

## **Exploring Child Rights and the Concept of Childhood in Islam: A Contemporary Descriptive Analysis**

**Mohammed Houmine<sup>1\*</sup> and Khadija Loudghiri<sup>2</sup>**

<sup>1</sup>Former Secretary General of Mohammed V University of Rabat. Morocco

<sup>2</sup>Higher Institute of Nursing and Technical Health Professions, Morocco

\*Corresponding Author Email: [mhoumine@gmail.com](mailto:mhoumine@gmail.com)

### **ABSTRACT**

This study delves into the realm of children's rights and the concept of childhood, comparing Occidental research spanning the last century and the first two decades of this century with the role of Islam and Islamic civilization in safeguarding these rights. Through an examination of Sharia sources, relevant books, and articles, a descriptive analysis method is employed to uncover the presence of child rights notions and childhood concepts in Islamic references. The findings showcase Islam's robust emphasis on children's rights across various dimensions and the recurrent presence of childhood in diverse sources. Moreover, the study reveals a misrepresentation by certain Western authors regarding the historical trajectory of child rights and childhood within the Islamic framework. In essence, this research underscores Islam's significant contributions to nurturing child rights and advancing the notion of childhood, shedding light on an often underexplored aspect of Islamic civilization.

Keywords: rights, concept, child, childhood, Islam.

### **ABSTRAK**

Studi ini menggali ranah hak-hak anak dan konsep masa kanak-kanak, membandingkan penelitian Barat selama abad terakhir dan dua dekade pertama abad ini dengan peran Islam dan peradaban Islam dalam menjaga hak-hak tersebut. Melalui penelaahan terhadap sumber-sumber syariah, buku-buku yang relevan, dan artikel-artikel, digunakan metode analisis deskriptif untuk mengungkap keberadaan gagasan hak-hak anak dan konsep masa kanak-kanak dalam referensi Islam. Temuan ini menampilkan penekanan kuat Islam pada hak-hak anak di berbagai dimensi dan kehadiran berulang masa kanak-kanak di berbagai sumber. Selain itu, penelitian ini mengungkapkan kesalahan representasi oleh beberapa penulis Barat mengenai lintasan sejarah hak-hak anak dan masa kanak-kanak dalam kerangka Islam. Intinya, penelitian ini menggarisbawahi kontribusi signifikan Islam dalam memelihara hak-hak anak dan memajukan gagasan masa kanak-kanak, menyoroti aspek peradaban Islam yang sering kurang dieksplorasi.

Kata kunci: hak, konsep, anak, masa kecil, Islam.

---

### **INTRODUCTION**

Tréanton (1970) said "*Can the sociologist ignore history?*". The author reprimands Boltanski (1969) for discriminating between "folk medicine" and "scholarly medicine" to develop childcare and modern principles of early education in France in the late 19th and early 20th centuries. Tréanton (1970) adds that

"There are two histories of science, writes Michel Serres. The one that helps us to understand current science and refuses to consider the dross it leaves behind in its evolution. This is the history of scientists. The one that helps us understand the deep thinking of authors and eras, through the internal justification of both successes and errors; it is not just a long chain of triumphs. It is the history of philosophers...".

\* Copyright (c) 2023 **Mohammed Houmine and Khadija Loudghiri**

This work is licensed under a [Creative Commons Attribution-ShareAlike 4.0 International License](https://creativecommons.org/licenses/by-sa/4.0/).

Received: February 3, 2023 ; Revised: August 9, 2023; Accepted: August 24, 2023

These two observations lead one to ask: have historians, sociologists and writers in general acknowledged Islam's considerable contribution to Human Rights in general and Children's Rights in particular? And what about these rights before Islam?

Concerning children's rights before Islam, a number of studies have been conducted to examine children's conditions in ancient times. Thus, the examination of ancient documents (papyrus) proved the power recognized to parents by Hellenistic law and included the possibility of establishing a security interest in the child's person. In case of hardship, the father was obliged to dispose of his child by sale, gift, pledge or other means. With the Roman Empire's legal pluralism, these practices lasted even if prohibited. The authors were able to demonstrate the actions used in a kind of child trafficking practiced in Egypt during the High Empire. Likewise, the right for the father to take back his married daughter, even against his will, to the husband to whom he gave her as his wife (the right of *aphaeresis*). However, this right is conditional on the absence of children from this marriage. This right existed in Athens in the 4th century BC., faded away in Hellenistic practice before reappearing in Roman times (Mélèze-Modrzejewski, 1977; 1982; 1994).

In Sparta, Scott (1993) argued that children were selected at birth. Fit individuals lived and infirm individuals were killed. For the first seven years of their lives, children were raised by nurses without parental involvement. He added that children under seven were treated as uneducable and therefore not significant in Greece's learning-based system. In the Hebrew system, where parents were previously involved in teaching their children, education outside of the home, at synagogues or schools prevails. In some cases, attendance at school was mandatory. Scott (1993) still believes that progeny were encouraged and children were more interested as the Roman Empire expanded. Quintilian was also one of the first to advocate for schooling for needy children.

This study undertakes a comparative analysis of child rights and status in two distinct historical contexts: the Roman legal system and Islamic civilization. Through a critical examination of available literature, it explores how these societies treated children's rights and the concept of childhood. Notably, the Roman legal landscape is scrutinized, revealing a lack of civil majority age and parental authority, with children's status akin to that of slaves. The right of fathers to abandon or even exhume their offspring underscores the absence of protective measures for children. In contrast, the Islamic era has garnered less attention in European-American literature regarding children's rights history. This research endeavors to bridge this gap by delving into relevant sources and observations. While Ariès (1960) claimed that childhood did not exist in the Middle Ages, Valkanova (2014) counters this view by unearthing historical writings and narratives from Antiquity that portray childhood perception. Even though limited by space and documentation, Valkanova's work emphasizes overlooked representations of childhood in ancient narratives like Plato's Republic and heroic tales. Additionally, Scott (1993) and Arnott (2007) explored childhood perceptions within Greek, Spartan, Hebrew, and Roman societies. This research goes further by examining the impact of religions such as Christianity and Islam on children's evolving status. Urgently addressing the research gap on Islamic civilization, this study contributes a holistic understanding of child rights and perceptions of childhood, differentiating itself from prior analyses through its focus on the intersection between Roman law and Islamic perspectives.

## **RESEARCH METHOD**

This study aims to respond to the following question: Did Islam and Islamic civilization take care of childhood and children's rights?

For this reason, in the current study, we examined the Quran, Sunnah, and other religious, cultural and scientific texts. We determined some children's rights mentioned in these references.

This study used a descriptive approach to analyze the content of the main resources of Islamic Sharia in the field of children's rights: the Qur'an and Hadith. In addition, we consulted references to the Muslim bibliography in this area.

Searches were conducted in the electronic databases of the following websites: Google, Google Scholar, Quran.com, Sunnah.com, Wikipedia, and others. Research was also conducted by visiting libraries' websites, reading their books, and reading articles from cultural and scientific journals.

To explore these texts, the following keywords were used: "Quran", "Sunnah", "Rights", "Parents", "Islam", "Education", "Childhood", "Children" and others.

A translation of the noble verses was based on that of Dr. Mustafa Khattab (The Clear Coran), which is available on Quran.com. To interpret these verses and deduce their significance and reasons for their revelation to cite them, reliance was placed on Ibn Kathir's interpretation found on the previous site.

A number of hadiths were also cited from six famous books namely Sahih al-Bukhari, Sahih Muslim, Sunan Ibn Majah, Sunan Abi Dawud, Sunan al-Tirmidhi and Sunan al-Nisa'i. The translation of these hadiths was taken from the Sunnah.com.

The following section contains the results and discussion of findings related to research objectives and study development.

## **RESULT AND DISCUSSION**

### **The concept of children's rights in Islam**

In Islam, children are given a special place, and the Islamic Sharia states that the child has both rights and duties toward his parents in accordance with the Holy Quran, the Prophet's Sunnah, and the work of Righteous Caliphs. Muslim writers also discussed children's rights.

#### ***The Holy Qur'an***

In the Holy Qur'an, childhood begins with birth and ends in puberty. According to Al Anis (2008) in his book "Hokoko At-Tifl fi Al Quraân" (Children's Rights in the Qur'an), there are approximately 66 rights of the child that are divided into approximately 25 Surats in the Qur'an. He believes that it is more than the materials of the United Nations Convention on the Rights of the Child.

Allah Almighty says in the Quran: "O humanity! If you are in doubt about the Resurrection, then know that We did create you from dust, then from a sperm-drop, then developed you into a clinging clot of blood, then a lump of flesh—fully formed or unformed—in order to demonstrate Our power to you. Then We settle whatever embryo We will in the womb for an appointed term, then bring you forth as infants, so that you may reach your prime. Some of you may die young, while others are left to reach the most feeble stage of life so that they may know nothing after having known much. And you see the earth lifeless, but as soon as We send down rain upon it, it begins to stir to life and swell, producing every type of pleasant plant" (Al-Qur'an, Surat Al-Hajj (22) – Verse 5).

This verse is one of the most significant verses in the Qur'an regarding scientific miracles. Many Western scholars have converted to Islam after discovering these facts through research and scientific experiments. This verse clearly shows the stages of human life in general. It shows that the childhood stage begins when a newborn is separated from his mother's womb after birth and ends with puberty in particular.

It is noted that the word "child" is present strongly in the Holy Qur'an. The "child" has been referred to through the following terms:

1. "At-tif" (the child): (Al-Qur'an, Surat Al-Hajj (22) – Verse 5; Surat An-Nour (24) – Verses 31 & 59; Surat Ghafir (40) – Verse 67).
2. "Al-walid" (the newborn): (Al-Qur'an, Maryam (19) – Verses 12 & 29).
3. "As-sabiy" (the boy): (Al-Qur'an, Surat Ash-Shu'ara (26) – Verse 18).
4. "As-saghir" (the little): (Al-Qur'an, Surat Al-Isra (17) – Verse 24).
5. and "Al-gholam" (the youth): (Al-Qur'an, Surat Ali Imran (3) – Verse 40; Surat Yusuf (12) – Verse 19 ; Surat Al-Hijr (15), Verse **53**; Surat Al-Kahf (18), Verses 74, 80 & 82; Surat Maryam (19), Verses 7, 8, 19 & 20; Surat As-Saffat (37) Verse 101; Surat Adh-Dhariyat (**51**), Verse 28).

### ***The Sunnah and the Righteous Caliphs***

Abdel-Maaboud's (2019) book "Hokoko Attofoulah fi As-Sunnah An-nabaouiyah Al-moutaharah" (Children's rights in the Sunnah of the Prophet) exposes a number of rights mentioned in the Sunnah.

Al-Samarqandi devotes a chapter to recognizing the boy's right to his father (p. 130-132) in his book "Tanbiho Al Ghafiline bi Ahadithi Sayedi Al Anbiyaa' wa Al Moursaline" (Alert the heedless of the hadiths of the master of the prophets and messengers). He reported the story of the father who complained about his son's disobedience to Omar bin Al -Khattab. Omar, may God be pleased with him, said to the son: "Do you not fear God in your father's disobedience?" The son said: "O Commander of the Faithful, does the son have a right over his father?" Omar replied that yes, his father should choose an acceptable mother for him, choose a good name for him, and teach him the book (Quran). The son responds that his father did nothing of that. Then, Omar turned to his father and said, "You disobeyed him before he disobeyed you" (Al-Samarqandi, 2000).

### ***Muslim writers***

In addition to what the Qur'an and Sunnah have introduced as supreme rights and values for children, there were some works by some Muslim authors in this area.

The concept of childhood occupied a large number of Muslim linguists as Ibn Sidah. Mahfouz (2006) mentioned more than thirty synonyms for the term "At-tif" (child) in Arabic writings. The child was also the subject of many poems and prose texts in Arabic literature. The same thing happened with a great number of legal scholars as the Malikite, the Hanafite, the Hanbalite, the Shaffaite, and others. The importance of this preoccupation comes from their endeavor to determine the age stages through which the child passes from birth until adulthood, on the basis of which legal rulings are established, whether it is related to acts of worship or transactions.

Talas (1957) exposed some books on education and learning among Arabs and Muslims. He mentioned the book "Adabo al-Mua'limine" (Ethics of the Teachers) by Ibn Sahnoun, the book "Assiyassa" (Politic) by Al-Farabi, the book "Al-Risala al-Mufassala Liahwali Al Muta'limine wa Ahkamo Al Mua'limine wa Muta'limine" (Detailed Message on the Conditions of Learners and Rulings for Teachers and Learners) by Al Qabisi, the book of "Tahdhibo Al-Akhlaq wa Tathiro Al-Ar'aaq" (Refinement Morals and Cleansing of Ethics) by Ibn Miskawayh, the book of "Kitabo As-Siyassa" (The Book of politics) by Ibn Sina (Avicenna), The book of "Jami Bayan al-Ilmi wa Fadlihi wama Yanbaghi fi Riwayatih wa Hamlihi" (Compendium Exposing the Nature of Knowledge and its Immense Merit, and what is Required in the Process of Narrating it and Conveying it) by Ibn Abd al-Bar al-Andalusi and the books of Imam Al-Ghazali: "Ihyau

Ulumddin” (The Revival of Religious Sciences), “Mizano al-Âamal” (The Balance of Action) and “Al-Risâlat Al-Laduniyya”.

Munir (2014) conducted a review of selected literature in this way. He cited the book "Jami' Ahkam Al-Sighar" (Collector of the young's provisions) by Muhammad ibn Mahmud Ben Hussein Majuddin Al-Ustrushani (d. 632/1234-1235 C.E.) as the first work in this way. This book dealt with all issues and cases related to the minor child (for example, prayers, fasts, hajj, marriage, guardianship, foundlings, or the obligation to breastfeed).

Muslim (2019) added that this Al-Ustrushani book was written in 1228 C.E. Approximately 100 laws and precepts define children's rights. As an unusual work of the Middle Ages, the treatise encompasses many aspects of society and its relation to minors.

The second book on the birth of a Muslim child is "Tuhfatu al Mawdud fi Ahkam al-Mawlud" (Treasure of the Loved in the provisions of the newborn) written by Shamsuddin Muhammad ibn Abi Bakr ibn-Qaiyam al-Jawziyah (d. 751/1350 CE). It discusses Islamic law rules about a Muslim child from his birth until childhood (for example: 'aqiqah', naming the child, shaving his head, circumcision, discipline, education, and equality among children) (Munir, 2014).

We have also discovered the book "Fi awjaâe al-atfali" (On Children's Pains), a treatise through which Ali bin Mandawiyah (died in 370 AH – 980 CE), in the field of pediatrics, concerned with all the diseases children suffer from since birth. Likewise, "Risalat fi ilaji sabiyin asabaho al-marado al-musamaa bidai al-fil wa dai al asad" (A treatise on the treatment of a boy suffering from elephantiasis and lion's disease) was written by Abu al-Hassan Ali ibn Ridwan Al-Misri (388-460 AH / 998-1067 CE) (Ibn Abi Uşaybiâa, 1996).

Gaffari et al. (2014) mention "Kitabo Ilaji Al-Atfali" (The book of children's diseases) with novel views on pediatric diseases specialization and sixty terms in this domain by Abu Al-Hassan Al-Tabari (932-976 CE).

Among the modern works on childhood, Munir (2014) cites "Tarbiyatu al Awlad fil Islam" (Raising children in Islam) by Abdullah Nasih Ulwan published in 1976 (Egypt). This book includes unnecessary suggestions about child education.

He mentions another work "Al-Tifl fi Shari'ah al-Islamiyah" (The child in Islamic law) by Muhammad bin Ahmad al-Salih published in 1982 (Kingdom of Saudi Arabia). This work discusses many topics related to children (fetus growth stages, rights of a fetus, custody of children, foundlings, and orphaned children, etc).

In addition, Munir (2014) alluded to the book "Manhaj Al-Tarbiyah Al-Nabawiyah Lil Tifl" (The prophetic education curriculum for the child) by Muhammad Noor Saweed published in 2000 (Kingdom of Saudi Arabia). It discusses children's rights and childhood in Islam (protecting children from illness; visiting sick children; the Prophet's treatment of sick children; cupping therapy for children, etc).

Another work is "Atfal 'l-Muslimeen: Kayfa Rabahum Al-Nabiul Ameen?" (Muslim children and how the faithful Prophet raised them) by Jamal Abdur Rahman (Kingdom of Saudi Arabia). This book is influenced by Ibn Qaiyam's books "Tuhfatul Mawdud" and "Al-Tifl fi al- Shari'ah" by Muhammad Al-Salih cited beyond. That is a repetition of what was previously written (Munir, 2014).

An unpublished Master dissertation "The Rights of Children in Islam" by Khalid Dhorat (1996) is considered by Munir (2014) as an excellent research work in English (South Africa). It discusses how Islam attaches importance to identifying and implementing children's rights. It also discusses the various protections and rights accorded to children in Islam.

Mdallel (2004) added the latest book of Rifa'a al-Tahtawi "Al-morshid al-amine lil-banin wa al-banat" (The faithful guide for girls and boys) published in 1872, just five months before he died in 1873 (Egypt). In this work, he focused on the importance of the culture and education of children, especially girls. A book written by Mohammed Othman Jalel (Egypt) in 1894, "Al-uyun Al-yawakidh fil-amthali wal-mawaidh" (Eyes watchful in proverbs and sermons) was added to her list.

In turn, in 2017, Munir published in English a book entitled: "Rights of the Child in Islam: Theory, Mechanism, Practices and the Convention on the Rights of the Child" (Pakistan). In accordance with international law, Munir has taken a different approach, emphasizing the responsibility of states instead of parents for children. Cheema (2022) describes this work as "a noteworthy contribution to the field of knowledge that has not attracted that level of attention from academia that it deserves" (p. 5). We observe that Cheema (2022) agrees with our introduction opinion.

Mustapha Achour (undated) mentioned also the letter of Yuhanna ibn Masawaih "Al janin wa kaounohou fi ar-rahim" (Foetus and being in the womb) and the letter of Hunayn ibn Ishaq al-Ibadi "Al mawloudine li tamaniat achhorin" (Born at eight months).

Decroux (2018), from the writings of contemporary authors like Lecompte (1954), Giladi (1992), Bianquis (2005), Sourdel (2008) and Benmakhlouf (2015), cites many examples on this subject.

He thus quoted, in addition to al-Ustrūshānī and al-Jawziyah that we mentioned before, among others, the following medieval jurists and pediatricians:

1. Shanoun, (776 – 854), a Maliki jurist from the school of Kairouan. In the 9th century, he compiled various legal opinions in a collection called *The Behavior of Teachers* (Gialdi, 1992) » (p. 83).
2. Sarakhsi (? – 1106), an 11th century jurist who belongs to the Hanafi school, addresses in his works the legal status of the child but also gives indications as to how to treat, feed and dress infants. (Sarakhsi, quoted in Giladi, 1992) » (p. 82).
3. Ibn – al-Jazzar (? – 980), "On the art of caring for and raising children", is considered the first and one of the most important pediatric treatises (Giladi, 1992) » (p. 85).
4. Al-Qurtubi (? – 1273). « ... "The Book of the Generation of the Fetus and the Treatment of Pregnant Women and the Newborn", is a work that describes the conception, embryology, pregnancy, birth and development of children (Giladi, 1992) » (p. 86).

Al – Baladi (? – 990). « ... "Treatise on the Hygiene of Pregnant Women and Infants", was written by the obstetrician and pediatrician of Iraqi origin Al – Baladi... (Giladi, 1992) » (p. 86). This latest scientist and his book have been taken up also by Dagorn (1967).

However, it should be noted that Giladi and Decroux's date of death of Al-Qurtubi is not exact. Indeed, the book "khalqo al-janin wa tadbiro al-habalaa wa al-mawloudin" (Creation of the fetus and management of pregnant women and newborns) was written by Arib ibn Saâd al-Qurtubí (died in 369 AH – 979 CE). It was published in 1956 AD in Algeria in Arabic, based on the manuscript of the Bibliotheque of Escorial by Nouredine Abdel Kader and Henry Jahier (Arab Encyclopedia).

Lastly, I would like to conclude this chapter by saying:, it is true that the expressions "rights of the child" and "protection of the child" aren't used as such by most Muslim writers. According to the evidence we have gathered, including but not limited to, it should be noted that Islamic writings show an enormous interest in childhood.

### **Children's rights in Islam**

Allah Almighty says in the Quran: (Remember when your Lord said to the angels, "I am going to place a successive 'human' authority on earth." They asked 'Allah', "Will You place in it someone who will

spread corruption there and shed blood while we glorify Your praises and proclaim Your holiness?" Allah responded, "I know what you do not know." (Al-Qur'an, Surat Al-Baqarah (2) – Verse 30). By making Adam's descendants his successors in his land, Allah honored Adam's children.

Allah Almighty says too: "Indeed, We have dignified the children of Adam, carried them on land and sea, granted them good and lawful provisions, and privileged them far above many of Our creatures" (Al-Qur'an, Surat Al-Isrā (17) – Verse 70). He says too: "Indeed, We created humans in the best form" (Al-Qur'an, Surat At-Tin (95) – Verse 4). It means to treat a man with generosity, honor, and grace. Besides creating and enjoying the most ideal form and image of himself, the faculties of speech, hearing, and vision are also included. He helps him distinguish between right and wrong actions. Likewise, it refers harnessing cattle and animals for a man's benefit and to give him pleasure and blessings. This confirms that he is preferred to all other kinds of creation and living beings.

He says also: "For indeed, We alone created humans from a drop of mixed fluids, in order to test them, so We made them hear and see" (Al-Qur'an, Surat Al-Insan (76) – Verse 2). "Muḥammad bin Maḥmūd al-Ustrūshānī emphasizes that the embryo is a human being and cannot be separated from the man who was born. This child from birth to his full age needs love and compassion and the help of their loved ones." (Muslim, 2019).

The Prophet (PBUH) said: " There is none born but is created to his true nature (Islam). It is his parents who make him a Jew or a Christian or a Magian quite as beasts produce their young with their limbs perfect. Do you see anything deficient in them?" (Al Bukhari, Hadith: 1358, p. 728; Muslim, Hadith: 2658, p. 2047; Ibn Hibban, Hadith: 3933, vol. 5, p. 40). That's means children's religion and morals are largely influenced by their parents.

Child's rights are derived from the divine will of God, who commands His servants to obey Him and avoid His prohibitions. Anyone who violates these commands or prohibitions will be held accountable on the Day of Judgment and face the consequences of their actions against the child.

In order to realize child rights in Islam, multidimensional approaches have been implemented. The legal provisions, non-legal measures, moral responsibility, the importance of the natural family, and the responsibilities of the child fall under this category (Olowu, 2008).

Due to the fact that the child represents the future of man and the future of the nation, Islam took care of him before and after birth.

### **Child's rights before birth (Fetus)**

Prior to a child's birth, some rights are established regarding the father.

#### ***Choice of an ideal wife***

Allah Almighty says in the Quran: "And Allah has made for you spouses of your own kind, and given you through your spouses children and grandchildren" (Al-Qur'an, Surat An-Nahl (16) – Verse 72). That means as part of His blessing, Allah has given His servants wives among themselves. He created males and females from Adam and made them wives for their males. Allah then mentions that from these wives He creates children and grandchildren.

The Prophet (PBUH) said: "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" (Al Bukhari, Hadith: 5090, p. 2314). He says too: "Choose the best for your sperm, and marry compatible women and propose marriage to them" (Ibn Majah, Hadith: 1958, p. 321).

That means it is preferable for a man to choose a woman who is righteous, religious, and free of illnesses and unwanted traits. It is also imperative that her family and relatives maintain an excellent reputation and behavior. Consequently, he could produce valid offspring as a result. In addition, this wife will raise her children according to Sharia's tolerant teachings and educate them in good ways.

### ***Fetus' right to legitimacy***

Imam and al. (2011) consider that Islam is the only religion that recognizes the sanctity of chastity and women's protection. Allah Almighty says: "Also 'forbidden are' married women—except 'female' captives in your possession. This is Allah's commandment to you. Lawful to you are all beyond these—as long as you seek them with your wealth in a legal marriage, not in fornication. Give those you have consummated marriage with their due dowries. It is permissible to be mutually gracious regarding the set dowry. Surely Allah is All-Knowing, All-Wise" (Al-Qur'an, Surat An-Nisa (4) – Verse 24).

He added also: "But if any of you cannot afford to marry a free believing woman, then 'let him marry' a believing bondwoman possessed by one of you. Allah knows best 'the state of' your faith 'and theirs'. You are from one another. So marry them with the permission of their owners, giving them their dowry in fairness, if they are chaste, neither promiscuous nor having secret affairs. If they commit indecency after marriage, they receive half the punishment of free women. This is for those of you who fear falling into sin. But if you are patient, it is better for you. And Allah is All-Forgiving, Most Merciful" (Al-Qur'an, Surat An-Nisa (4) – Verse 25).

In addition, when a mother is divorced and her pregnancy is not apparent, she must not hide and announce it. This is so that the child is not attributed to another person than his father. Allah Almighty says in the Quran: "It is not lawful for them to conceal what Allah has created in their wombs, if they truly believe in Allah and the Last Day" (Al-Qur'an, Surat Al-Baqarah (2) – Verse 228).

### ***Right to life***

In Islam, abortion is prohibited unless the mother is at risk from the pregnancy but with some conditions. This provision applies to legitimate and illegitimate children. Sharia jurists infer the following two verses:

"And when they leave you, they strive throughout the land to spread mischief in it and destroy crops and cattle. Allah does not like mischief" (Al-Qur'an, Surat Al-Baqarah (2) – Verse 205).

"Do not take a human life—made sacred by Allah—except with legal right. This is what He has commanded you, so perhaps you will understand" (Al-Qur'an, Surat Al-An'am (6) – Verse 151).

Also, Abu Huraira narrated that "Two women from the tribe of Hudhail (fought with each other) and one of them threw (a stone at) the other, causing her to have a miscarriage and Allah's Messenger (PBUH) gave his verdict that the killer (of the fetus) should give a male or female slave (as a Diya)" (Al-Bukhari, Hadith: 6904, p. 3033; Muslim, Hadith: 1681, p. 1309).

Furthermore, the Prophet postponed the punishment of stoning for married women who became pregnant through adultery until they gave birth and carried it and the child grows up and depends on himself (case of Al-Ghamidia) (Muslim, Hadith: 1695, p. 1321; Abi Dawud, Hadith: 4442, p. 155).

Additionally, Islam allows pregnant women to break their fast during Ramadan for clemency towards their unborn child. This is so that the mother can feed her child in the womb.

Also, a divorced, irrevocable, pregnant woman receives alimony. The reason for this is that the unborn child's alimony is on his father, and he can only get this kind of benefit by spending it on his mother.



Allah Almighty said: "If they are pregnant, then maintain them until they deliver" (Al-Qur'an, Surat At-Talaq (65), Verse 6). (Al Khatib & Al Mountachiri, 2004).

### **Child's rights after birth**

Children represent tomorrow's youth and men. He is also considered the nation's capital and a guarantee of its survival. During early childhood, we are shaped by characteristics that become the foundations of our lives. For these reasons, Islam has taken care of the child, from its birth, whether male or female (Al Khatib & Al Mountachiri, 2004).

### ***Call to prayer and the "Iqama" in his ears***

Ubaidullah bin Abi Rafi narrated that his father said: "I saw the Messenger of Allah say the Adhan in the ear of Al-Hasan bin 'Ali - when he was born to Fatimah - the Adhan of Salat" (Abu Dawud, hadith: 6105, vol. 3, p. 333; At-Tirmidhi, Hadith: 1514, vol. 4, p. 97). According to Ibn Al-Qayyim, this act is meant to keep Satan away by presenting the first thing that strikes a person's hearing as testimony that introduces him to Islam (Ibn Al-Qayyim, p. 31).

### ***Good naming him***

The child has the right to be named after his father, to be called and known by that name. Allah Almighty said: "Let your adopted children keep their family names. That is more just in the sight of Allah. But if you do not know their fathers, then they are 'simply' your fellow believers and close associates" (Al-Qur'an, Surat Al-Ahzab (33), Verse 5).

He said also: "Nor does He regard your adopted children as your real children. These are only your baseless assertions. But Allah declares the truth, and He 'alone' guides to the 'Right' Way" (Al-Qur'an, Surat Al-Ahzab (33), Verse 4).

The Messenger of Allah (PBUH) ordered the naming the child on the seventh day after his birth (At-Tirmidhi, Hadith: 2832, vol.5, p. 132). In addition, he has the right to have a beautiful and acceptable name. It does not have any polytheism or pre-Islamic meanings. It contains no defamatory characteristics. This latest provision applies to illegitimate and foundling children. Allah Almighty said: "Do not defame one another, nor call each other by offensive nicknames" (Al-Qur'an, Surat Al-Hujurat (49), Verse 11).

Also, Ibn Umar reported that Allah's Messenger (PBUH) said: « The names dearest to Allah are 'Abdullah and 'Abd al-Rahman » (Muslim, Hadith: 2132, p. 1682; Abu Dawud, Hadith: 4950, vol. 3, p. 293).

When a child is born, he deserves to be honored and celebrated by spreading joy and happiness. The event must be announced to the people.

Also, he has the right to Aqiqah on the seventh day. This latest ritual involves the sacrifice of an animal (Dhabiha) on a child's birth. Salman bin Amir Ad-Dabbi narrated: that the Messenger of Allah (PBUH) said: "For a boy, there is an Aqiqah. So spill blood for him and remove the harm from him" (Al-Bukhari, Hadith: 5472, p. 2482; Ibn Hibban, Hadith: 1368, vol. 2, p. 300; At-Tirmidhi, Hadith: 1515, vol. 4, p. 97).

In accordance with the Sunnah, a baby's head must be shaved on the seventh day. It should give alms equivalent to his hair weight in silver (At-Tirmidhi, Hadith: 1519, vol. 4, p. 99).

### ***Secure breastfeeding***

Children have the right to breastfeed with natural milk from their mothers or other women for two years. This is more appropriate for their health. Several studies have shown the benefits of breastfeeding for babies, especially by mothers.

The Holy Qur'an stipulates this in the following verse: "mothers will breastfeed their offspring for two whole years, for those who wish to complete the nursing of their child. The child's father will provide reasonable maintenance and clothing for the mother during that period. No one will be charged with more than they can bear. No mother or father should be made to suffer for their child. The father's heirs are under the same obligation. But if both sides decide—after mutual consultation and consent—to wean a child, then there is no blame on them. If you decide to have your children nursed by a wet-nurse, it is permissible as long as you pay fairly. Be mindful of Allah, and know that Allah is All-Seeing of what you do" (Al-Qur'an, Surat Al- Baqarah (2) – Verse 233).

He specifies also: "And if they nurse your child, compensate them, and consult together courteously. But if you fail to reach an agreement, then another woman will nurse 'the child' for the father" (Al-Qur'an, Surat At-Talaq (65), Verse 6).

### ***Circumcision***

Circumcision of the child is from the innate disposition (sunnano al fitra), and from the rituals of Islam. It is observed also in Judaism. Its legal ruling (Sharia) is that it is Sunnah according to the Malikis, Hanafis and some Shafi'is. And they cited the hadith, reported by Abu Huraira, that the Messenger, may God's prayers and peace be upon him, said: "Five are the acts quite akin to the Fitra, or five are the acts of Fitra: circumcision, shaving the pubes, cutting the nails, plucking the hair under the armpits and clipping the moustache" (Al-Bukhari, Hadith: 5889, p. 2642; Muslim, Hadith: 257, p. 221).

But it is obligatory in the famous Shafi'i and Hanbali. And they inferred the hadith reported by Abu Hurayra that the Messenger, may Allah bless him and grant him peace, said: "Ibrahim, may Allah bless him and grant him peace, was circumcised when he was eighty years old. He was circumcised with an axe (qadam)" (Al Bukhari, Hadith: 3356, p. 1545; Al-Albani, 1998, Hadith: 221, p. 104).

Circumcision has many health and sexual benefits, which were alerted by the specialized and interested doctors. It can avoid contamination of microbes, inflammations, Syphilis, tumors, cancer, etc.

### ***Education***

It is the Qur'an verses, texts in Sunnah books that demonstrate the virtues of knowledge and encourage learning, as well as the ways in which the learned will be educated and disciplined.

It is known that the first verses of the Qur'an revealed to the Prophet (peace be upon him) are: "Read, O Prophet, in the Name of your Lord Who created. Created humans from a clinging clot. Read! And your Lord is the Most Generous, Who taught by the pen— taught humanity what they knew not" (Al-Qur'an, Surat Al-Alaq (96) – Verses 1 to 5).

Allah Almighty asked His Noble Prophet to reflect on what He created in this universe. He also asked him to learn, through the Holy Qur'an and Sunnah, about its secrets and the cosmic laws that govern its functioning. This is done with God's assistance.

As an example, God Almighty also said: "... Say, O Prophet, Are those who know equal to those who do not know?..." (Al-Qur'an, Surat Az-Zumar (39) – Verse 9); "Of all of Allah's servants, only the knowledgeable of His might are truly in awe of Him" (Al-Qur'an, Surat Fatir (35) – Verse 28); "...If you

polytheists do not know this already, then ask those who have knowledge of the Scriptures" (Al-Qur'an, Surat An-Nahl (16) – Verse 43); "Allah will elevate those of you who are faithful, and raise those gifted with knowledge in rank" (Al-Qur'an, Surat Al-Mujadila (58) – Verse 11).

Allah Almighty also highly illustrious the pen as a tool for writing and learning. He said: "The Most Compassionate. Taught the Qur'an. Created humanity and taught them speech" (Al-Qur'an, Surat Ar-Rahman (51) – Verses 1 to 4). He said also: "Nūn. By the pen and what everyone writes" (Al-Qur'an, Surat Al-Qalam (68) – Verse 1).

With the example of Luqman the sage, who warned to his son in the surah named after him, Allah Almighty also provided a special place for children to refine their morals. He said: "O my dear son! Establish prayer, encourage what is good and forbid what is evil, and endure patiently whatever befalls you. Surely this is a resolve to aspire to. And do not turn your nose up to people, nor walk proudly upon the earth. Surely Allah does not like whoever is arrogant, boastful. Be moderate in your pace. And lower your voice, for the ugliest of all voices is certainly the braying of donkeys" (Al-Qur'an, Surat Luqman (31) – Verses 17-19).

It is evident from these verses that Islam places high value on the process of teaching and learning. The Qur'an contains many scientific facts that have been confirmed by modern scientific research. These facts are referred to as scientific miracles in the Qur'an.

Furthermore, in the Sunnah books, there are many hadiths received from the Prophet. Abu Hurairah reported: "The Messenger of Allah (BPUH) said, "Allah makes the way to Jannah easy for him who treads the path in search of knowledge" (Ibn Majah, Hadith: 224, p. 269). It was also narrated from Anas bin Malik that "the Messenger of Allah (BPUH) said: "Seeking knowledge is a duty upon every Muslim, and he who imparts knowledge to those who do not deserve it, is like one who puts a necklace of jewels, pearls and gold around the neck of swines" (Ibn Majah, Hadith: 223, p. 268).

Hesham Al-Awadi (2018) demonstrated with applied tips and emotive stories, how the Prophet trained the children around him by inculcating in them the ethics of emotional security, trust, strength of character, and ethical behavior. He also encouraged them to be social and active members of their community.

Among these children, we can mention al Muhajiroun: Ali ibn Taleb, Al-Hassan ibn Ali, Al-Hussein ibn Ali, Az-Zoubair ibn Al-Aouam, Abdullah ibn Abbas, Abdullah ibn Omar, Osama ibn Zaid, Said ibn Al - Aas, Abdullah ibn Az-Zoubair, the children of Oum Salama, etc. Among al-Ansar, we can cite: Anas ibn Malek, Habib ibn Zaid, Zaid ibn Arkam, Zaid ibn Thabit, Abu Said Al-Khudri, Al-Baraa ibn Azib, etc. Also, among the girls, there was Aisha bint Abi Bakr, Asmaa bint Abi Bakr, Amato bint Khaled, Zainabo bint Oum Salama, etc (Semadi, 2021).

Among the famous hadiths narrated by Umar bin Abi Salama: "I was a boy under the care of Allah's Messenger (BPUH) and my hand used to go around the dish while I was eating. So Allah's Messenger (BPUH) said to me, "O boy! Mention the Name of Allah and eat with your right hand, and eat of the dish what is nearer to you" (Al-Bukhari, Hadith: 5378, p. 2446; Muslim, Hadith: 2022, p. 1599).

The Rightly Guided Caliphs and those who followed them from the Umayyad, Abbasid, Fatimids and Andalusians caliphs, and Moroccan dynasties, demonstrated their interest in science and learning, in scholars, jurists, and writers, and their commitment to spreading knowledge. Hence, Quranic Katatibs (Primary education institutions) were constructed to teach children, both males and females, during their infancy, while differing them. Libraries and treasures were created, and books were taken care of, copied and collected. They also established other educational institutions, such as the Khanqah (a house often devoted to living, worshipping, learning, and remembering God at the same time), the Ribat (shelters for

nomadic scholars and science students), the Zawiya (a part of the major mosques in which some circles of knowledge are held), and the Bimaristan (a hospital devoted to treating patients and teaching medicine and pharmacy). As a result of what Ferdinand Wüstenfeld counted in his valuable book about Imam Shafi'i, he also mentioned some historical texts proving schools existed in their idiomatic sense during the fourth and fifth centuries (Talas, 1957).

### ***Health care***

Islam's health of the child in all its physical and psychological aspects is closely linked to his other rights, which we have discussed overhead.

In terms of the physical side, we find breastfeeding for an ample period, and gradual weaning. There is also circumcision and mummification. Then he urged the child to clean his body by perpetuating ablution and bathing, and to scrub his teeth using a toothpick.

Additionally included in this allotment is urging him to pursue the hearty rules regarding his eating, imbibing and sleeping, as an example moderation, not overeating, not exhaling into a consuming bowl, and dozing on the right side.

The child should also be encouraged to practice sports such as swimming and horse riding. Umar bnou Al-Khattab wrote to Abu'Ubaidah bin al-Jarrah [saying]: "Teach your children swimming and teach your fighters archery..." (Ibn Hibban, Hadith: 4683, vol. 5, p. 426).

Kids should be warned against anything that harms their bodies, such as communicable and contagious diseases. They should avoid drugs, alcohol, and deadly and violent games. The Messenger of God (PBUH) said: "There is no infection, no evil omen, no "hama" (an owl, or a night-bird), and no serpent in a hungry belly; but flee from one who has tubercular leprosy as you would from a lion" (Abu Dawud, Hadith: 3912, vol. 3, p. 17) (Alzboon, 2010).

With regard to the psychological aspect, we find in relation to the psychological aspect, several of the actions and advice mentioned in the practices of the Prophet (PBUH) and his companions, which are:

1. Children kissing, following the example of Allah's Messenger (PBUH). Abu Huraira reported that Al-Aqraâ bin Habis saw the prophet kissing Hassan. He said: I have ten children, but I have never kissed any one of them, whereupon Allah's Messenger said: He who does not show mercy (towards his children), no mercy would be shown to him" (Al-Bukhari, Hadith: 5997, p. 2696; Muslim, Hadith: 2318, p. 1808, Ibn Hibban, Hadith: 1535, p. 381).
2. Playing and joking with children and touching them. Mahmud bin Rabiâ narrated that: "When I was a boy of five, I remember, the Prophet (PBUH) took water from a bucket (used for getting water out of a well) with his mouth and threw it on my face" (Al-Bukhari, Hadith: 77, p. 174).
3. Developing the child's self-confidence, as an example creating him informed of his self-worth, respecting his personality, praising and complimenting him, bypassing his excessive reprimand and admonishment, and choosing the appropriate time to guide, motivate and intimidate him. The Mother of the Believers, Aisha (may Allah be pleased with her) reported: "Babies were brought to the Messenger of Allah (PBUH) and he blessed them, and after having chewed (something, e. g. dates or any other sweet thing) he rubbed there with their soft palates. A baby was brought to him and he passed water over him (over his garment), so he asked water to be brought and sprinkled it, but he did not wash it" (Al-Bukhari, Hadith: 6355, p. 2816; Muslim, Hadith: 101, p. 237; Ibn Hibban, Hadith: 5488, vol. 6, p. 399).

4. Wiping a child's head. Amr Ibn Al-Harith said: "My mother took me to the Prophet, may Allah bless him and grant him peace, and stroked my head and prayed for provision to be given to me" (Al-Albani, 2000, Hadith: 632, p. 217).
5. Providing a warm welcome, inspecting the child's condition, and taking care of him as much as possible. Abdallah Ibn Ja'far said: "When God's Messenger arrived after a journey he was met by the children of his household. Once when he arrived after a journey I was the first to meet him and he lifted me in front of him. Then one of Fatima's two sons was brought along and he set him behind him, and we were brought into Medina, three on one beast" (Muslim, Hadith: 2428, p. 1885).
6. Giving presents and gifts to kids and making justice and equality between them in treatment, gender, affection and delivery. An-Nu'man Bin Bashir said that: "his father took him to the Prophet and said: Bear witness that I have given An-Nu'man such and such of my wealth as a gift." He said (the prophet (PBUH): "Have you given all your children a present like that which you have given to An-Nu'man?" (Ibn Hibban, Hadith: 1504, vol. 2, p. 366; An-Nasa'i, Hadith: 3679, p. 861).
7. Giving the child what they deserve. Sahl bin Sa'd narrated that: "A drink (milk mixed with water) was brought to the Prophet (PBUH) who drank some of it while a boy was sitting on his right and old men on his left. The Prophet (PBUH) said to the boy, "If you permit me, I'll give (the rest of the drink to) these old men first." The boy said, "I will not give preference to any one over me as regards my share from you, O Allah's Messenger (PBUH)!" The Prophet (PBUH) then put that container in the boy's hand" (Al-Bukhari, Hadith: 2602, p. 1229) (Alzboon, 2010).

### ***Custody***

Child basic rights include custody and money. Sharia stipulates that fathers must take care of their children, protect their health and provide them with the essential requirements for survival. That includes all conveniences like food, clothing, housing, schooling, medication, and other necessities of life. This right remains regardless of their mother's and father's marital status (during the wedding or after divorce). Fathers had to keep their children until majority. But they had to support their daughters until marriage. Also, all child support funds and resources should come from legitimate sources (Arfat, 2013).

Abdullah bin Omar narrated that Allah's Messenger (PBUH) said, "Surely! Every one of you is a guardian and is responsible for his charges: The Imam (ruler) of the people is a guardian and is responsible for his subjects; a man is the guardian of his family (household) and is responsible for his subjects; a woman is the guardian of her husband's home and of his children and is responsible for them; and the slave of a man is a guardian of his master's property and is responsible for it. Surely, every one of you is a guardian and responsible for his charges" (Al-Bukhari, Hadith: 7138, p. 3151).

Attention should also be taken to meet all the needs of the orphan child, as he must be taken care of and compensated for all the losses incurred, according to the saying of the Almighty: "They ask you O Prophet in what way they should donate. Say, whatever donations you give are for parents, relatives, orphans, the poor, and 'needy' travellers. Whatever good you do is certainly well known to Allah" (Al-Qur'an, Surat Al-Baqarah (2) – Verse 215).

### ***Securing his inheritance rights***

Allah almighty said: "For men there is a share in what their parents and close relatives leave, and for women there is a share in what their parents and close relatives leave—whether it is little or much. These are obligatory shares. If non-inheriting relatives, orphans, or the needy are present at the time of

distribution, offer them a small provision from it and speak to them kindly (Al-Qur'an, Surat An- Nisa (4) – Verses 7-8).

It is understood from these verses that the estate must be liquidated according to Allah Almighty's rulings. These rulings were mentioned later in detail in verses 11, 12, 32 and 176 of Surat Al-Nisa (Al-Qur'an). Allah Almighty showed how to divide the inheritance among the deceased's children, male and female. Then He explained the inheritance of the father and mother, and the share of each one. Also, the Almighty explained the inheritance of wife and husband if one passed away from the other. He designated the share for each of them, whether they had children or not. Finally, the Almighty clarified Kalala's inheritance, without a son nor a father. Thus, it is concluded from the foregoing that the general principle in inheritance is that everyone is equal in front of Allah, men and women, old and young, so everyone has the right and the share.

It is also realized from these verses that fairness is observed in the will. The Prophet (PBUH) confirmed this. It was narrated from Saad ibn Abi Waqqas that "The Prophet visited me at Mecca while I was ill. I said (to him), "I have property; May I bequeath all my property in Allah's Cause?" He said, "No." I said, "Half of it?" He said, "No." I said, "One third of it?" He said, "One-third (is alright), yet it is still too much, for you'd better leave your inheritors wealthy than leave them poor, begging of others. Whatever you spend will be considered a Sadaqa for you, even the mouthful of food you put in the mouth of your wife. Anyhow Allah may let you recover, so that some people may benefit by you and others be harmed by you" (Al-Bukhari, Hadith: 5354, p. 2434).

### ***Saving an orphan's child's money***

Allah Almighty said: "Do not come near the wealth of the orphan—unless intending to enhance it—until they attain maturity. Honour 'your' pledges, for you will surely be accountable for them" (Al-Qur'an, Surat Al- Isra (17) – Verse 34).

He said also: "Test 'the competence of' the orphans until they reach a marriageable age. Then if you feel they are capable of sound judgment, return their wealth to them. And do not consume it wastefully and hastily before they grow up 'to demand it'. If the guardian is well-off, they should not take compensation; but if the guardian is poor, let them take a reasonable provision. When you give orphans back their property, call in witnesses. And sufficient is Allah as a 'vigilant' Reckoner" (Al-Qur'an, Surat An-Nisa (4) – Verse 6).

He added too: "Indeed, those who unjustly consume orphans' wealth 'in fact' consume nothing but fire into their bellies. And they will be burned in a blazing Hell!" (Al-Qur'an, Surat An- Nisa (4) – Verse 10).

According to these verses, Sharia takes great care to preserve an orphan's money, which is one of his financial rights. It is also confirmed by the hadith of the Prophet (PBUH), who listed consuming an orphan's property as one of the seven great destructive sins (Al-Bukhari, Hadith: 2766, p. 1318).

The Prophet said also: "I will be like this in Jannah with the person who takes care of an orphan". By way of illustration, he raised his forefinger and middle finger (Al-Bukhari, Hadith: 5304, p. 2415 & Hadith: 6005, p. 2680).

In this paper, we have tried to shed light on the situation of children's rights and the concept of childhood in Islam and Islamic civilization as well.

It is clear from what has been reviewed in this research that some Western writings (Ariès, 1960; Scott, 1993; Arnott, 2007; Valkanova, 2014) deviate from truth and reality. Neglecting Islam's contributions to child rights and childhood is regrettable. Overall, it is clear that Islam and the Islamic civilization have had a significant influence on child rights and childhood. This influence is evident in the

Qur'an, the Sunnah, and Arab-Islamic scientific and cultural references. These references emphasize the importance of protecting children's rights and providing them with the tools to succeed in life. This tremendous momentum has prompted some to consider, as we have said previously, that the child's rights mentioned in the Qur'an alone far exceed those contained in the Universal Declaration of the Rights of the Child (Al Anis, 2008).

Our assessment of the indifference noted in the history of the rights of the child and of the concept of childhood in Islam and in Islamic civilization by some western authors agrees in this sense with what was noted by Decroux (2018) : « If in the West the Middle Ages are generally considered to be dark, the eight medieval Arab centuries, which begin in the 7th century with the advent of Islam and end in the 15th century, are described by Ali Benmakhlouf as "The forgotten heritage" (Benmakhlouf, 2015). Indeed, between anonymization and concealment, the works that emerged from medieval Arab thought still experience a lack of visibility that appears from the nineteenth century in the West » (p. 92).

However, other authors have concluded that "The rights that have been discussed in the various international declarations have also been discussed in Islamic laws for centuries" (Hogr Khdhir, 2016, p. 62).

We find the same impression in the following excerpt from the book "Raising a Child - Children's Rights in Islamic Law": "And with the issuance of these decisions (which followed the Universal Declaration of Human Rights in the year 1989), it may be thought that they are new and that they came as a result of the progress and advancement of humanity, although they are from the core of Islam, and the excuse exists for those who think otherwise. Because he did not look at Islam theoretically, and did not see it in its people in morals and behaviour, and was content with what its malicious media spread in its magnificence, so it oppressed Islam and its people, and treated children as dictated by its nature and ignorance in the majority" (Soulem, 2008, p.25-26).

In (Olowu, 2008), a similar point was made: "It will, however, be wrong to assume that the recognition of this special vulnerability of the child and the creation of legal safeguards for the child is an exclusively modern phenomenon. More than a thousand years ago this noble cause of safeguarding the welfare of children was espoused by Islamic law and in pursuit of that commitment certain inalienable rights and legal safeguards were promulgated for the benefit of all children" (p. 66).

To conclude this chapter, Islam is a religion that places great emphasis on the rights of children. This is evident when looking at the number of rights that have been laid out for children. In terms of Islamic family law, these are just a few of the many rights Islam allows to children. A number of other rights and safeguards are defined by Muslim jurists in criminal law, tort law, evidence, procedural law, contracts, and international law. These rights are far exceeding those outlined in the International Convention on the Rights of the Child (CIDE). Islam emphasizes the importance of protecting and caring for children, as they are considered a sacred blessing from Allah and should be treated with kindness and respect. The Islamic faith has provided a framework for protecting and caring for children, and it is up to us as individuals and society to ensure that these rights are upheld and respected.

## **CONCLUSION**

In an age marked by a general disregard for the contributions of Islamic civilization, this article embarked on a quest to address pressing questions that persist across various fields. These inquiries, whether in medicine, physics, chemistry, astronomy, or the social sciences, highlight the need to recognize Islam's historical role. Through a comprehensive exploration, it becomes evident that Islam has profoundly valued children's rights in all dimensions, whether physical, psychological, material, or moral.

The concept of childhood itself is interwoven within religious, scientific, and literary references, underscoring its significance in the fabric of Islamic civilization.

The Quran and Sunnah underscore children's rights as a continuum, beginning before birth and extending until the threshold of puberty—a framework guided by the divine. This holistic approach is absent in the Convention on the Rights of the Child (CIDE). Moreover, Islamic teachings and the practices of the Prophet and his companions accentuate the paramount importance of childhood and the rights attributed to it. These rights, initiated even before birth, stand in stark contrast to prevailing conventions. Arabic and Islamic scholars have engaged profoundly with the discourse of children's rights and childhood, contributing a diverse tapestry of literature within various contexts.

Moving forward, the imperative is clear: efforts must be intensified to disseminate the nuanced meanings of children's rights as delineated by Islamic Sharia. This vital message should reverberate through diverse channels such as media outlets, international networks, the digital sphere, and social media platforms. Additionally, there's a pressing need for interdisciplinary studies that illuminate how Islamic civilization's contributions resonate across humanity's progress. Taking inspiration from the pioneering work of Fuat Sezgin, who reinvigorated the understanding of Arab-Islamic heritage, the call is to engage in comprehensive studies that shed light on the profound impact of Islamic civilization on our collective advancement.

## REFERENCES

Al-Qur'an.

Abdel-Maaboud, Mohammed Saâd (2019). *"Hokoko Attofoulah fi As-Sunnah An-nabaouiyah Al-moutaharah"*. Dar Al Ihssan li An-nachr wa At-tawziaâ. Egypt. ISBN: 9776552730, 9789776552739.

Abu Dawud, Sulaymân ibn al-Ash'ath (1996). *"Sunan Abi Dawud"*, Tahqiq Muhammad Abdelaziz El Khaldi", Dar Al Kotob Al Ilmya, Beirut, Lebanon, (1<sup>st</sup> ed), pp. 1691.

Achour Mustapha (undated) *"Riâayato al atfal fi al hadarati al islamia"* (Child care in Islamic civilization). Fikr (Thought), Makalat (Articles). <https://islamonline.net/>

Al-Albani, Muḥammad Naṣir Ad-Din (1988). *"Sahiho Al-Jami'ô As-Saghiro wa Ziyadatoho (Al Fatho Al Kabir)"*, Al Maktab Al Islami, Beirut, Lebanon, 3/e, pp. 1368.

Al-Albani, Muḥammad Naṣir Ad-Din (2000). *"Al-Adabo Al-Mofrado"*, 2<sup>nd</sup> ed., Dar Es-Seddik, Al Joubail, Kingdom of Saudi Arabia. ISBN: 9960-35-790-2.

Al Anis, Abdel Hakim (2008). *"Hokoko At-Tifl fi Al Quraân"* (Children's rights in the Qur'an). Department of Islamic Affairs and Charitable Activities in Dubai (UAE). ISBN 978 - 9948 - 499 - 83 - 1.

Al-Awadi, Hesham (2018). *"Children Around the Prophet: How Muhammad raised the Young Companions"*, CreateSpace Independent Publishing Platform, pp. 182, ISBN-10 : 1986793443, ISBN-13 : 978-1986793445.

Al-Bukhari, Muḥammad bin Ismail (2016). *"Ṣaḥiḥ Al-Bukhari"*, Maktabuto Al-Bushra, Karachi, Pakistan, pp. 3416.

Al Khatib, Mahmoud ben Ibrahim & Al Mountachiri, Hassan ben Barakat (2004). *"Child's rights in Islam in early childhood"* (in Arabic). Symposium on "Early childhood - its characteristics - and its needs". Riad, Kingdom of Saudi Arabia. [https://lib.imamhussain.org/uploads/library/42/\(5\).pdf](https://lib.imamhussain.org/uploads/library/42/(5).pdf)

Al-Samarqandî, Abou al-Layth Nassro ibn Muhammad (2000). *"Tanbiho Al Ghafiline bi Ahadithi Sayedi Al Anbiyaa' wa Al Moursaline"*, Dar Ibn Kathir, Damascus, Beirut, (3<sup>rd</sup> ed.), pp. 664.



- Alzboon, Ahmad (2010). "The foundations of child health care in Islam and its availability in child education books for the secondary stage in Jordan", *Western Journal of Education*, pp. 150-189, Tunisia. <https://www.researchgate.net/publication/319272953>
- Arfat, Shabina (2013). "Islamic Perspectives of the Children's Rights: an over View". *Asian Journal of Social Sciences & Humanities*, Vol. 2, N° 1, pp. 299-307. ISSN : 2186-8492. ISSN : 2186-8484 Print. Microsoft Word - AJSSH Vol.2\_1\_ Jan 2013 Final (leena-luna.co.jp)
- Arnott, Stephen R. (2007) "Autonomy, Standing, and Children's Rights," *William Mitchell Law Review*: Vol. 33: Iss. 3, Article 11. Available at: <http://open.mitchellhamline.edu/wmlr/vol33/iss3/11>
- At-Tirmidhi, Abu Aissa Muḥammad ibn Aissa (1978). "*Al Jami'ô Assahih - Sunan At-Tirmidhi*", Tahqiq Ahmad Muhammad Chaker, Maktabato wa Matba'ato Mustapaha Al Baby Al Halabi wa Awladoho, (2<sup>nd</sup> ed.), pp. 3343.
- Boltanski, Luc (1969). "*Prime éducation et morale de classe*". Paris, La Haye, Mouton, 154 p., bibliogr., index. 17 F. (Ecole pratique des Hautes Etudes, Cahiers du Centre de Sociologie européenne 5).
- Cheema, Shahbaz Ahmad (2022). Rights of the Child in Islam: Theory, Mechanisms, Practices and Convention on the Rights of the Child – A Book Review, *LUMS Law Journal* (2022) Vol. 9, pp. 108-112. <https://ssrn.com/abstract=4168755>
- Dagorn, René (1967). *Al-Baladi, un médecin obstétricien et pédiatre à l'époque des premiers Fatimides du Caire* ». MIDÉO, n° 9, Dar Al-Mâarif (Le Caire, Égypte), 73–118. [https://alkindi.ideo-cairo.org/append\\_pdf/iu468.pdf/66807](https://alkindi.ideo-cairo.org/append_pdf/iu468.pdf/66807)
- Decroux, Luca (2018). "*L'enfant et ses droits au sein de la tradition coranique - Quelles perspectives transhistoriques ?*". Mémoire de Master, Centre Interfacultaire en Droits de l'Enfant (CIDE), Université de Genève. <http://archive-ouverte.unige.ch/unige:160889>
- Hogr Khdhir, Ahmed (2016). "*Children Rights: A Comparative Study between International Law and Islamic Law*", Master's Thesis, Near East University, Nicosia, pp. 92.
- Ibn Abi Uṣaybi'âa (1996). "*Uyun al-anbaa fi tabaqat al-atibaa*" (*News eyes in the layers of doctors*), tahqiq Amer An-Najjar, Dar Al-ma'arif, Cairo, Egypt, vol. 1, 1<sup>st</sup> ed., pp. 424.
- Ibn Ḥibban, Abu Ḥatim Muḥammad bin Ḥibban (2012). "*Ṣaḥiḥ Ibn Ḥiban*", Tahqiq Muhammad Ali Sounmaz & Khaled Aye Damir, Dar Ibn Hazm, Beirut, Lebanon, pp. 5072.
- Ibn Majah, Abu Abd Allah Muḥammad ibn Yazid (2014). "*Sunan Ibn Majah*", Tahqiq wa Dirassat Markaz Al Bohout wa Tikniat Al Ma'loumat, Dar At-Ta'assil, Cairo, Egypt, pp. 2302.
- Ibn Qayyim al-Jawziyya, Shams al-Din Abū Abd Allah Muḥammad ibn Abi Bakr (1971). "*Tuhfatu al Mawdud fi Ahkam al-Mawlud*", Tahqiq Abdelkader Al-Arna'ut, Maktabato Dar Al-Bayane, Damascus, Syria, (1<sup>st</sup> ed.), pp. 315.
- Imam, Ibrahim; Abdul Raheem-Mustapha, M. A. and Ibrahim-Eletu, K. K., (2011). "*A Jurisprudential Analysis of the Fundamental Rights of Fetus (an Unborn Child) Under the Conventional and Islamic Law*". <https://ssrn.com/abstract=1866666> or <http://dx.doi.org/10.2139/ssrn.1866666>
- Mahfouz, Hussein Ali (2006). "*Nadrah ila At-tifli fi At-Thurati Al-Arabi*" (*A view at the child in Arab heritage*), Majallat Ahl Al-Bayt, n° 3, University of Ahl Al-Bayt, Karbala, Iraq, p. 7-20.
- Mélèze-Modrzejewski, Joseph (1977). "Papyrologie et histoire des droits de l'Antiquité". In: *École pratique des hautes études. 4e section, Sciences historiques et philologiques. Annuaire 1976-1977*. pp. 281-301; [https://www.persee.fr/doc/ephe\\_0000-0001\\_1976\\_num\\_1\\_1\\_6255](https://www.persee.fr/doc/ephe_0000-0001_1976_num_1_1_6255)
- Mélèze-Modrzejewski, Joseph (1982). Papyrologie et histoire des droits de l'antiquité. In: *École pratique des hautes études. 4e section, Sciences historiques et philologiques. Annuaire 1978-1979*. pp. 297-320; [https://www.persee.fr/doc/ephe\\_0000-0001\\_1978\\_num\\_1\\_1\\_6531](https://www.persee.fr/doc/ephe_0000-0001_1978_num_1_1_6531)
- Mélèze-Modrzejewski, Joseph (1994). Papyrologie et histoire des droits de l'Antiquité. In: *École pratique des hautes études. 4e section, sciences historiques et philologiques. Livret 4*.

- Rapports sur les conférences des années 1985-1986 & 1986-1987.* p. 52; [https://www.persee.fr/doc/ephe\\_0000-0001\\_1985\\_num\\_4\\_1\\_7035](https://www.persee.fr/doc/ephe_0000-0001_1985_num_4_1_7035)
- Mdallel, Sabeur (2004). "The Sociology of Children's Literature in the Arab World". *The Looking Glass: New Perspectives on Children's Literature*, Volume 8, Issue 2, Alice's Academy. <https://ojs.latrobe.edu.au/ojs/index.php/tlg/article/view/177>
- Moody, Z. (2016). "*Les droits de l'enfant. Genèse, institutionnalisation et diffusion (1924-1989)*" (p. 424). Editions Alphil Presses universitaires suisses.
- Munir, Muhammad (2014). "Rights of Children in Islamic Law: A Review of Selected Literature". *SSRN Electronic Journal*. DOI:10.2139/ssrn.2443276
- Munir, Muhammad (2017). "*Rights of the Child in Islam: Theory, Mechanism, Practices and Convention on the Rights of the Child*". Iqbal Institute for International Research and Dialogue, Islamic Research Institute Press, International Islamic University, Islamabad, 283 p. ISBN: 978-969-7576-08-1
- Muslim, A. (2019). Children's rights in Islam. *Russia and the moslem world*, (2 (304)), 109-124. [http://inion.ru/site/assets/files/4667/2019\\_rmm\\_angl\\_2.pdf](http://inion.ru/site/assets/files/4667/2019_rmm_angl_2.pdf)
- Muslim bin Al-Ḥajjaj. (1991). *Ṣaḥīḥ Muslim, Dar iḥyāi al-turath al-Arabi*, Beirut, Lebanon, pp. 2933.
- Olowu, Dejo (2008). "Children's rights, international human rights and the promise of Islamic legal theory". *Law, Democracy & Development*, Vol. 12, n° 2, pp. 62-85. <https://doi.org/10.4314/idd.v12i2.52894>
- Scott, Sheena (1993). "From Major to Minor: An Historical Overview of Children's Rights and Benefits." *Journal of Law and Social Policy*, 9: 222-257. <https://digitalcommons.osgoode.yorku.ca/jlsp/vol9/iss1/8>
- Semadi, Khalil Mahmoud (2021). "*Atfalon hawla Ar-Rassoul, BPUH*" (*Children around the Messenger, BPUH*), Riad, Saudi Arabia, 1<sup>st</sup> ed., pp. 234, ISBN : 9786038344934.
- Souilem, Rafat Farid (2008). "*Tarbiato at-tifli – Hokoko at-tifli fi Ashariaa Al Islamiya*" (*Raising a Child - Children's Rights in Islamic Law*), Dar Al Yousr, Cairo, Egypt, 1<sup>st</sup> ed., pp. 270.
- Talas, Asaad Muhammad (1957). "*Education and Teaching in Islam*" (*in Arabic*), Dar Al Ilm lil Malayine, Beirut, Lebanon, pp. 218.
- Tréanton, Jean-René (1970). Le sociologue est-il en droit d'ignorer l'histoire ? In: *Revue française de sociologie*, 11-1. pp. 94-99; [https://www.persee.fr/doc/rfsoc\\_0035-2969\\_1970\\_num\\_11\\_1\\_1620](https://www.persee.fr/doc/rfsoc_0035-2969_1970_num_11_1_1620)
- Valkanova, Y. (2014) "*Childhood through the ages*". In T. Maynard and S. Powell (Eds.) *An Introduction to Early Childhood Studies*, 3rd ed. London: SAGE Publications Ltd. pp. 22-33. ISBN 9781446270660. DOI:10.13140/RG.2.1.4085.6806