

The Types of Children Rights From The View of Quran and The Sunnah of The Prophet

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Abstract

In times of peace and conflict, the Qur'an's verses and the Sunnah of the prophet are concerned on protecting children's rights, and they have acknowledged the rights that are unique to children and fitting for them. In order to safeguard the child's dignity, this research strives to uncover the Qur'anic verses and the Sunnah of the Prophet that explained the child's protection and care. Data were collected from authoritative sources and then analyzed descriptively, in order to arrive at accurate results and have a thorough comprehension of the issue. The study has shown that the Qur'anic verses and the Sunnah of the Prophet covered every right of the child, guaranteeing that he is fully looked after and protected in a way that preserves his human dignity.

Keywords: Children's Rights, Human Dignity in Prophetic Hadith, Guarantees of Rights in Quran

Introduction

The Holy Qur'an and the Sunnah of the Prophet both pay attention to children and endorse specific clauses to protect their rights. Because the teachings of the Holy Qur'an and the Sunnah of the Prophet approach the child from an all-encompassing perspective and with consistent care. They grant the child's rights advantages and guarantees that ensure the care and guarantee of his rights in times of peace and war, which also upholding the child's human dignity. In order to care for and legally protect the child's religious, psychological, and mental rights as well as their related, financial, and residence rights, it is necessary to study the teachings of the Holy Qur'an as well as the Sunnah of the Prophet concerning the matter.

Objective

This article aims to explain the child's right from the view of the Quran and the Sunnah of the Prophet.

Methodology

In order to get clarity, data were from authoritative sources, and assess the veracity of the facts about children's rights in the Qur'an and the Sunnah of the Prophet, the researcher adopts a descriptive technique in interpretation and data analysis.

Problem Statement

Since children are the majority of victims of war, conflict, and displacement, we witness the injustices that children endure in the modern era. Additionally, children are defenceless and cannot defend themselves in times of peace or conflict. Children are also exploited through play areas, consumer media, and the sale of their organs. Cheap labour is also used in these situations. There's also entertainment value and the inequities that children in developing nations face, like poor nutrition and insufficient access to healthcare and education. While a children's act is in place, its main focus is on punishing either parents who fail to provide for their children or children who commit crimes. In this study, the researcher is on how the Holy Quran and prophetic Sunnah preserve the human dignity of the child.

Types Of Children's Rights In The Teachings Of The Qur'an And The Prophetic Hadith

First: The Child's Right To Religion

In order to protect the child's right to religion, the Holy Qur'an and the Prophetic hadith forbade the marriage of polytheists with Muslim man or women. They also forbade biblical marriage with Muslim women in order to prevent the child from being conceived in a polytheist's womb. These prohibitions were made in order to protect the child's right to religion before he was born. The faith of his parents also influences their decision. "A woman is married for four things, i.e., her wealth, her family status, her beauty and her religion. So you should marry the religious woman (otherwise) you will be a losers" (Bukhari, 2002).

The Holy Qur'an's teachings and the Prophetic Hadith be used to impart to him the tenets of the Islamic faith, the tenets of Islam, the principles of Islamic Law, and the principles of Al-Sharia. They guarded the child's right to belief, taught him to believe in the Prophet (PBUH), their right to religious instruction, their belief in angels, their belief in sacred books, their belief in judgement and destiny, and their belief in the last day, and taught them Qur'anic stories like the companions' sacrifices; Bilal al-Habashi, Ammar bin Yasir and so on. It was narrated from the Prophet, peace be upon him, that he said: "Command a boy to pray when he reaches the age of seven years. When he becomes ten years old, then beat him for prayer (Abu Dawud, 1997). In sura Luqman, verse 13 Allah says: "And 'remember' when Luqman said to his son, while advising him, "O my dear son! Never associate 'anything' with Allah 'in worship', for associating 'others with Him' is truly the worst of all wrongs." The verse means that Luqman said something to his son, exhorting him to command and prohibit, coupled with encouragement and intimidation, so he commanded him to be sincere, and forbade him from polytheism, and explained to him the reason for that. This message serves as a guideline for all parents to educate their children to believe in Allah The Almighty who is worthy of worship.

This is due the Holy Qur'an and the Prophetic hadith are concerned the rights of worship. To train the child in worship, to teach him to be a guardian, and to teach him prayer, to protect his rights of worship. Besides, Islam also grants the child moral rights and instructs him in a set of moral principles, behavioural virtues, and conscientious virtues that he must learn, absorb, and adapt to from his discernment and intellect until he becomes responsible, until he develops from a young man until he enters the heart of life. Among these virtues, the

ethics of dealing with parents, respect for the great and the small, and the manners of asking for forgiveness and speaking, are among the most crucial (Ulwan, 2020).

Second: The child's rights to self-determination

The teachings of the Holy Qur'an and the Prophetic hadith also preserved the child's rights to self-care, as well as his right to breastfeeding to preserve his growth and health, his right to maintenance to grow up in a decent life, his right to custody to protect and educate him, and the prohibition of killing him (Haikal, 1996). Islam has commanded the preservation of the child's right to breastfeeding. Breastfeeding is a name for the obtaining of a woman's milk or what is obtained from it in the child's stomach or brain, according to the Almighty's words: "And mothers shall breastfeed their children for two full years" (Baqarah: 233), and his mother is obligated to breastfeed him, and she is forced to breastfeed him by religion and by necessity, if specified for it (Ibn`Abidin, 1999).

Islam advises hiring a nursing mother in the event of abstention or difficulty, and obliging the father to provide maintenance if the child has no money (Astrushani, 1997), and if his father is destitute or not present, then the maintenance is on the heir, and if he has no relative or if the father is unable to pay, the fee for breastfeeding is on the public treasury (Astrushani, 1997). Islam enjoins the preservation of the child's right to maintenance, and the sufficiency of what he provides for bread, clothing, shelter, and related accessories, based on what the Prophet (PBUH), said to Hind, Abu Sufyan's wife: "Take, you and your children, what is sufficient for you in a reasonable manner," (Asqalani, 2017) which indicates that it is obligatory to provide for the child with his father's money.

As well as, the maintenance is from the child's money if he has money. Otherwise, his expenses are on his father until he can earn, and the girl until she gets married. If he does not have money, then his expenses are on his relatives, and in the event that his father is poor or unable to earn and there is no relative to spend on him, then his expenses are on the public treasury (Astrushani, 1997). Among the children are those who lost their fathers due to wars, and their expenses are from the treasury, which is spent on the child until he reaches puberty, and on the girl until she marries. The Islamic State preceded its care for children, through the actions of Umar ibn al-Khattab, may God be pleased with him, when he made it obligatory to give to every child. If he did not have a share of the treasury, and its expenditure is an obligation of sufficiency and social solidarity (Qutb, 1995).

Islam has begun to preserve the child's right to custody, and it means raising the child for those who have custody, Allah The Almighty say: "No mother or father should be made to suffer for their child (Baqarah: 233). The mother is entitled to hold the child as long as he is young. The custody of the child includes the performance of all needs such as feeding, cleaning and purging, raising and maintaining the child by spending and discipline. Jurists have stipulated conditions in custody to ensure care. They have agreed that the place of custody is the marital home. If it ends in the country where the father lives to supervise it, its duration begins from the time of birth and ends until he can do his own affairs. The child stays with her mother until she marries, and it becomes clear that Islam protects him from loss and destruction.

Islam has preserved the child's right to play and entertainment. The Prophet (PBUH), approved children's play and its means, as in playing with sand, as mentioned in Prophetic Hadith, once He (PBUH) passed by some children who were playing with sand. Some Sahabah prohibited them from doing so. Nabi (sallallahu 'alayhi wa sallam) said, "Leave them, for sand is a pasture for kids." (Haythami, 1988). Besides, by way of Abdullah Ibn Al Harith, who said,

“The Messenger of God used to line up Abdullah, Ubaidullah, along with many others from among Abbas’ children, then announce, ‘Whoever gets to me first shall have such-and-such as his reward,’ and they would compete with one another, racing towards him and falling upon his chest and his back. Then, he would hug and kiss them (Ibn Hanbal,2015). The Prophet(PBUH) also urged children to be taught archery and swimming, as stated in “The rights of the son over his parent is that he should teach him writing, swimming, and the casting of arrows and that he should leave him in a good legal inheritance (Tirmidhi,n.d).

Third: The rights of the child to mind

The teachings of the Holy Qur’an and the Prophetic Hadith have enacted multiple provisions to preserve the child’s rights in the mind, which means forming his mind with all that is useful from the legal, cultural and modern sciences, and intellectual and civilizational awareness, so that he matures intellectually and is scientifically formed, and has the ability to think soundly in the future, so he can judge well. Things using his experience and benefiting from the experiences of others (Ulwan, 2020).

The teachings of the Holy Qur’an and the Prophetic Hadith have preserved the child’s rights to reason through several means in Islam, including education. Allah The Almighty revealed verses to the Prophet (PBUH), calling on him to gain knowledge and denouncing those who do not use their mind, "Are those who know equal to those who do not know?" Only they will remember [who are] people of understanding. While the Prophet clarifies the extent of the his concern and care by teaching them to read and write. On the authority of Anas bin Malik, he said: The Prophet (PBUH) said: (Seeking knowledge is obligatory for every Muslim) (Ibn.Majah, 2016), which means that it is an obligatory right and a legal duty, and to prepare it to be a place for legal discourse and bearing responsibility.

Because of the importance of education for the children of Medina, the Prophet Muhammad (PBUH) made the redemption of the Badr prisoners teach ten boys to read and write. It was reported that some of the prisoners did not have money, so the Prophet Muhammad (PBUH) made their ransom to teach the children of the Ansar to write. The importance of education is evident as it was reported on the authority of Abu Hurairah, may God be pleased with him, that the Messenger of God, may God bless him and grant him peace, said: (Whoever learns knowledge when he is young is like a tattoo on a stone, and whoever learns knowledge after he reaches old age is like a writer on the surface of water), and Al-Hasan was reported to have said: (Seeking hadith when young is like engraving on stone). Thus, it is obligatory for young children to be taught by their guardians. It was reported from Imam Al-Shafi’i, may God have mercy on him, that he said: Parents must teach their young children what they will be required to do after puberty, and it was reported from Ibn Al-Qayyim that he said: If one of the parents abandons his education and command, then he is disobedient and has no guardianship over him (Ibn Qayyim, n.d). The Islamic State supported education efforts in Medina. Umar ibn al-Khattab, may God be pleased with him, provided teachers who taught the boys, and the children joined educational centers completely free of charge, with full food and clothing provided to them, and salaries to meet their needs and expenses (Hindi,n.d). Islam decided to preserve the child’s right to the means of intellectual awareness, to be linked to Islam as religion and state, to the Quran as a system and legislation, to Islamic history, glory and glory, to the Islamic spirit in spirit and thought, and to the dynamic connection to the call with enthusiasm, so that he becomes aware of Islam and that it is valid for every time and place, and that our glory lies in it. And to know the enemy’s plans, and through awareness from his parents, reading, role models, and good company. The interest

of the righteous predecessors in teaching their children the Holy Qur'an, the battles of the Messenger, may God bless him and grant him peace, and the exploits of glory was evident ('Ulwan, 2020). On the authority of Ali bin Abi Talib, may God be pleased with him, he said: The Messenger (PBUH), said: (Train your children in three qualities: love for your Prophet, love for his family, and Reading the Qur'an), and Saad bin Abi Waqqas said: We used to teach our children the raids of the Messenger (PBUH), just as we teach them the surahs from the Holy Qur'an ('Ulwan, 2020).

The right of the child is preserved in Islam by means of mental health, so the Prophet (PBUH) instructed every applicant for marriage to pay attention to health measures, avoid consanguineous marriage, recommend that the woman not be a close relative ('Asqalani, 2017), protect him as a fetus by vaccinating the pregnant woman, avoid harm to his mother, and protect him from consuming alcohol and drugs, smoking, masturbation, and exposure to sexual arousal can disrupt the function of the mind.

Fourth: The Child's Rights to Lineage

The teachings of the Holy Qur'an and the Sunnah of the Prophet have legislated the child's right to belonging, and have enacted provisions ensuring that his relationship with others is on the basis of kinship. Violating his right means exposing him to loss and shame. The teachings of the Holy Qur'an and the Sunnah of the Prophet also warned against fathers denying their relationship with their children, and forbade mothers from ascribing to their husbands someone who is not of their own blood.

It was reported on the authority of Abu Hurairah, may God be pleased with him, that he heard The Messenger of Allah (PBUH), say: "Any woman who is brought into a people who is not one of them, she is not from God in anything, and God will not admit her to His Paradise, and any man who denies his son while looking at him, God will hide from him." And expose it to the heads of the first and the last." Islam forbade children from denying their ties to their families, and it was reported from The Messenger of Allah (PBUH), that he said: "Whoever claims to be other than his father, knowing that he is other than his father, Paradise is forbidden to him (Bukhari, 2015).

Besides that, Islam also abolished the adoption system due to the Holy Qur'an: Let your adopted children keep their family names. That is more just in the sight of Allah (Ahzab:5), and it abolished their attachment through fornication and adultery. On the authority of Abu Hurairah, may God be pleased with him, that The Messenger of Allah (PBUH) said: "The child (born out of wedlock) belongs to the one on whose bed it is born, and stoning to death is for the fornicator." (Nisaburi, n.d).

Fifth: The Child's Rights to Residence

Although there is no quranic verses or prophetic hadith that directly shows about the child's rights to residence, but Muslim scholars are of the opinion that children also have the right to obtain residence in the country where they are. Implicitly, the teachings of the Holy Qur'an and the Sunnah of the Prophet took into account the child's right to reside in his country and home, and it is not permissible to force him to leave the country, or remove him from it by deportation, without a legal basis. It was considered one of the basic rights that a person enjoys based on the religious bond and the social bond that unites Muslims (Subhi, 2000). On one level, Islam gave the child the right to enjoy nationality, that bond between him and the state to which he belongs, as jurists spoke of it under the name of loyalty and pastoralism (Jamal, 2004).

Sixth: The child's rights to financial

The teachings of the Holy Qur'an and the Sunnah of the Prophet were concerned with the right of the child to money, and to spend on him. It has been narrated by `Aisha: Hind, the mother of Mu'awiya said to Allah's Messenger (PBUH), "Abu Sufyan (her husband) is a miser. Am I allowed to take from his money secretly?" The Prophet (PBUH) said to her, "You and your sons may take what is sufficient reasonably and fairly (Bukhari, 2015).

Spending is obligatory for the son on his father's money, and that is why the Messenger (PBUH), ordered it to do so. Spending means his sufficiency of bread, clothing, housing, and related accessories, and his maintenance shall be from his own money. If he does not have money, then his expenses shall be borne by his father and the girl until she marries. In the event that his father is incapacitated and has no relative to support him, his expenses are paid by the public treasury (Astrushani, 1997) In light of the state of war, if a child loses his parents and becomes one of those in need, then his maintenance is from the treasury, and the Islamic State has guaranteed his care and preservation by the action of the Umar ibn al-Khattab, may God be pleased with him, because he made it obligatory to give to every child from the treasury of the Muslims.

Therefore, it is clear that the teachings of the Holy Qur'an and the Sunnah of the Prophet affirmed that the child has the right to financial liability. The undistinguished person has full legal eligibility, so rights are established for him, such as inheritance. However, the eligibility to pay is non-existent due to his lack of discrimination, and his guardian acts on his behalf in directing his actions. The discerning person has the right to full legal eligibility, so rights such as inheritance and wills are established for him. As for His financial actions are either beneficial, such as accepting a gift, so they are valid, or his actions are harmful, so they are not valid, or his actions are hesitant between benefit and harm, such as selling, so they are subject to the guardian's permission.

Meanwhile, the teachings of the Holy Qur'an and the Sunnah of the Prophet also preserved the child's right with the provisions of quarantine, which means preventing him from financial transactions, and forbade giving money to fools, according to the Allah's saying: (Do not entrust the incapable 'among your dependants' with your wealth) (Nisa':5), for the child is foolish and does not manage his money well, so it is lawful for the guardian to be held accountable by the judge, if found. The judge, the guardian and trustworthy, approved him, even if his competence was lacking and treason appeared on his part, he was dismissed and replaced (Zuhayli, 1997).

Conclusion

Briefly, the Qur'anic verses and the Sunnah of the Prophet revealed the importance of careful attention to the rights of the child in all circumstances that the child and his family go through, whether in peace or war. It can be concluded that Quran and the Sunnah of the Prophet have enacted many comprehensive and appropriate provisions for the child which take full care of him and preserve his human dignity, including financial, religious, mental, lineage, and psychological rights. Child abuse, neglect, and exploitation are strictly condemned in Islam. The Quran and the Sunnah of the prophet also emphasize the protection of children from harm and the importance of creating a safe and nurturing environment for their growth and development. Overall, while the Quran and the Sunnah of the prophet do not provide a specific list of children's rights, they emphasize the importance of treating children with respect, love, and care, ensuring their well-being, providing them with education, and

protecting them from harm. These principles form the foundation for understanding the rights of children from the view of Quran and Sunnah.

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Reference

- Abu Dawud, S. A. (2015). *Sunan Abi Dawud*. Beirut: Dar Ibn Hazm.
- Asqalani, A. I. (2017). *Fath al-Bari Sharh Sahih al-Bukhari*. Cairo: Dar al-Hadith.
- Astrushani, M. (1997). *Jami` Ahkam al-Sighar*. Beirut: Dar al-Kutub al-`Ilmiah.
- Bukhari, M. I. (2015). *Sahih al-Bukhari*. Beirut: Dar al-Kutub al-`Ilmiah.
- Haythami, N. D. A. (1988). *Majma` al-Zawaid wa Manba` al-Fawaid*. Beirut: Dar al-Kutub al-`Ilmiah.
- Hindi, A. D. (n.d). *Kanz al-`Ummal fi Sunan al-Aqwal wa al-Af`al*. Beirut: Muassasah al-Risalah.
- Ibn Hanbal, A. (2015). *Musnad Imam Ahmad bin Hanbal*. Beirut: `Alam al-Kutub.
- Ibn Qayyim, A. A. M. (n.d). *Zad al-Ma`ad Fi Hady Khayr al-`Ibad*. Beirut: Dar al-Fikr.
- Ibn.Majah, A. A. M. (2016). *Sunan Ibn.Majah*. Riyadh: Dar al-Salam.
- Ibn`Abidin, M. A. (1999). *Hashiyah Radd al-Muhtar `Ala al-Durr al-Mukhtar*. Beirut: Dar al-Fikr.
- Jamal, S. D. (2004). *Al-Nizam al-Qanuni li al-Jinsiah fi al-Daulah al-Islamiah Dirasah Muqaranah*. Cairo: Dar al-Fikr al-Jami`i.
- Nisaburi, A. H. (n.d). *Sahih Muslim*. Beirut: Dar al-Kutub al-`Ilmiah.
- Quran.com
- Qutb, S. (1995). *al-Adalah al-Ijtimiah fi al-Islam*. Beirut: Dar al-Syuruq.
- Subhi, A. S. (2000). *al-Islam wa Huquq al-Insan*. Cairo: Maktabah al-Jami`iah.
- Sunnah.com
- Tirmidhi, A. A. M. (n.d). *Nawadir al-Usul Fi Ma`rifah Ahadith al-Rasul*. Beirut: Dar Sadir.
- Zuhayli, W. (1997). *Huquq al-Insan fi al-Islam*. Beirut: Dar Ibn Kathir.
- `Ulwan, A. N. (2020). *Tarbiah al-Awlad fi al-Islam*. Cairo: Dar al-Salam.