamic solution provided long back in 7th century CE. It would be useful and interesting to bring forth the importance of following Islamic guidelines for achievement of the targeted goals regarding problems faced by children in different spheres.

Rights of children in Islam

Children have the right to be fed, clothed, and protected until they reach adulthood. Children must have the respect, to enjoy love and affection from their parents. Children have the right to be treated equally, as their siblings in terms of financial gifts. Right to life, Right to a good name, Right to education, right to be provided materially/ provision and shelter and right to inheritance. (Arshad, I. A., 2007).

The child has a right to life or negation of Infanticide:

Infanticide (or infant homicide) is the intentional killing of infants. Female infanticide is the intentional killing of infant girls. In addition to the active methods undertaken to eliminate baby girls soon after birth, neglect and discrimination leading to death and sex-selective abortion are also means by which many female children die each year.

According to Islamic teachings the child has a right to life. Neither the father nor the mother have the right to take the life of the child, whether a boy or a girl, by killing it or burying it alive, as was done by some Arabs of *jahiliyyah*. There is a clear Quranic Injunction: “*And do not kill your children out of fear of poverty; We shall provide for them and for you. Truly, the killing of them is a great sin.* (Al-Quran, 17:31). Similarly Quran; vivifying the scene of day of judgement states thus: “*...When the female child who was buried alive is asked for what crime she was killed*”. (Al-Quran, 81:8-9). Similarly one of the Sublime Hadith of Holy Prophet (SAAS), Whosoever rears two daughters and took care of them will be with me in the heaven.

Right to Lineage, Dignity and honour:

The child is an extension of his father and the bearer of his characteristics. *Allah Subhanahu wa Ta'ala* has ordained marriage and has forbidden adultery so that paternity may be established without doubt or ambiguity and that the child may be referred to his father and the father to his sons and daughters. The Holy Quran says:

‘...nor has He made your adopted sons your sons. Such is (only) your (manner of) speech by your mouths. But Allah tells (you) the Truth, and He shows the (right) Way. (Al-Quran,33:4).

“Call them by (the names of) their fathers: that is justier in the sight of Allah. But if ye know not their father's (names, call them) your Brothers in faith, or your *maulas*. But there is no blame on you if ye make a mistake therein: (what counts is) the intention of your hearts: and Allah is Oft-Returning, Most Merciful.” (Al-Quran, 33:5).

From verses 4 and 5 in Surah 33 (*Al-Ahzab*) in the Quran, Prophet Muhammad (PBUH) instructed adoptive parents to refer to their adoptive children by the names of their biological parents, if known.

Right to Breast-Feeding

The Quran guarantees infants right to breast feeding and aims at "protecting repudiated but still lactating women and their nurslings by guaranteeing them economic support from the father for at least two years and by sanctioning non-maternal nursing when needed." (Al-Quran, 2:233 and 65:6). It is further, a distinctive feature of Islam that it allows special concessions to pregnant women and lactating mothers in their religious and social obligations because of their would-be or newly born infants. (Ibid).

Right to love and affection:

Children have many psychological needs also. Small children need to be loved, caressed, kissed and hugged. The Prophet loved children greatly. He would allow his grandsons Hassan and Hussain (*R.A*) to ride his shoulders even during his prayers. In streets he would offer ‘salaam’ to children. Sometimes he would even kiss small children in the street. Once a Bedouin saw the Prophet kissing a small kid and out of wonder he said, “I have eight children but I never kiss them”. The Prophet remarked, “*What can I do if Allah has taken away love and compassion from your heart*”. The Prophet would show special kindness to orphaned children.

Right to proper education:

In Islam education is not limited to bookish knowledge but includes moral and religious training also. Children have the right to education. And the effective moral training comes not from sermons, advice and precepts but from parents’ personal examples of good behavior. It is a famous Tradition of the Prophet (PBUH) that acquisition of knowledge is a

must for every Muslim boy and girl. Another Hadith says, *"The best of you is one who gives a good education (intellectual and moral) to his children"*. Another Hadith of Holy Prophet relates: "A father gives his child nothing better than a good education." (Tirmidhi).

Equal Treatment of Children:

It is obligatory for a father to treat all his children equally especially in the matter of giving gifts. This applies equally to the mother. The Prophet (peace be on him) said, *'Do justice among your sons, and repeated it thrice.* (Muslim). Prophet Muhammad was reported as saying: "Be fair and just in terms of the gifts you offer your children. If I was to give preference to any (gender over the other) I would have preferred females over males (in terms of giving gifts)." Other *ahadith* in this regard are as follows: *Do not ask me to be a witness to injustice. Your children have the right of receiving equal treatment, as you have the right that they should honor you.* (Abu Daoud). *"Fear Allah and treat your children with equal justice."* (al-Bukhari). The Prophet (saas) once said, *"He who provides good upbringing to 3 daughters shall go to Paradise"*. A man asked, "what if one has only two daughters". "He also shall go to Paradise". Another man asked, "And what if one has only one daughter?" "He too", replied the Prophet (PBUH).

Right to Material Provision:

Parents are recommended to provide adequately for children in inheritance. (Tirmidhi). A Hadith says, *"It is better for parents to leave their children well provided (financially) than to leave them in poverty"*. This means that parents should not spend all that they have on their own comforts and luxuries but must make provisions for children's welfare after the parents die.

Rights of Orphans in Islam or Duties of Muslims towards orphans:

The Quran forbids harsh and oppressive treatment of orphaned children while urging kindness and justice towards them. (Al-Quran, 93:9-10). Many Quranic verses identify those who repulse the orphan as unbelievers, rebuke those who do not honor the orphans and encourage the unbelievers to feed the orphans. (Al-Quran, 107:2-3 and 89:17-18). The Quran speaks of the reward waiting for those who feed orphans, poor and the prisoner for the love of God. (Al-Quran, 76:8-9). It also warns those who wrongfully consume the property of orphans that they will be punished in the hereafter with "fire in their own bellies". (Al-Quran,

4:10). The Quran also gives concrete instructions to guardians regarding the orphans, particularly on how to protect their wealth and property rights. (Al-Quran, 4:2-3).

Consent of Children in Marriage:

All sunni Schools of thought agree that forced marriages are strictly forbidden in Islam, as Islamic marriages are contracts between two consenting parties referred to as *mithaq*. (Prof. Abdur Rahman, 2007). According to a prophetic Hadith: "The widow and the divorced woman shall not be married until their order is obtained and the virgin shall not be married until her consent is obtained." In addition, Islam gives women the power to annul their marriages if it was found that they had been married against their consent.

"When a man gives his daughter in marriage and she dislikes it, the marriage shall be annulled." Once a virgin girl came to the Prophet and said that her father had married her to a man against her wishes. The Prophet gave her the right to repudiate the marriage.

The Second caliph of Islam Umar bin Khattab (RA) in a Sunni tradition summed up some of the rights of children in the following anecdote:

One day a man came to Umar ibn al-Khattab to complain of a disobedient son. So Umar had brought the boy to him and he blamed him for his disobedience. Then the boy addressed Umar by saying "O Commander of the faithful: Are there no rights for a boy against his father?". Umar said "Yes". Then the boy said "What are these rights O Commander of the Faithful?" Umar said, "To choose a good mother for him, to select a good name to him and to teach him the Quran" Then the boy said: "O Commander of the faithful; my father has not accomplished any of these rights. As for my mother, she was a black slave for a Magian; As for my name, he has named me Jual (beetle); and he has not taught me even one letter from the Quran". Then Umar turned round to the man and said "You came to me complaining disobedience on the part of your son, whereas you have not given him his rights. So you have made mistakes against him before he has made mistakes against you". (Ulwan, Abd-Allah Nasih, 2000, p.18).

Juvenile Delinquency: The Islamic Perspective:

Juvenile delinquency, also known as juvenile offending, or youth crime, is participation in illegal behavior by minors (juveniles) (individuals younger than the statutory age of majority). (Juvenile delinquency, Wikipedia). These problems erupt when children are denied their rights while young. That is why Islam stresses on proper upbringing of children.

As the children pay more attention to role models than sermons; the parents are required to exhibit exemplary behavior before children if they expect them to be obedient good citizens, when grown up.

Child Labor and Islamic Teachings:

In different societies, children face different problems. But generally there are some problems, which every child mostly faces. Child labor is the employment of children of less than a specified legal age. Child labor is a problem, which exists not only in underdeveloped countries, but also developed countries are facing this problem. Millions of children from all over the world are involved working in difficult conditions and occupations which are harmful to their health. Because of the heavy duty and lack of opportunities, they are unable to get education. Strenuous work in a young age has its direct harm effects on the development of child, both physically and mentally. The children are compelled to work under unhealthy and dangerous atmosphere, which is harmful for their moral, mental and physical health. There are numerous causes of child labor such as: Poverty, business houses in poor areas, lack of education, insensitivity of society, ignorance of parents and failure of the governments for providing facilities to people.

Islam gives us guidelines to live a balanced life in this world. Islam has given the fundamental rights to everyone, whether he is child, women, man or old man. In this world, there are two basic necessities of man. On the one hand, he requires materialistic and physical resources for the establishment of the relation of body and soul, and on the other hand: for living an individual and social life at strong basis, ethical guidelines are required for the man. For the fulfillment of this need of man, Allah has sent Prophets to mankind. Al-Quran describes the 'Golden Rule' in this regard not only for children but everyone burdened beyond capability. The Holy Quran says that *Allah does not give human beings too much pain which is more than their capacity.* (Al-Quran, 2: 286). So, it is not the responsibility of children to earn money, they have a right to enjoy their childhood and get education. Islam has given facilities to children even in prayers and in different matters.

Rights of parents Or Duties of Children towards Parents

The first and foremost right of the parents is to be obeyed and respected by their children but the parents must give some rights and they should be kind to their children. Islam recognizes family as a basic social unit. Along with the husband-wife relationship, the

Parent-child relationship is the most important one. To maintain any social relationship both parties must have some clear-cut rights as well as obligations. The relationships are reciprocal. Duties of one side are the rights of the other side. So in parent-child relationship, the rights of parents are the obligations (duties) of the children and vice versa, the rights of children are obligations (duties) of parents. Islam clearly defines the Rights of Parents (which mean duties of children) and obligations of parents (which mean Rights of children).

- Right to be respected and obeyed
- Right to be looked after
- Right to be helped
- Right to admonish
- Right to kind words and behavior
- Islam describes disobedience of parents, and insulting them as major sins. Furthermore the parents are not supposed to participate in Jihad(a major obligation in Islam) if parents don't permit them to do so.

Allah (Glory and Greatness be to Him) says in Hadith al-Qudsi: I swear by My Glory and power that if a (child who is) disobedient to his parents comes to me with all the good deeds of all the prophets; I will not accept them from him. Although our existence is from Allah (Glory and Greatness be to Him), it is our parents who are the means of giving us life. We are an offshoot of their existence and a fruit of the garden of their unparalleled affection, training, love and sentiments. When the forgetful human being grows up to become big and strong and comes to acquire a certain credibility (in life), he forgets the period wherein he was weak and lacking in strength. He disregards the exhaustive efforts of his parents; what ingratitude could be worse than this?

Humanity and ethics demand that we safeguard these two jewels (our mother and father) - by exhibiting goodness towards them while they are alive, and by means of charity and remembrance after their death. Our lives are an extension of our parent's lives while our children's lives are a continuation of ours. Our good behavior towards our parents and our exhibition of kindness towards them shall cause our children to grow up as grateful and righteous individuals. They shall behave with us just as we have behaved with our own parents.

Just as it is beyond our means to fulfill the rights of Allah (Glory and Greatness be to Him) and to thank Him for all His bounties in their entirety, similarly we can never thank our parents sufficiently for their efforts. The only thing that we can do is to acknowledge our inability and submit ourselves, in humility and reverence, before these two angels.(Al-Quran,17:24). However, comprehension of their status in the eyes of Allah (Glory and Greatness be to Him) paves the way to fulfill some of their numerous rights.

Parents have looked after the children for decades. So it is the duty of grown-up children to repay them by way of caring for them and looking to their physical and financial needs. A Quranic verse says: “People ask you (O Prophet) how they should spend. Say, ‘whatever you spend should be spent on Allah (in good cause), on parents, near relatives, on orphans, destitute and travelers who fall short of money in foreign lands’”. (Al-Quran, 2:215).

Quran urges children to be soft-spoken towards parents and show respect and kindness in their behavior towards parents. Unfortunate as it is, the children have forgotten these lessons. Young children are rude towards parents and show disobedience. Grown up children cannot spare time to attend to the needs of old parents. As Muslims we expect our children to adhere to Islamic values and show respect, obedience, kindness, leniency and care towards parents, especially in their old age. Children must not forget the favors and sacrifices of their parents. As good mannered persons they must feel and remain obliged towards parents and try to repay them by kind words and deeds, even with money and material needs. These are the Rights of Parents due from their children (or the Duties of Children towards parents). Quran mentions Hazrat Yahya as “kind towards his parents, not tough and disobedient”(Al-Quran, 19:14). Similarly Hazrat Isa (Jesus) is quoted saying to his people, “God made me kind towards my mother (Mary) and did not make me tough and disobedient”. Hazrat Yousuf (Joseph), as a royal Minister in Egypt, called his old, poor parents from their far off home and offered them seats on a high platform (he did not feel shy of behaving in a kind manner to poor parents in the presence of his officials). (Al-Quran, 12:100).

Conclusion:

Islam, as we realized guides us in every aspect of life. The growing alienation within the new Muslim generation has created deep alienation between the ‘ideal’ and what is ‘real’. The fissures within the family structure, the absence of religious upbringing and divorcing Islamic values has not only created a serious clash within the Muslim family structure but

also became a major reason for divergent understanding of life between the older and new generation. Reviving Islamic values and transferring these to our progeny is the only panacea to reclaim our religion in the postmodern times. While western societies have realized the absence of social relations and consumed themselves in individualistic pursuits, Islam can, as Tariq Ramadan would argue offer them three things 1) Reconciling the moral and social values 2) Spirituality and its inherent gift to understand the real meaning of life 3) Re-introducing the role of ethics in our lives. To put things into perspective needs a clear understanding of issues and the real understanding comes out of realistic approach to our problems. Understanding the rights of our children is the first step towards reclaiming their obedience to parents and loyalties to their Creator which subsequently will help bring them in harmony with the creation.

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