

Child Protection in the Quran and Hadith: A Thematic Study

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Abstract. It's already been widespread in society concerning the attention of parental rights and their warning against the iniquity to parents, since eventhough there has been commands and encouragement in the Qur'an and the Sunnah, yet they ignore the child rights and protection for him, as if the Qur'an and the Sunnah do not say anything about it. I choose this topic in order to explain about the concern of Qur'an and Sunnah for the child rights. By Using analytic descriptive approach, this study describes child protection as found in the Qur'an and the Sunnah by means of searching and collecting the Qur'anic verses and Hadist along with the explanation from the commentary books and hadist. The most significance finding in this study is that the attention of Qur'an and Sunnah towards a child begins his birth, by attention to his life, health, line of descent (nasab), and his right for a better life, both when the child is in normal condition or any other specific conditions like a neglected child, an orphan, a disabled child, a child of divorced parents, a victim of war or natural disaster.

Keywords: Child, Right, Protection and Qur'an-Sunnah

Introduction

It has become a common thing concerning the language used by the preachers, clerics and society to remind about the rights of parents, to protect and to respect them and their rights as well as to warn of any disobedience toward them. It also has influenced a lot among the mind of society in general so that they care less about the children and their rights as well as the obligation of parents to their children. Such a condition has an impact on the emergence of various kinds of problems in society, the mistake in educating children until the emergence of injustice treatments to them, such as the parents who are willing to sell their children, do physical violence to them, and even kill them.

All of these things happen while the problem of human rights protection in general and the child rights in particular has got attention from the majority of

countries around the world since the early 20th century, as a result of crime and carnage which happened in European community in the first and second world war. Protection of international human rights is believed to be effective as one of basic requirement to achieve international peace and security. Therefore, after the Second World War, many countries joined a convention of international human rights through the existing international institutions. United Nations issued the 1924 Geneva Declaration about the Child Rights, as a key for the emergence of international declaration and convention about the child rights.¹ Today, the recognition of human rights in general and the child rights in particular has become something that is not to be debated. All countries in the world have acknowledged and regarded them as an axiom for which there is no need for proof.

On the journey of human civilization, it turns out that Islamic Law has preceded those declarations several centuries earlier. The Islamic Law has acknowledged the human and child rights as well as protected them. Islam regards it as one of obligation that must not be violated and ignored. This can be proved by the attention of Islamic law along with the purposes of sharia in general which are meant to benefit for all mankind in the world and hereafter. The benefit protected by Islam includes those sides of religion, soul, mind, lineage and self-respect as well as property. Those six rights and benefit have been protected by Islam together with all of their instruments, such as strict punitive measures for the violators.

The existing studies have been more focused on the theme of child right or child protection in Islam in general, not focused on a study of the Quran and the Hadith thematically. Such as a study written by Miftahur Ridho entitled *Islamic Perspective on Child Protection*,² a study written by Muhammad Saiful Islam entitled *Fundamental Human Rights toward Childhood: Islamic Guidelines are Unique to Protect the Child*,³ and a study written by Muhammad Zaki entitled *Child Protection in Islamic Perspective*.⁴

Based on those things above, the writer would like to analyze the problem of child protection in the Quran and the Hadith and how is the child protection

¹ Samar Khalil Mahmud ‘Abdullah, *Huquq at-Tifl fi al-Islam wa al-Ittifaqiyyat ad-Dauliyyah*, (Nablu: Jami’ah an-Najah al-Wataniyyah, 2003), p. 1.

² Miftahur Ridho, “Islamic Perspective on Child Protection,” *Lentera*, Vol. IXX, No. 2, Desember 2015, 187-198. DOI: <https://doi.org/10.21093/lj.v17i2.440>

³ Muhammad Saiful Islam, “Fundamental Human Rights toward Childhood: Islamic Guidelines are Unique to Protect the Child,” *Journal of Asia Pacific Studies*, December 2015, Volume 4 No 2, 177-202.

⁴ Muhammad Zaki, “Perlindungan Anak Dalam Perspektif Islam,” *Asas*, Vol. 6, No. 2, Juli 2014, 132-147. Doi: <https://doi.org/10.24042/asas.v6i2.1715>

before and after his birth, and protection of child with special needs. By using analytic descriptive approach which is based on the attempt to trace and collect the verses of Quran and hadith related to the child protection and their rights, as well as the explanation from those commentators of the Quran and the Hadith.

Findings and Discussion

Child Protection before Birth in the Quran and the Hadith

Child protection in general is an attempt to protect children from any violence, exploitation, abuse and harassment. Islam protects children since the day they were born by giving their primary rights, such as the right to live, the right for health, the right for lineage (*nasab*) and the right for property and Islam also stipulates punishment for violators.

First: Fetal right to live and to be healthy. The right to live is a fundamental and sacred human right in the eyes of Islam, and it should not be violated.⁵ Therefore, the Quran forbids the killing of children, as Allah says: And do not kill your children for fear of poverty. We provide for them and for you. Indeed, their killing is ever a great sin.⁶ Therefore, in Islam it is prescribed the *Qisas* law, in order to uphold justice and to prevent human from doing a very bad crime. Allah says: O you who have believed, prescribed for you is legal retribution for those murdered – the free for the free, the slave for the slave, and the female for the female. But whoever overlooks from his brother anything then there should be a suitable follow-up and payment to him with good conduct. This is alleviation from your Lord and a mercy. But whoever transgresses after that will have a painful punishment.⁷

The things mentioned above is the Islamic way to protect children in general, whereas related to a fetal life, Islam also respects, protects and strictly forbids the violation of its primary rights, because it would implicate on the violation of other rights. Based on the word of Allah in surah al-Isra' above, the Islamic jurists have agreed that the abortion of a fetus that has been blown by the spirit is prohibited according to the law. As for a fetus before it was blown by the spirit, it is disapproved (*makruh*) according to the law, except in a state of emergency.⁸

⁵ Khalid 'Abdurrahman al-'Akk, *Tarbiyah al-Anlad fi Dau' al-Qur'an wa as-Sunnah*, (Beirut: Dar al-Ma'rifah, 1998) p. 92.

⁶ QS. Isra' (17): 31.

⁷ QS. al-Baqarah (2): 178.

⁸ Muhammad ibn Salih al-Usaimin, *asy-Syarh al-Mumti' 'Ala Zad al-Mustaqni'* (ar-Riyad: Dar Ibn al-Jauzi, 1428 H) vol. 13, p. 346.

Whereas concerning the child health care, it begins since the stage while it was still a fetus, by paying attention to the mother due to her health, nutrition and psychological sides. Therefore, Islam has obliged a husband to provide a living for his pregnant wife, even when she has been divorced, in order to protect her fetus.⁹ As said by Allah: And if they should be pregnant, then spend on them until they give birth.¹⁰ So does Islam allow that pregnant woman not to fast in order to keep her fetus alive, as said by the Prophet,” Indeed, Allah has relieved the obligation for those who are travelling, a pregnant woman or while she is breastfeeding from not to fast or to do only half of her prayer.”¹¹

In order to protect the fetus, Islam ends the law enforcement for women who are pregnant, like a story of a woman who got an unwed pregnancy, then she wanted to repent, by the Messenger of Allah, the punishment was ended until she gave birth and weaned her baby at the age of two years.¹² So it is, in order to protect the fetal right, Islam stipulates a punishment for those who cause a fetal death intentionally by paying a fine in a form of freeing a slave.¹³

Second: Protection of the fetal lineage (*nasab*). Protection of the fetal lineage is the first attempt to protect the child rights after birth, such as the right to receive a living from his father, to get nurturing from his mother, and inheritance right from his relatives. This right of lineage cannot be traded or gifted because it is a pure blessing that Allah gives to His servants,¹⁴ as Allah says, “And it is He who has created from water a human being and made him (a relative by) lineage and marriage. And ever is your Lord competent (concerning creation).”¹⁵ In order to protect the fetal lineage, Islam has stipulated several laws, such as:

1. To limit the relationship between men and women to a legal marriage. Indeed, it is different between a child who grows out of a legal marriage and a child of an affair. The child who grows out of a legal marriage will get affection from both of his parents, get nurturing and protection. While the child who grows

⁹ Syamsuddin Abu ‘Abdillah Muhammad ibn Muhammad al-Hattab, *Manabih al-Jalil fi Syarh Mukhtasar Khalil*, (Beirut: Dar al-Fikr, 1992) vol. 4, p. 188.

¹⁰ QS. at-Talaq (65): 6.

¹¹ Hadis no. 20326, “Hadis Anas ibn Malik Ahad Bani Ka’ab,” Abu ‘Abdillah Ahmad ibn Muhammad ibn Hanbal. *Musnad al-Imam Ahmad ibn Hanbal* (Ar-Riyad: Muassasah ar-Risalah, 2001) vol. 33, p. 436.

¹² Hadis no. 1695, “Bab Man P'tara ‘Ala Nafsihi bi az-Zina,” Muslim ibn al-Hajjaj. *al-Musnad as-Sahih al-Mukhtasar bi Naql al-‘Adl ‘An al-‘adl Rasulillah Sallallahu ‘Alaihi wa Sallam (Sabih Muslim)* (Beirut: Dar Ihya’ at-Turas al-‘Arabi, 1408 H) vol. 3, p. 1321.

¹³ Hadis no. 6910, “Bab Janin al-Mar’ah wa Anna al-‘Aqla ‘Ala al-Walid,” Abu ‘Abdillah Muhammad ibn Isma’il Al-Bukhari, *al-Jami’ al-Musnad as-Sahih (Sabih} al-Bukhari)* (Dar Tauq an-Najah, 1422 H), vol. 9, p. 11.

¹⁴ Wizarah al-Auqaf wa asy-Syu’un al-Islamiyyah, *al-Mausu’ah al-Fiqhiyyah al-Kuwaitiyyah* (Al-Kuwait: Dar as-Salasil, 1427 H) vol. 40, p. 233-234.

¹⁵ QS. al-Furqon (25): 54.

out of an affair (adultery) will lose affection from his parents and will not get attention and maximum care from his family.¹⁶ Therefore, Islam forbids adultery, as Allah says, “And do not approach unlawful sexual intercourse. Indeed, it is ever an immorality and is evil as a way.”¹⁷ And the adulterers in Islam will be punished by a very severe punishment, that is in a form of being whipped as many as a hundred times and being exiled from their country for as long as one year for those who are still single, as for the adulterers who have ever been married, they will be punished by being stoned to death.¹⁸ A legal marriage is the best way to satisfy sexual instincts, reproduce offspring and to protect ourselves from various dangerous diseases, as well as in order to protect the lineage and the child rights so that they will not be neglected.

2. The command to select a good future mother and father. Islam sets the criteria to select a good wife and husband in order to provide benefit of the future for their children. Since genetics has a very big influence on a child, both physically and morally, as it has been proved by the modern psychology that intelligent and talent can be inherited. In this case, Islam has suggested for choosing a good future mother,¹⁹ as the Prophet said, “Choose good women to seed your sperm water, choose women who are equal to you, marry them.”²⁰ The purpose of this hadith is none other than to choose a good wife or husband, in order to provide benefit for the children since they were still in the womb until they reach adulthood.²¹

Third: The right of a fetus to own property. Islam stipulates a child to own property which is started since the time when he was still in his mother’s womb, such as the inheritance right, *waqf*, testament and gift.

1. Testament, what is meant by testament here is the giving of property to a fetus through a message or a testament that will be executed after the death of someone with a testament. Islamic jurists have agreed that a fetus is entitled to a testament as long as he has been in the womb and was born alive, because a

¹⁶ Samar Khalil Mahmud ‘Abdullah, *Huquq at-Tijl fi al-Islam wa al-Ittifaqiyyat ad-Dauliyyah*, (Nablu: Jami’ah an-Najah al-Wataniyyah, 2003) p. 170.

¹⁷ QS. al-Isra (17): 32.

¹⁸ Hadis no. 1690, “Bab Had az-Zina,” Muslim, *Sahih Muslim*, vol. 2, 1316.

¹⁹ ‘Abdullah, *Huquq at-Tijl fi al-Islam*, p. 172.

²⁰ Hadis no. 1968, “Bab al-Akiffa,” Abu ‘Abdillah Muhammad ibn Yazid al-Quzwaini Ibn Majah, *Sunan Ibn Majah* (Mesir: Dar Ihya’ al-Kutub al-‘Arabiyyah, 1392 H), vol. 1, p. 633.

²¹ Zainuddin Muhammad ‘Abdurrauf ibn Taj al-‘Arifin Al-Munawi, *Faid al-Qadir Syarb al-Jami’ as-Saghir* (Mesir: al-Maktabah at-Tijariyah al-Kubra, 1356 H) vol. 3, p. 237.

- testament is regarded like an inheritance. As for if he was born dead then the testament becomes invalid.²²
2. Grant or gift that is the giving of property without compensation. A grant for a fetus according to Islamic jurists is valid.²³
 3. Waqf that is the ownership of a certain benefit while maintaining the wholeness of the goods in order to obey Allah. A waqf to a fetus according to Islamic jurists is allowed since a waqf is considered the same as a testament or a grant.²⁴
 4. Inheritance that is a property which is acquired as a result of the death of someone who has a relationship because of marriage or kinship. A fetus, according to Islamic jurists, is entitled to get inheritance on two conditions, those are: the existence of the fetus in the womb when his relative died and the fetus was born alive.²⁵

Child protection and the child rights after birth in the Qur'an and the hadith

Islam is concerned with children since they were still in the form of fetus, then it continues to the next stage until the time they die. Islam is very concerned about a new born child by providing legal rules in order to respect and protect the children, such as:

1. To be happy and congratulate a family who is blessed with a child. This congratulation is in order to grow happiness, strengthen the bonds of brotherhood and love for fellow Muslims.²⁶ Allah says about the Prophet Zachariah, "[He was told], "O Zachariah, indeed We give you good tidings of a boy whose name will be John. We have not assigned to any before (this) name."²⁷
2. To say the call to prayer in the ear of a new born baby. A father is recommended to say the call to prayer in the child's right ear at the time of childbirth, so that the first thing felt by the baby when he was born into this world is monotheistic teachings (monotheism).²⁸ As it was told by the

²² Abu Abdillah Muhammad ibn Ahmad 'Alisy, *Minah al-Jalil Syarh Mukhtasar Khalil* (Beirut: Dar al-Fikr, 1989) vol. 6, p. 506.

²³ Mansur ibn Yunus ibn Salahuddin Al-Bahuti. *Kasyshaf al-Qana' 'An Matn al-Iqna'* (Beirut: Dar al-Kutub al-'Ilmiyyah, 1402 H) vol. 4, p. 300-301.

²⁴ Abu 'Abdillah Muhammad ibn Yusuf Ibn Abi al-Qasim, *At-Taj wa al-Iklil li Mukhtasar Khalil* (Beirut: Dar al-Kutub al-'Ilmiyyah, 1994) vol. 7, p. 632.

²⁵ Ahmad ibn Muhammad ibn 'Ali ibn Hajar al-Haitami, *Tuhfah al-Mubtaj Fi Syarh al-Minhaj* (Beirut: Dar Ihya' at-Turas al-'Arabi, 1983) vol. 6, p. 423.

²⁶ 'Abdullah Nasih 'Ulwan, *Tarbiyah al-Aulad fi al-Islam* (Mesir: Dar as-Salam. 1992) vol. 1, p. 73.

²⁷ QS. Maryam (19):7.

²⁸ 'Abdulkarim Zidan, *Al-Mufassal fi Ahkam al-Mar'ah* (Beirut: Muassasah ar-Risalah, 1993) vol. 9, p. 273.

companion of the prophet named Ubaidillah ibn Rafi' that he saw the Messenger of Allah saying the call to prayer in the ear of Hasan bin Ali when he was just born by Fatimah.²⁹

3. To practice *tabnik* for a new born baby. *Tabnik* is chewing dates finely then it is rubbed on the tongue, the roof of the baby's mouth or providing a sweet intake after the birth. The purpose of these is in order to be better prepared for breastfeeding and in order to protect the baby from lack of carbohydrates after his umbilical cord is cut.³⁰ The companion of the Prophet named Abu Musa al-Asy'ari told that he had ever brought his new born baby to the Prophet then he gave him a name of Ibrahim, practiced tahnik on him and prayed for the baby.³¹
4. To shave the baby's hair and give alms. It is like the words of the Prophet to Fatimah when she just gave birth to al-Hasan, "O Fatimah, shave his hair, then give alms of silver as heavy as his hair."³²
5. To perform Aqeeqah or slaughtering an animal upon the birth of a baby. This is recommended by Islam as an expression of gratitude to Allah for being blessed with a child. The Prophet Muhammad said, "A child is mortgaged with the aqeeqah which is slaughtered on the seventh day, be named and the hair is shaved."³³ For a boy, it is two goats and for a female, it is one goat.³⁴
6. To circumcise a child after the birth. Circumcision is the cutting of foreskin from the boy's genital, and the cutting of the tip of the girl's clitoris. Circumcision for the boys is obligatory, as the Prophet said, "Shave his hair and circumcise him."³⁵ As for the girls, according to the law is only recommended, as the prophet said, "Circumcision is obligatory for boys and recommended for girls."³⁶

²⁹ Hadis no. 5105, "Bab fi as-Sabi Yulad fa Yuazzan fi Uzunih," Abu Dawud, Sulaiman ibn al-Asy'as ibn Ishaq as-Sijistani. *Sunan Abi Dawud* (Beirut: al-Maktabah al-'As{riyyah, 1412 H) vol. 4, p. 328.

³⁰ Abu Zakariyya Muhyiddin Yahya ibn Syaraf an-Nawawi, *al-Minhaj Syarh Sahib Muslim ibn al-Hajjaj* (Beirut: Dar Ihya' at-Turas al-'Arabi, 1392 H) vol. 14, p. 122-123.

³¹ Hadis no. 6198, "Bab Man Samma bi Asma' al-Anbiya'," al-Bukhari, *Sahib al-Bukhari*, vol. 8, p. 44.

³² Hadis no. 1519, "Bab al-'Aqiqah bi asy-Syah," Muhammad ibn 'Isa ibn Saurah at-Tirmizi, *Sunan at-Tirmizij* (Mesir: Syarikah wa Matba'ah Mustafa al-Babi al-Halabi, 1975) vol. 4, p. 99.

³³ Hadis no. 1522, "Bab Min al-'Aqiqah," at-Tirmizi, *Sunan at-Tirmizij*, vol. 4, p. 101.

³⁴ Hadis no. 2834, "Bab fi al-'Aqiqah," Abu Dawud, *Sunan Abi Dawud*, vol. 3, p. 105.

³⁵ Hadis no. 356, "Bab fi ar-Rajul Yuslim fa Yu'mar bi al-Gusl," Abu Dawud, *Sunan Abi Dawud*, vol. 1, p. 98.

³⁶ Hadis no. 20719, "Hadis Usamah al-Huzali," Ahmad ibn Hanbal, *Musnad Ahmad ibn Hanbal*, vol. 34, p. 319.

Beside the mentioned above, the Quran and the Hadith also pay attention to the child rights after birth. Those rights are highly protected by the Quran and the Hadith for the good of the child in the future. Among the child rights stipulated by Islam, are:

First: The right to live. The first right of a child stipulated by Islam after birth is the right to live which all of the rights derived from it. Therefore, Islam forbids us to lose his life or violate it. Allah says, “And do not kill your children for fear of poverty. We provide for them and for you. Indeed, their killing is ever a great sin.”³⁷ and forbids killing girls alive, as Allah says, “And when the girl (who was) buried alive is asked * For what sin she was killed.”³⁸ In order to protect the life of a child, it is prescribed a *Qisas* punishment, as Allah says, “O you who have believed, prescribed for you is legal retribution for those murdered – the free for the free, the slave for the slave, and the female for the female. But whoever overlooks from his brother anything then there should be a suitable follow-up and payment to him with conduct. This is an alleviation from your Lord and a mercy. But whoever transgresses after that will have a painful punishment. * And there is for you in legal retribution (saving of) life, O you (people) of understanding, that you may become righteous.”³⁹

Second: The child rights for lineage, good name, and nationality. The right for lineage is one of the most important rights for a child. Related to it are other rights such as the right to get nurturing, to get breastfeeding and inheritance right. The right of lineage is not only related to the child rights but also related to the right of both of his parents and the right of Allah. The right of lineage can be proved by a legal marriage, acknowledgment of his lineage and a proof by testimony of two men or one man and two women.⁴⁰ As for the child right for a good name, Islam has obliged the parents to give a good name for their new born baby, since psychologically the name has an influence on a child. The Prophet Muhammad said, “On the Day of Resurrection you will be called by your names and the names of your fathers, so be good in giving a name.”⁴¹ According to Ibn Qayyim, “The owner of a good name is sometimes ashamed of doing bad things because of his name, and his name sometimes encourages him to do the deeds that live up to his name and leaves behind anything that does not live up to his name.”⁴² Concerning the child right for citizenship, a child is entitled to have citizenship from the country where he was born, as he is entitled to the lineage of

³⁷ QS. al-Isra' (17): 31.

³⁸ QS. at-Takwir (81): 8-9.

³⁹ QS. al-Baqarah (2): 178-179.

⁴⁰ Wahbah ibn Mustafa zz-Zuhaili, *al-Fiqh al-Islami wa Adillatuhu* (Damaskus: Dar al-Fikr, 1998) vol. 10, p. 7249-7272.

⁴¹ Hadis no. 4948, “Bab fi Tagyir al-Asma’,” Abu Dawud, *Sunan Abi Dawud*, vol. 4, 287.

⁴² Muhammad ibn Abi Bakr ibn Ayyub Ibn Qayyim al-Jauziyyah, *Tuhfah al-Maudud bi Ahkam al-Maulud*, (Damaskus: Maktabah Dar al-Bayan, 1971), 147.

his father. If it is proved to be his lineage, so the child has the right to lean on the family of his father, if he does not have a father, so he leans on the mother.⁴³

Third: The right to get breastfeeding. There is no difference of opinion among Islamic jurists about the obligation of a mother to breastfeed her child, so that by doing so, physically the child will grow up well, since the breast milk for a child is the best food and drink.⁴⁴ Therefore, Islam has ordered the mothers to breastfeed their children, as Allah says, “Mothers may breastfeed their children two complete years for whoever wishes to complete the nursing (period). Upon the father is the mother’s provision and their clothing according to what is acceptable. No person is charged with more than his capacity. No mother should be harmed through her child, and no father through his child. And upon the (father’s) heir is (a duty) like that (of the father). And if they both desire weaning through mutual consent from both of them and consultation, there is no blame upon either of them. And if you wish to have your children nursed by a substitute, there is no blame upon you as long as you give payment according to what is acceptable. And fear Allah and know that Allah is Seeing of what you do.”⁴⁵

Fourth: The child right to get nurturing. Islam has obliged the parents to take care of their very young children, since if the children are not properly cared, then they will be harmed and perished. This upbringing includes all the things of their benefits both physically and non-physically, started from eating, drinking, bathing, sleeping, health and so on. The upbringing of a small child is the mother’s right since she is more patient, caring and full of tenderness so that it will be suitable with the child condition. Those who are nurturing are required to be the ones who are good morally and religiously so that hopefully someday the child will really grow up to be a good Muslim personal. When a boy is getting older (mumayyis), his father has more rights to take care of him, so that he will grow up as a young man who is in accordance with his nature as a man.⁴⁶ This right to get nurtured is based on the words of the Prophet, “Each of you is a leader, and will be asked for the responsibility of your leadership, a husband is a leader for his family and will be asked for the responsibility of his leadership, a wife is a leader in the house of her husband and will be asked for the responsibility of her leadership.”⁴⁷

⁴³ ‘Abdullah, *Huquq at-Tifl fi al-Islam*, 97.

⁴⁴ Syamsuddin Muhammad ibn Ahmad al-Khatib Asy-Syarbini, *Mugni al-Muhtaj ila Ma’rifah Ma’ani Alfaḥ al-Minhaj* (Beirut: Dar al-Kutub al-‘Ilmiyyah, 1994) vol. 5, p. 197.

⁴⁵ QS. al-Baqarah (2): 233.

⁴⁶ Zidan, *Al-Mufassal*, vol. 10, p. 29-79.

⁴⁷ Hadis no. 893, “Bab al-Jumu’ah fi al-Qura wa al-Mudun,” al-Bukhari, *Sahih al-Bukhari*, vol. 2, p. 5.

Fifth: The right for fairness and equality. In the hadith it has been told that there was a father who had one son and one daughter, when the son came to him he sat him on his thigh and kissed him, but when the daughter came, he sat her in front of him and did not kiss her, then the prophet said, “Why don’t you treated fairly and equally to both of them?”⁴⁸ So it was when the companion of the prophet named Bashir gave a gift of garden to his son, Nu’man, while his daughters were not given, then the Prophet said, “Do you give it to all of your children?,” Bashir answered, “No,” Then the Prophet ordered him to withdraw the gift.⁴⁹

Based on those two hadiths above, it requires the parents to be fair to all of their children, to treat them equally and not discriminating. Unfair treatment to children will only give rise to a feeling of envy and enmity among the fellow brothers, as it was found in the story of Prophet Yusuf and his brothers.⁵⁰

Sixth: The right for love and affection from parents. Imam al-Bukhari in his book of Sahih Bukhari has made an article. The article is about affection, kissing and hugging children. This article is based on the hadith of the Prophet, such as : Hadith of al-Aqra’ bin Habis who told that, “I have ten sons and never kiss them, then the Messenger of Allah said, “Those who do not love so they will not be loved,”⁵¹ So did Abu Qatada told that Umamah, the great grandchild of the Messenger of Allah had ever been carried while he was praying, and when he was bowing, he put her, but when raising from prostration, he was holding her again.”⁵² The above hadith shows about the great affection of the Prophet to children until in the condition when performing worship. Ibn Hajar said: “Here is seen a correspondence between the hadith and its explanation, that is the affection towards children and including children here are grandchildren. The hadith also shows his great affection to children until while he was performing worship, as it was practiced by the prophet to his great grandchild, Umamah.” Based on the two hadiths above, the parents should have love and affection for their children like what had been done by the Messenger of Allah to children in order to satisfy his psychological desires. But to be noted here, the parents should

⁴⁸ Hadis no. 6361, “Musnad Abu Hamzah Anas ibn Malik,” Abu Bakr Ahmad ibn ‘Amr ibn ‘Abdikhali al-Bazzar, *Musnad al-Bazzar (al-Babr az-Zakkkbar)* (al-Madinah al-Munawwarah: Maktabah al-‘Ulum wa al-Hikam, 2009) vol. 13, p. 45.

⁴⁹ Hadis no. 1623, “Bab Karahiyah Tafdil ba’di al-Aulad fi al-Hibah,” Muslim, *Sahih Muslim*, vol. 3, p. 1241.

⁵⁰ ‘Abdullah, *Huquq at-Tifl fi al-Islam*, p. 136-137.

⁵¹ Hadis no. 5997, “Bab Rahmat al-Walad wa Taqbiluhu wa Mu’annaqatuhu,” al-Bukhari, *Sahih al-Bukhari*, vol. 8, p. 7.

⁵² Hadis no. 5996, “Bab Rahmat al-Walad wa Taqbiluhu wa Mu’annaqatuhu,” al-Bukhari, *Sahih al-Bukhari*, vol. 8, p. 7.

not love or affectionate their children excessively, so that they will not grow up to be spoiled children.⁵³

Seventh: The child right to play, to speech and to participate. For a child, playing is a natural and basic need. Through playing, a child feels happiness, finds his true self, and builds a personality to learn a lot of things. Playing for a child will help the growth of his physical, intelligence and his behavior patterns that will help him to interact socially and to adapt with his environment.⁵⁴ Al-Ghazali said about the importance of playing for a child, “A child should be given a chance to play after studying, in order to be able to relax and be able to release his fatigue because of studying so that he will not get bored. Forcing a child to learn continuously will only make him bored, dull his heart and intelligence.”⁵⁵ Therefore, the Messenger of Allah tried to give such a right to his grandchildren by letting them play and accompanying them. Until when he was asked: do you like this O Messenger of Allah, then he answered: “Why not, they are my beloved children.”⁵⁶

Islam also provides to everyone including children, the freedom to express and to speech. This is proved by what has been told by Sahl bin Saad that the Messenger of Allah had ever been brought a drink, on his right was a little child and on his left was adult people. Then the Messenger of Allah asked permission from the child on his right, O boy do you allow me to give this drink to them, then the boy answered, “I do not allow O Messenger of Allah,” Then the Messenger of Allah gave the drink to that child first.⁵⁷

As for the respect of Islam with the right of freedom of speech for children and their participation in deliberation, it is like the story of the delegation of the Hijaz with the Caliph Umar bin Abdul Aziz on the day of his inauguration as a caliph. Umar bin Abdul Aziz said, “The older should speak first.” Then, there was a boy of 12 years old who answered, “O Caliph if all matters are like what

⁵³ Abu al-Fadl Ahmad ibn ‘Ali Ibn Hajar al-‘Asqalani, *Fath al-Bari Syarh Sahih al-Bukhari* (Beirut: Dar al-Ma’rifah, 1379 H) vol. 10, p. 429.

⁵⁴ Muhammad Sa’id Mursi, *Fann Tarbiyah al-Anlad fi al-Islam* (al-Kitab al-Ilktruni, 1997) vol. 1, p. 16-17.

⁵⁵ Abu Hamid Muhammad ibn Muhammad al-Gazali, *Ihya’ ‘Ulum ad-Din* (Beirut: Dar al-Ma’rifah, 1992) vol. 3, p. 73.

⁵⁶ Hadis no. 1078, “Ma Ruwiya Abu Zuhail ibn Malik,” al-Bazzar, *Musnad al-Bazzar*, vol. 3, p. 286.

⁵⁷ Hadis no. 2451, “Bab al-Hibah al-Maqbudah wa Gair al-Maqbudah,” al-Bukhari, *Sahih al-Bukhari*, vol. 3, p. 161.

you said, then there must be someone else who deserves more to be a caliph than you.”⁵⁸

Eighth: The child right for not to be employed before reaching adulthood. It is the child right for his father not to employ him before reaching a decent age to work. This is like what has been stated in the hadith of the Prophet that stipulates the working age for children is fifteen years old. Abdullah bin Umar told, “I have ever offered myself to the Messenger of Allah to join a war when I was only fourteen years old, but I was not allowed. Then I offered myself at the time of Khandaq war when I was fifteen years old and he allowed me.” Based on this hadith, Caliph Umar bin Abdul Aziz determined the age limit between children and adulthood was fifteen years old, the children who were not yet fifteen years old remained to live with their families.⁵⁹

This hadith is one of proof that including the child right is not to be employed before reaching a decent age, as the Messenger of Allah prevented Ibn Umar to participate in Ubud war when he was not yet fifteen years old. But in Khandaq war, he was allowed to join after his age was already fifteen years old. Ibn Hajar Al-Asqalani said, “This story of Ibn Umar has proved that anyone who is already fifteen years old is considered to be an adult so that he is subject to all legal provisions.” Also from this hadith, it can be analogized that it is not allowed to exploit the children to do any hard works, since children have the rights to enjoy their childhood happily, to get affection and tenderness, as well as a good education. Yet, it is allowed for parents to give them responsibility for doing any light works as a means of learning so that hopefully one day they will be able to be responsible and able to work well.⁶⁰

Ninth: Guardianship right. This guardianship requires taking care of the child’s property properly, since a child is not yet perfect physically and mentally and not yet competent legally, so that he needs someone who is more mature in order to take care of his property.⁶¹ The guardians should take a good care of the child’s property and develops it until the child reaches adulthood as ordered by Allah in the Quran, “And test the orphans (in their abilities) until they reach a marriageable age. Then if you perceive in them sound judgment, release their property to them. And do not consume it excessively and quickly, (anticipating) that they will grow up. And whoever, (when acting as guardian), is self-sufficient should refrain (from taking a fee); and whoever is poor – let him take according

⁵⁸ Abu al-Fath Syihabuddin Muhammad ibn Ahmad, *al-Mustatarrif fi Kull Fann Mustatarrif* (Beirut: ‘Alam al-Kutub, 1419 H) p. 56.

⁵⁹ Hadis no. 1868, “Bab Bayan Sinn al-Bulug,” Muslim, *Sahih Muslim*, vol. 3, p. 1490.

⁶⁰ Ibn Hajar, *Fath al-Bari*, vol. 5, p. 278-279.

⁶¹ Zidan, *Al-Mufassal*, vol. 10, p. 104.

to what is acceptable. Then when you release their property to them, bring witnesses upon them. And sufficient is Allah as Accountant.”⁶²

Islam provides a limit for the guardians to take care and spend the child’s property with a full consideration. It is not allowed to use it wrongly, as Allah says, “And they ask you about orphans. Say, “Improvement for them is best. And if you mix your affairs with theirs - they are your brothers. And Allah knows the corrupter from the amender. And if Allah had willed. He could have put you in difficulty. Indeed, Allah is Exalted in Might and Wise.”⁶³ and His word, “And do not approach the orphan’s property except in a way that is best until reaches maturity.”⁶⁴

Tenth: The child right for education. One of the greatest rights for a child of his parents is the right for education, by which a child will be able to be happy in his life, in this world and the hereafter. The education covers four aspects, those are:

- In the field of religion, by upholding the faith, religious principles and keeping the child in order to stay in his nature, as had been advised by the Prophet to Abdullah bin Abbas, “O boy, keep the religion of Allah surely Allah will take care of you, keep the religion of Allah, surely Allah is in front of you, if you ask, ask Allah and if you ask for help, then ask Him, please know that nothing can benefit and harm you except what Allah has written will happen to you.”⁶⁵ Make the child to get used to know what is permitted (halal) and prohibited (haram), always remember Allah, love the Prophet and his family, read the Quran and get used to worship.
- In the physical field, by following hygienic rules in eating, drinking and sleeping. In a matter of eating and drinking, Islam forbids eating and drinking excessively, as Allah says, “O children of Adam, take your adornment of every masjid, and eat and drink, but be not excessive. Indeed, He likes not those who commit excess.”⁶⁶ The Prophet also said, “Lest someone overfill the stomach, it should be one-third for his food, one-third for his drink and one-third for his breath.”⁶⁷ Islam also encourages us to be strong physically, as the Prophet

⁶² QS. an-Nisa’ (4): 6.

⁶³ QS. al-Baqarah (2): 220.

⁶⁴ QS. al-An’am (6): 152.

⁶⁵ Hadis no. 2516, at-Tirmizi, *Sunan at-Tirmizi*, vol. 4, p. 667.

⁶⁶ QS. al-A’raf (7): 31.

⁶⁷ Hadis no. 2380, at-Tirmizi, *Sunan at-Tirmizi*, vol. 4, p. 590.

said, “The strong believers are better and more loved by Allah than those of the weak believers.”⁶⁸

- In the mental and intellectual field, which is meant to shape the child’s thinking with the sharia knowledge, modern science and civilization, so that the child will be mature in his thought, science and civilization. Based on this, parents should teach their children anything that is useful for them in this world and in the hereafter, and give them opportunity to study and to seek knowledge, as an implementation of the Prophet’s words, “Studying is the duty of every Muslim.”⁶⁹
- In the social ethical field, which is meant for the child to grow up to be someone who has courage, honesty, loves to share, loves kindness, discipline, and familiar with good ethics. Therefore, Islam encourages children to get used to playing sports, horse riding, archery and swimming, as the implementation of the word of Allah, “And prepare against them whatever you are able of power and steeds of war by which you may terrify the enemy of Allah and your enemy and others besides them whom you do not know (but) whom Allah knows.”⁷⁰ and the words of the Prophet, “Everything that is no remembrance of Allah (*dzīkrullah*) then it’s just a game, except four things, joking with wife, horse riding, archery and learning to swim.”⁷¹

Eleventh: The child right to get the state care and social security. One of the characteristic of Islam is social security, where it obliges the leaders to fulfill the need of their people, like a guardian with an orphan. As stated by the principle of Islamic law, “The leader’s policy toward the people must always be related to their benefit.”⁷² And the words of the Prophet, “I have more rights over Muslims than them, if they leave behind their property then it is still theirs, but if they leave debts then I am responsible for it.”⁷³ Therefore, in the time of Umar bin Abdul Aziz, he ordered to share the zakah expenditures to eight groups, as said by Allah, “Zakah expenditures are only for the poor and for the needy and for those employed to collect (zakah) and for bringing hearts together (for Islam) and for freeing captives (or slaves) and for those in debt and for the cause of Allah and for the (stranded) traveller – an obligation (imposed) by Allah. And Allah is

⁶⁸ Hadis no. 2664, “Bab fi al-Amr bi al-Quwwah wa Tark al-‘Ajz,” Muslim, *Sahih Muslim*, vol. 4, p. 2052.

⁶⁹ Hadis no. 224, “Bab Fadl al-‘Ulama wa al-Has ‘Ala Talab al-‘Ilm,” Ibn Majah, *Sunan Ibn Majah*, vol. 1, p. 81.

⁷⁰ QS. al-Anfal (8): 60.

⁷¹ Hadis no. 8889, “Bab Mula’abah ar-Rajul Zaujatahu,” Abu ‘Abdirrahman Ahmad ibn Syu’aib ibn ‘Ali an-Nasai, *as-Sunan al-Kubra* (Beirut: Muassasah ar-Risalah, 2001) vol. 8, p. 176.

⁷² ‘Abdirrahman ibn Abi Bakr Jalaluddin as-Suyuti, *Al-Aasybah wa an-Naza’ir* (Beirut: Dar al-Kutub al-‘Ilmiyyah, 1990) p. 121.

⁷³ Hadis no. 2664, “Bab Man Taraka Malan fa Liwarasatihi,” Muslim, *Sahih Muslim*, vol. 3, p. 1237.

Knowing and Wise.”⁷⁴ The needy share is given to the poor people of soldiers and non-soldiers, such as the beggars and those with chronic illness. The poor share is allocated for the poor with disabilities and the poor beggars, the prisoners who have no relatives. It is known then, that children belong to a weak and vulnerable group who require a great attention from the parents and society, but sometimes the parents and society are not able to fulfill their needs. Then, at this point, the responsibility is transferred to the government or state.⁷⁵

Twelfth: The financial right of a child. The financial rights of a child, such as: 1) The child right for a living, Islam has obliged the parents to provide a living for their children until they become independent, which includes in a matter of eating, drinking, clothing, dwelling and anything related to them according to the ability of the parents. As Allah says, “Upon the father is the mothers’ provision and their clothing according to what is acceptable. No person is charged with more than his capacity,”⁷⁶ and His word, “Let a man of wealth spend from his wealth, and he whose provision is restricted – let him spend from what Allah has given him. Allah does not charge a soul except (according to) what He has given it. Allah will bring about, after hardship, ease.”⁷⁷ and the words of the Prophet, “It is enough if someone is said to be sinful if he has neglected his family.”⁷⁸ 2) The child right for inheritance, a child is the one who is entitle to inherit the property of his parents in accordance with the provisions, as Allah says, “Allah instructs you concerning your children: for the male, what is equal to the share of two females. But if there are (only) daughters, two or more, for them is two thirds of one ‘s estate. And if there is only one, for her is half. And for one’s parents, to each one of them is a sixth of his estate if he left children. But if he had no children and the parents (alone) inherit from him, then for his mother is one third. And if he had no brothers (or sisters), for his mother is sixth, after any bequest he (may have) made or debt. Your parents or your children – you know not which of them are nearest to you in benefit. (These shares are) an obligation (imposed) by Allah. Indeed, Allah is ever Knowing and Wise.”⁷⁹ Islamic law does not only provide the right for a living and inheritance right, but also stipules the rights for property through waqf, testament or grant.

⁷⁴ QS. at-Tawbah (9): 60.

⁷⁵ Abu ‘Ubaid al-Qasim ibn Salam ibn ‘Abdillah al-Bagdadi al-Harwi, *Kitab al-Ammal* (Beirut: Dar al-Fikr, 1990) vol. 1, p. 690.

⁷⁶ QS. al-Baqarah (2): 233.

⁷⁷ QS. at-Talaq (65): 7.

⁷⁸ Hadis no. 1692, “Bab fi Silah ar-Rahim,” Abu Dawud, *Sunan Abi Dawud*, vol. 2, p. 132.

⁷⁹ QS. an-Nisa’ (4): 11.

Child protection in specific conditions in the Qur'an and the hadith

Islam, as a perfect and comprehensive sharia, is very concerned with the children condition especially in certain conditions, such as the found (neglected) children, orphans, children of divorced parents, children with physical and mental disabilities, or children in a state of war or disaster.

First: Protection of the neglected child. Islam is very concerned with the children condition who has been neglected by both of their parents, whether intentionally or not. Among the forms of Islamic concern for this, are :

- Protecting the rights of neglected child to stay alive by obliging those who find him to take care of him, if not capable to do so, then such an obligation is passed on to other Muslim community and if it is not possible, then it becomes the responsibility of the state. Saving his life is a part of the commandment of Allah as found in His word. “And whoever saves one – it is as if he had saved mankind entirely.”⁸⁰
- The neglected child right for freedom. The majority of Islamic jurists say that the neglected child is free. Since the basic principle of sons of Adam son is free, because The One Almighty God created Adam and his descendants free.⁸¹
- The neglected child right to own property and get social security. The neglected child has the rights to own property like other children, anything which attached him is his. As for his right for social security, according to Islam, it is given to the state as said by Umar bin Khattab to Abu Jamilah, “ Go, the child is free, for you is right to take care of him, and our responsibility is to give him a living.”⁸² And if the state does not have the capacity to take this responsibility then the Muslim who are capable are obliged to take such a role, as a form of implementation of the word of Allah, “And cooperate in righteous and piety, but do not cooperate in sin and aggression.”⁸³
- The neglected child right to get nurturing, for those who find a neglected child, it is obliged to take care of, educate, and raise him in order to be a good child one day. This nurturing is what is meant by what Umar said to Abu Jamilah, “Go, the child is free, for you is his right to be taking care of, and it’s our responsibility to give him a living.”⁸⁴ If someone who finds such a child is incompetent of the law or does not meet the standard as a caregiver, then the

⁸⁰ QS. al-Maidah (5): 32.

⁸¹ Abu Ishaq Ibrahim ibn ‘Ali ibn Yusuf asy-Syairazi, *al-Muhazẓab fi Fiqh al-Imam asy-Syafi’i* (Beirut: Dar al-Kutub al-‘Ilmiyyah, 1392 H) vol. 2, p. 312.

⁸² Abu Muhammad Muwaffaquddin ‘Abdillah ibn Ahmad Ibn Qudamah, *al-Mugni* (Mesir: Maktabah al-Qahirah, 1968) vol. 6, p. 115.

⁸³ QS. al-Maidah (5): 2.

⁸⁴ Ibn Qudamah, *al-Mugni*, vol. 6, p. 115.

right to take care of him is passed on to someone else who is more entitled and competent based on the judge's decision.⁸⁵

Second: Protection of orphans, an orphan is a child whose father died before his adulthood. An orphan is entitled to all rights attached to children even he deserves them more since he has lost his father, who is responsible to guarantee all of them. Therefore, Islam has stipulated the rules in order to take care of the orphan, such as:

- To treat an orphan properly, as Allah says, “So as for the orphan, do not oppress (him).”⁸⁶ and His word, “Worship Allah and associate nothing with Him, and to parents do good, and to relatives, orphans, the needy, the near neighbor, the neighbor farther away, the companion at your side, the traveller, and those whom your right hands possess. Indeed, Allah does not like those who are self-deluding and boastful.”⁸⁷
- To give the right to get nurturing, the responsibility of nurturing an orphan is laid on his mother and family, if they are not capable then such a responsibility becomes the state's responsibility.⁸⁸ Therefore, the Prophet encourages his people to take care of an orphan properly, he said:” I and the orphan caregivers, in heaven, will be as close as these two fingers (index finger and middle finger).”⁸⁹
- To give the state responsibility for social security to the orphans, as Allah says, “And know that anything you obtain of war booty - then indeed, for Allah is one fifth of it and for the Messenger and for (his) near relatives and the orphans, the needy, and the (stranded) traveller, if you have believed in Allah and in that which We sent down to Our Servant on the day of criterion – the day when the two armies met. And Allah, over all things, is competent.”⁹⁰ and the word of Allah, “And what Allah restored to His Messenger from the people of the towns - it is for Allah and for the Messenger and for (his) near relatives and orphans and the (stranded) traveller - so that it will not be perpetual distribution among the rich from among you. And whatever the Messenger has given you - take; and what he has forbidden you - refrain from. And fear Allah; indeed, Allah is severe in penalty.”⁹¹

⁸⁵ Ibn Qudamah, *al-Mughni*, vol. 6, p. 118-119.

⁸⁶ QS. adh-Dhuha (93): 9.

⁸⁷ QS. an-Nisa' (4): 36.

⁸⁸ Zidan, *al-Mufassal*, vol. 10, p. 104.

⁸⁹ Hadis no. 6005, “Bab Fadl Man Ya’ulu Yatiman,” al-Bukhari, *Sahih al-Bukhari*, vol. 8, p. 9.

⁹⁰ QS. al-Anfal (8): 41.

⁹¹ QS. al-Hasyr (59): 7.

Third: Protection for the disabled child. What is meant by the disabled child is a child who is physically and mentally disabled because of hereditary genetics or environmental factors. A disabled child is entitled to get all rights that healthy children have, he even deserves more to get them all because of his limitations and disabilities. Among the most important rights for the child with disability beside the rights of children in general, are:

- The right to get good treatment from everyone, as the story of the Prophet's treatment with his blind companion named Abdullah Ibn Ummi Maktum, so that Allah revealed the verses of the Quran in a form of a warning, Allah says, "The Prophet frowned and turned away * Because there came to him the blind man, (interrupting). * But what would make you perceive, (O Muhammad), that perhaps he might be purified * Or be reminded and remembrance would benefit him? * As for he who thinks himself without need, * To him you give attention. * And not upon you (is any blame) if he will not be purified. * But as for he who came to you striving (for knowledge) * While he fears (Allah), * From him you are distracted."⁹²
- The right to seek treatment, the right of disabled child as long as his disability can be cured by a permitted treatment, then it is obligatory to be treated as an implementation of the Prophet's words, "It's not that Allah sent down a disease unless the medicine is also sent down, then seek treatment, but do not seek treatment by what is prohibited."⁹³

Fourth: Protection of a child of divorced parents, a child whose both of his parents are divorced has the right to get all the rights as other children. He deserves to receive a living from his father, get affection from both of them, get nurturing from both of them properly, education, the right to visit both of them, and other rights.⁹⁴

Fifth: Child protection in the event of war or disaster, among forms of Islamic concern with children in times of war, are:

- Islam provides the priority right for a child to be protected, as the Prophet said, "Fight in the way of Allah, fight against the unbelievers, but don't transgress, don't be corrupt, don't betray, don't be cruel, don't kill the children, woman and very old people."⁹⁵ The protection of his right to live is a guarantee of other rights.
- Islam prohibits transgressing in war, as Allah says, "Fight in the way of Allah those who fight you but do not transgress, Indeed Allah does not like

⁹² QS. Abasa (80): 1-10.

⁹³ Hadis no. 3874, "Bab fi al-Adwiyah al-Makruhah," Abu Dawud, *Sunan Abi Dawud*, vol. 4, p. 7.

⁹⁴ az-Zuhaili, *al-Fiqh al-Islami*, vol 10, p. 7320-7321

⁹⁵ Hadis no. 1731, "Bab Ta'mir al-Imam al-Umara' 'Ala al-Bu'us," Muslim, *Sahih Muslim*, vol. 3, p. 1357

transgressors.”⁹⁶ Some of the forms of transgressing in a war, are killing those who have no rights to be killed such as little children, women, religious leaders, and old people, as the Prophet said, “Go in the name of Allah, with the help of Allah and based on the religion of Allah, don’t kill the old people, little children, women, don’t be corrupt, do a good things, because Allah loves those who do good.”⁹⁷

As for among the forms of Islamic concern for the children rights at the time of disaster is by providing the best priority for the benefit of children, in order to be able to grow and develop well, like what has been practiced by the Muslim community when the Muhajirin people moved to Medina where they regarded the Muhajirin children like their own children, by providing the facilities the same as those given to their own children, in a form of a place to live, eat, drink and so on.⁹⁸

Conclusion

Finally, the writer is able to conclude that Islam, as a perfect and comprehensive religion with its two main sources the Quran and the Hadith, has been paying attention from the very beginning on child protection. This protection is in a form of attention towards the child rights and Islamic etiquettes which are able to give protection towards children. The child protection in the Quran and the Hadith is not only after the child birth, but it has been started since the child was still in a form of fetus. So as the child protection in the Quran and the Hadith, it is not only for children with normal condition but also for those with specific condition.

Less concerned about the children rights before birth can result in neglecting the children themselves to the loss of their lives. Such as having sex out of marriage can result in an abortion case without a reason which is justified by the Shari’a, taking away the fetus right for lineage and property ownership. Less concerned about Islamic ethics in welcoming the birth of a child, such as to be happy over the birth of a child, to say the call to prayer for the baby, to provide a sweet intake (*tabnê*) for the new born baby, to shave his hair, to give a good name, to perform aqeeqah, to circumcise the child, can result in less than maximum protection towards a child, since protection in Islam is not only physically or materially but also non-physically and non-materially. Less

⁹⁶ QS. al-Baqarah (2): 190.

⁹⁷ Hadis no. 2614, “Bab Fi Dua’i al-Musyrikin,” Abu Dawud, *Sunan Abi Dawud*, vol. 3, p. 37.

⁹⁸ ‘Abdullah, *Huquq at-Tifl*, p. 137-138.

concerned about children with special needs can have an impact on discrimination and harassment of the right and the children themselves.

The concerns of the Quran and the Hadith towards children before and after their birth, towards their physical and non-physical rights are intended so that the children will be able to grow up well physically, spiritually and morally and hopefully they will be able to become a strong generation who carry the banner of Islam and able to spread love, justice and benefit to mankind.

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