

# **Rights of Children in Islamic Law: A Review of Some Existing Literature**

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## ***Abstract***

With some exceptions the area of the child rights in Islam didn't attract the attention of serious authors in classical or medieval era. However, many authors in the Middle East attempted to write about it in the second half of the 20<sup>th</sup> century, especially when Child Rights Convention was signed by the UN in 1989. Most of the authors surveyed in this work ritually regarding children rather than their rights. They consider child care to be a parental responsibility and ignore the role of the Muslim state and society.

The subject of child rights protection in Islam remains one of the most overlooked areas of serious research. However, there are many references about several rights that exist in the vast corpus of Ahadith while the opinions of Muslim jurists on some issues, such as, the custody of separated children, inheritance, protection of orphans and illegitimate children etc. are scattered in various treatises of Islamic Law. Unfortunately, these regulations were not compiled in an academic way until 1970s.

The terminologies of "rights of the child" and "protection of the child" aren't used by most of the Arabic writers considered below. This review is aimed at critically evaluating only those works that have put forward Islamic law to justify their arguments on child caring; that are considered serious works and are readily available on the topic of child caring in Islam.

Perhaps the earliest work in Islamic law that deals exclusively with the various rules of Islamic law involving a child is *Jami' Ahkam Al-Sighar* by Muhammad b. Mahmood b. Husain Astroshni (d. 631/1234 C.E.)<sup>(1)</sup>. The author discusses the rules of Islamic law where a minor is involved, such as prayers, fasting, *haji*, and marriage by a minor boy or girl; guardianship of a minor; fosterage of a minor; it discusses when can the mother of an infant be forced to feed her

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baby<sup>(2)</sup>; whether a mother can borrow money in the name of her husband to maintain her children;<sup>(3)</sup> Who are responsible to rear the baby is mentioned in minute detail;<sup>(4)</sup> The author discusses the rules of paternity of a minor as well<sup>(5)</sup>. The various rules of Islamic law when a minor commits a crime individually or accompanies other adult criminals plus when a crime is committed against a minor girl or boy are given at length<sup>(6)</sup>. There is a chapter on foundling<sup>(7)</sup>, compensation to be paid by or to a minor in case he or she is liable or in case someone is declared liable to the minor boy or girl<sup>(8)</sup>, gifting to someone, buying and selling by a minor<sup>(9)</sup>, and preemption<sup>(10)</sup> are discussed. In short, the book discusses every transaction and every action in which a minor is involved. This makes the book very unique. This is the only work that discusses the role of court and the Islamic state in all aspects involving a child.

The earliest work concerning various rituals within Islamic Law can be found regarding the birth of a Muslim child is *Tuhfatul Mawdud fi Ahkam al-Mawlud* written by Shamsuddin Muhammad ibn Abi Bakr ibn-Qaiyam al-Jawziyah (d. 751/1350 CE)<sup>(11)</sup>. This work consists of 17 chapters and discusses the rules within Islamic law from the birth of a Muslim child until childhood. Issues such as ‘*aqiqah*’, shaving of child’s head, naming the child and the circumcision of a male and female child are discussed<sup>(12)</sup>. The book provides details on certain topics (that may be of lesser interest to the practitioners of children rights today) such as the piercing of the ears of infants both male and female<sup>(13)</sup>. Chapter 11 discusses the purity or impurity of infant’s urine prior to eating solids and during breastfeeding<sup>(14)</sup>. There is an entire chapter on the various stages in the life of a child starting from conception until death as an adult<sup>(15)</sup>. Chapter six is on ‘*aqiqah*’, i.e. the slaughtering of one or two goats on the birth of a female or male child respectively and consists of 22 sections<sup>(16)</sup>. This chapter has mentioned 55 *ahadith* on this issue. Chapter 9 is regarding circumcision and consists of 14 sections and 32 *ahadith*<sup>(17)</sup>. The book also contains a short chapter (four pages) about the discipline, education, and equality among children. The whole chapter has only 11 *ahadith* on the three different topics<sup>(18)</sup>. Most of the *ahadith* are about disciplining children and equality among them. Ibn-Qaiyam cites the Qur’anic verse 66: 6 which says, “Believers, guard yourselves and your kindred against a Fire whose

fuel is human beings and stones” and mentions its interpretation by ‘Ali ibn Abi Talib Al-Hashmi (d. 40/661 C.E.), the first Imam of the Shi’a, who is reported to have said that children should be educated and disciplined<sup>(19)</sup>. He also gives the interpretation of Al-Hasan who said that children should be encouraged to obey God and be taught good things. However, the focus of the chapter is on discipline. Ibn Qaiyam concludes this chapter that “if someone ignored education of his child that is useful for him and left him unguided, he inflicted upon his child the worst possible wrong. And the reason why most of the children went astray is because of their parents; they neglect their children and do not educate them about their religious obligations and its traditions; so they were wasted during their childhood, they did not benefit themselves nor did they benefit their parents in their old age”<sup>(20)</sup>.

However, the above-mentioned work discusses the regulations of Islamic law according to the Hanbali school of thought as Ibn-Qaiyam himself was a follower of that School. Moreover, regarding circumcision, the author supports strongly the case for female circumcision<sup>(21)</sup>. He mentions the *hadith* " إذ التقى الختانان وجب " الغسل " “When the private parts meet, bathing becomes obligatory (irrespective of discharge)”<sup>(22)</sup>. Instead of giving the Arabic word ‘الختانان’ metaphorical meaning he takes it literally to rule that it means that both boys and girls should be circumcised as described in this *hadith*. He mentions that there are two opinions of Imam Ahmad ibn Hanbal (d. 240/855 C.E.): in one opinion he considers it obligatory for both boys and girls but in his second opinion he says that it is only for boys<sup>(23)</sup>. The author gives the point of view of his own school of thought and does not refer to the views of jurists of other schools of thought<sup>(24)</sup>.

The book is considered to be the first writing of its kind. Moreover, the style and contents of this work has inspired many authors in the last decades in the Middle East and other Muslim countries to write about regulations within Islamic law on the birth of a Muslim child. The book has given much space to the various rites upon the birth of a child and parenting but does pay that much attention to the rights of the child nor does it mention the duties of the state regarding the rights of the child.

### 1.3 Review of Modern Works on Child's Rights

A noticeable and bulky work in Arabic on the rights of the child in Islam which is reviewed in this work is *Tarbiyatul Awlad fil Islam* by 'Abdullah Nasih 'Ulwan written in Arabic. It was first published in 1976 and its 21<sup>st</sup> edition was published in 1992<sup>(25)</sup>. It consists of two volumes and has 1,024 pages. The book contains many unnecessary details and the author has put in everything considered relevant by him and its discussion is relatively scattered. The book has an entire section on sex education of the child, in which the author mentions that the mixing of the two sexes leads to potential 'harms and evils'; that a male should only look at a female if he wants to marry her; that going to cinema or watching the movies has inherent evils and so on<sup>(26)</sup>. The book has an entire section on teaching a child all the types of *jihad* and preparing him not only to spread the word of Islam but to be ready to fight as well in the path of Allah<sup>(27)</sup>. The author also supported military training of children. The author has provided a section on the many types of commercial sales that are considered illegal by Muslim jurists<sup>(28)</sup>. He gives examples of sale in which uncertainty is involved; sale of prohibited things; sale involving hoarding; sale involving bribery, usury, and gambling<sup>(29)</sup>. The author also mentions the alternative to usury<sup>(30)</sup>. The book also discusses some pre-Islamic practices such as, nationalism, proudness for lineage<sup>(31)</sup>, weeping over dead<sup>(32)</sup>, decorating graves, getting together in marriage ceremonies, getting together and lessoning to songs and dancing<sup>(33)</sup>. The author is also critical of artificial insemination<sup>(34)</sup>. These and many other sections of the book are not relevant for raising child under Islamic law. The book also quotes the opinions of classical Muslim jurists but does not give references of the sources from which he has taken their opinions.

Another work in Arabic is *Al-Tifl fi Shari'ah al-Islamiyah* by Muhammad b. Ahmad al-Salih<sup>(35)</sup>. This book consists of 558 pages and is written by a Saudi Arabian Professor. The work has a long section about the fetus, its meaning, various stages of fetus growth and the rights of a fetus etc<sup>(36)</sup>. The book has a vast section on children's custody<sup>(37)</sup> and a section on foundling (abandonment of a child)<sup>(38)</sup> and a section on orphaned children<sup>(39)</sup>. This work is considered to be useful as far as Islamic law and regulations for

children are concerned. The author does not address the Convention on the Rights of the Child and other international treaties protecting the rights of a child.

*Manhaj Al-Tarbiyah Al-Nabawiyah Lil Tifl* by Muhammad Noor Saweed is a bulky volume in Arabic language<sup>(40)</sup>. The book has five forewords written by five different scholars. The book has very detailed and dispersed discussion about children's rights and rearing in Islam. For example, it discusses how to protect children from diseases;<sup>(41)</sup> it covers the issue of visiting a sick child;<sup>(42)</sup> explains how the Prophet treated sick children;<sup>(43)</sup> the treatment of children through cupping therapy;<sup>(44)</sup> advises that children should perform *hajj* for their parents<sup>(45)</sup> and fast for them<sup>(46)</sup>. It is interesting to note that the author uses the term 'right' every so often in his writing. However, the work does not make any reference to the protection of child under international law and the obligations of Muslim States under the same protections. The book assumes the raising of the child to be parental responsibility and ignores the role of state and society.

Another piece of work in the Arabic language which merits discussion is '*Atfal 'l-Muslimeen: Kayfa Rabahum Al-Nabiul Ameen?*' by Jamal 'Abdur Rahman<sup>(47)</sup>. The style and content of this work is influenced by Ibn Qaiyam's book *Tuhfatul Mawdud* and *Al-Tifl fi al-Shari'ah* by Muhammad Al-Salih considered above. The book does not offer new insight into the rights and protection of a child and is a collection of what is already written. In addition, the book relies on *ahadith* similar to the three books discussed above and mostly cites Hanbali School of thought sources or other secondary sources<sup>(48)</sup>. The book provides a number of special sections encouraging youth to participate in military training<sup>(49)</sup>, watching youth's competitions<sup>(50)</sup> to prepare youth for *Jihad*<sup>(51)</sup> and provides advice on not preventing youth from martyrdom in God's path<sup>(52)</sup>. The book offers advice to supporting celebration by mothers of martyred Muslim youth<sup>(53)</sup> and suggests that Muslim youth should be taught the language of their enemy<sup>(54)</sup>. The author overlooks the fact that in modern day, the army usually defends Muslim States and that typically youth do not become involved in violent conflict at country-level. In other words, the author does not keep in consideration the natural changes that have taken place in the operation of a nation-state. Moreover, the

author has named his book '*Atfal 'l-Muslimeen*' (Muslim Children) but has also written about 'youth' who do not come under the heading '*Atfal*'- a term dedicated to children. The style of writing is in narrative and the author stops short of reaching conclusions. The book does not take into consideration children's rights under international law and what a Muslim State should do regarding the provisions of rights and protection of its children. Finally, the author does not use rights-based language at all throughout the book.

*The Rights of Children in Islam* by Khalid Dhorat is an unpublished Master dissertation<sup>(55)</sup> and is a good research work in English. The work focuses on the importance attached by Islam to 'identifying and implementing of children's rights' and the status to be accorded to a child in Islam 'with such numerous protection [sic] and rights'<sup>(56)</sup>. The author uses the terms 'fundamental rights' for the various rituals upon the birth of a Muslim Child<sup>(57)</sup> and opines that these rights can be enforced in 'an Islamic judicial court of law'<sup>(58)</sup>. The author does not mention how could failure to do '*aqiqa*' (sacrificing an animal or two on child's birth) or failure to shave of his/her hair be enforced judicially. The author cites Hanafi sources on many issues but does not cite sources of other schools of thought. The thesis does not include issues of child-abuse in the Muslim world, the responsibilities of Muslim States towards children and the status of various international treaties in Islam. It does not offer explanations on how Muslim States should respond to child protection in international law.

There are a number of books on children in Islam in Urdu language and we have considered a few. One noticeable piece of work is '*Bachun ka Ihtisab: Ay Mary Baitay*' by Fazal Elahi<sup>(59)</sup>. The presentation and style of the book is different although the contents are in line with the above mentioned books in Arabic. The author seems to be giving a powerful speech from a position of strength and authority. Since the author has expertise in '*ih̄tisab*' (accountability) he refers to this term in his writing about raising children. The author mentions that a non-Muslim child should be invited to Islam<sup>(60)</sup> Muslim children should be ordered to offer prayers and fast during Ramdan;<sup>(61)</sup> that they should be forbidden from doing "all bad things" in their daily life including especially participating in un-Islamic rituals;<sup>(62)</sup> and forbids boys from wearing silky clothes<sup>(63)</sup>. Although

the book is written by a religious scholar it does not mention the various rituals upon the birth of a child. Similar to several of the above reviewed books, this work does not refer to any rights-based language and international law is not mentioned at all.

*Guidelines for Raising Children* is a small booklet of around 50 pages<sup>(64)</sup> and seems to be influenced by the position of international law as it is concerned with child protection. Rights-based language is used in reference to the rituals of infants<sup>(65)</sup>. The publication, however, does not directly mention international protection for children and obligations of Muslim States for a child's protection. Moreover it can be questioned whether certain rituals such as '*aqiqa*' or the shaving of hair be treated as 'rights' of infants? In addition, as is the policy of Darussalam in its publications, the booklet does not offer the opinions of jurists of any school of thought on any issue. It is interesting to note that the above publications have not been critically evaluated before this present review.

UNICEF - Al-Azhar University's study titled, "Children in Islam: Their Care, Development and Protection", offers descriptive analysis of child rights in Islam. The work is written by 12 faculty members of Al-Azhar University or its branches and nine child experts from UNICEF thus making a total of 21 authors<sup>(66)</sup>. The study is mainly based on Qur'anic verses regarding the rights of children and *ahadith* of the Prophet Muhammad (PBUH). The study has collected relevant verses of the Qur'an and *ahadith* of the Prophet in support of the various rights of the child but it does not give opinions by the top Muslim jurists of the various schools of thought prevalent in the Muslim world to explain child protection under Islamic law. The study explains that children have all the rights available to them under modern international law but it does not describe why these rights are not practically provided to children in most Muslim states. The study does not discuss child abuse and other problems faced in child caring in Muslim states. The study does not offer guidance to certain rights available to children such as *hadana* (custody) which is one form of guardianship. The work is designed for the use of the wide ranging groups of people who serve the cause of Muslim child. These include, Imams (prayer leaders), health care providers, governmental and non-governmental organizations that work in the field of child care. However, it is not known what effect the study has

made over prayer leaders, religious leaders, and especially governmental organizations working in child care. The study does not mention how could religious leaders and prayer leaders be used to work or serve the cause of child care practically. To make the study useful and accessible locally the UNICEF may have to translate it into local languages and involve local prayer leaders to disseminate it. Moreover, it would be better if top local *muftis* of various religious institutions are taken into confidence and get their *fatwa* regarding child care in Islam. Findings of scholars at Al-Azhar University, which is State-controlled, are considered liberal by religious scholars in other parts of the Muslim world, especially the subcontinent where seminaries are free of any government control<sup>(67)</sup>. Therefore, a localized approach to child care in Islam would be more successful. This would involve the support of local religious leaders and prayer leaders.

Holtzhausen, "When Values Collide: Finding Common Ground for Social Work Education in the United Arab Emirates"<sup>(68)</sup>, offers reading about child education. The author does not offer insight into Islam while dealing with the subject. It does not discuss child education in Islam and other protections available to child in Islam. The Islamic Relief Worldwide (IRW) study, *Human Development in Islam* provides a good introduction but it is not a comprehensive study as such. Moreover, it is general and does not discuss child protection in Islam.

In Ann Elizabeth Mayer's "Islamic Reservations to Human Rights Conventions"<sup>(69)</sup>, the author concludes that Islamic law does not necessarily dictate reservations by Muslim States to human rights conventions especially the 1979 Convention on the Elimination of All Forms of Discriminations Against Women and Convention of the Rights of the Child and that some of the reservations are either vague or are based on other grounds. Moreover, the author opines that there are many variations in Muslim countries' approaches in ratifying human rights treaties. She concludes that "differing governmental policies and political calculations regarding how best to present them lead to the widely diverging stances"<sup>(70)</sup>.

There are many studies conducted by International Non-governmental Organizations (INGOs) on child's protection in Islamic context but these studies have numerous problems: A typical work is

first commissioned by a an INGO based in the West and the contract is given to another INGO to get it done. The second INGO which is more often a contractor for such works gives the contract for the work to a third NGO often based in a Muslim country and apparently working for the protection of children rights or human rights. The second contractor which is mostly housed in a place that may have no address and may have some presence through the internet hires one or two locals (for the least amount of money) who is supposed to complete the work in the minimum time. The local expert has to write whatever he is told by the local contractor and there is no independent research. In case the researcher has written down something that the local contractor, who often has no expertise in Islamic law, does not like he will change whatever he thinks will please the main contractor in the West. These changes are always influenced by whatever substandard sources are freely available on the internet. The Western contractor will do some review and the original document will be totally disfigured. As far as the main researcher is concerned he is completely exploited as the contract between him and the local contractor is always one-sided. The researcher has no copy rights and the work is owned by the Western contractor. The researcher is never put directly in touch with the Western contractor. In the so-called review process whoever puts a single word to the document puts his name to it as one of the reviewers. The final document may therefore have the names of a dozen people. A good example is the Cairo Study discussed above. Such a study or report or work may be nicely printed and is mostly freely available on the web but is designed to conclude that Islamic law regarding a particular issue is not against international law. Such a studies are mostly descriptive and do not critically evaluate international treaties on that particular issue. Such studies are mostly the result of exploitation by INGOs and NGOs of local researchers who is paid the least amount to do something in the shortest possible time and he is told what pleases the main contractor and what displeases it. Moreover, such studies do not carry out in-depth study of Islamic law from its original sources and is mostly cut and pasted from the web. But this is how projects are done which is different from genuine and independent research in Islamic law.

#### 1.4 Conclusion

To sum up the above discussion, key findings from the literature review are provided below:

There are numerous publications regarding children in Islam but most focus on the various rituals on the birth of the child, disciplining the child and educating the child in religious sciences and Islamic history. All the works, both in Arabic and Urdu, which have been touched upon above, assume the raising of children to be a parental responsibility. Many authors chose to write on the concept of *Jihad* and how children can be best trained for *Jihad*. With some exceptions most of the works evaluated above do not focus on the rights and enforcement of the rights of the child in Islamic law. Some works focus on how the child is dealt with under the Qur'an and the Sunnah of the Prophet but do not consider the opinions and interpretations of Muslim jurists. None of the above mentioned works has focused on how children can be protected in different socio-political settings particularly during the time of emergency. There is a general lack of properly referenced work as to the role of State, society and individual in the protection of children. Moreover, the writers considered above stress that all the Muslim children should be well-versed in Arabic language and learn religious sciences. But one question obviously arises: If all Muslim children were to learn only the religious sciences how could the Muslim *Ummah* manage its activities in other areas of life? This is an important aspect of the suggested style of education in these books which needs to be addressed in this work.

In addition, all the above writers also, necessarily, seem to assume that the totality of Muslim parents these days are themselves well-versed in Islamic law, which, obviously, would be a precondition for raising their children on the lines these writers have laid down. Quite unfortunately, however, most of the Muslim parents these days lack any kind of serious Islamic education themselves and, in some cases, they are totally illiterate. With the exception of Al-Azhar study, the works discussed above do not address the role of a Muslim state, the role of the society, the role of the state institutions in providing children's education and taking care of their health, educating and taking care of children with special needs, and the role

of the judicial bodies of the state in providing remedies for children. What is the position of Islamic law on child vaccination, polio drops, and other life securing and life saving injections and medicine endorsed to children at an early age? These works, also, fail to discuss the rights of the children affected by natural and man-made disasters, in addition to the plight of the refugee children. The above authors do not discuss the opinions of Muslim jurists regarding the rights and protection available to child. The presumption of the authors of the above works is that Muslim parents are all well-off in terms of resources, and can afford every facility for their children. A look at the ground realities, however, presents a very different scenario, which cannot be overlooked at all and this is why a fresh start is needed to fill in these gaps.

## References

1. Muhammad b. Mahmood b. Husain Astroshni, *Jami' Ahkam Al-Sighar*, ed., Abi Mus'ab Al-Badri and Mahmood 'Abdur Rahman (Cairo: Dar al-Fadilah, n.d.), 2 volumes. The book is also translated from Arabic into Urdu as *Bachun kay Islami Ahkam* by Fazal Rasool (Lahore: Fareed Book Stall, 2007). The translated work is 623 pages but has no index or bibliography. References in this work are made to the Urdu translation as the Arabic one was not available at the time of writing this manuscript.
2. Ibid, p. 188 & 192.
3. Ibid, p. 195.
4. Ibid, p. 214-233.
5. Ibid, p. 235-238.
6. Ibid, p. 258-267.
7. Ibid, p. 283-291.
8. Ibid, p. 291-302.
9. Ibid, p. 330-367.
10. Ibid, p. 402-409.
11. See Shamsuddin Muhammad b Abi Bakr b Qaiyam al-Jawziya, *Tuhfatul Mawdud fi Ahkam al-Mawlud*, ed. Muhammad 'Ali Abul 'Abbas (Cairo: Maktabat 'l-Qur'an, n.d.). This edition has 210 pages. The book is translated into Urdu. See Ibn al-Qaiyam al-Jawziya, *Tuhfatul Mawdud fi Ahkam al-Mawlud* transl. Muhammad Abdul Nasir b 'Abdul Basir al-'Alawi, (*Awlad ki Tarbiat Kaysi Karin*) (Lahore: Maktaba Rahmaniyyah, n.d.), 272 pages. All references in this essay are made to the Arabic edition.
12. Ibn al-Qaiyam, *Tuhfa*, p. 11.
13. See Ibid chapter 10.
14. Ibid, p. 146-148, citing seven *ahadiths*.
15. See ibid chapter 17.
16. See ibid page 32-70. Thus, 38 pages are given to the topic of '*aqiqa*'.
17. Ibid, p. 106-142.
18. Ibid, p. 152-56.
19. Ibid, p. 152.
20. Ibid, p. 156.
21. See ibid, section nine of chapter nine, p. 132-133.
22. Ibid, p. 132. However, this *hadith* is *da'if* or weak and one cannot rely on it. See Mahmood b. Ahmad Badruddin Al-'Ayni, '*Umdat Al-Qari Sharh Sahih Al-Bukhari*' (Beirut: Dar Ihyah al-Turath Al-'Arabi, n.d.), vol. 1, 334; Jamal al-Din b. Muhammad Al-Zayla'i, *Nasb Al-Ra'yah Li Ahadith al-Hidayah*, Muhammad 'Awamah ed., (Beirut: Mu'sasah al-Rayan, 1997), vol. 1, 84.
23. Ibid, P. 132.
24. Ibid.
25. See 'Abdullah Nasih 'Ulwan, *Tarbiyatul Awlad fil Islam* (Cairo: Darussalam, 1992), two volumes.
26. See, *ibid*, vol. II, p. 499-599.
27. See *ibid*, p. 995-1000.

28. See *ibid*, p. 907-913.
29. *Ibid*, p. 908-912.
30. *Ibid*, p. 913. The author also mentions the reasons why the transactions mentioned above are prohibited in Islam.
31. *Ibid*, p. 914.
32. *Ibid*, p. 915.
33. *Ibid*, p. 917.
34. *Ibid*, p. 918.
35. See Muhammad b Ahmad Al-Salih, *Al-Tifl fi Al-Shari'ah Al-Islamiyah* (Riyadh: Matab'i al-furzdaq, 1982),
36. See *ibid*, p. 13-67.
37. See, *ibid*, p. 109-135.
38. See, *ibid*, p. 145-175.
39. See, *ibid*, p. 175-211.
40. Muhammad Noor b 'Abdul Hafeez Sweed, *Manhaj Al-Tarbiyah Al-Nabawiyah Lil Tifl* (Makka: Dar al-Tiybah, 3rd edn 2000). The book is 447 pages.
41. *Ibid*, p. 385.
42. *Ibid*, p. 388.
43. *Ibid*, p. 388.
44. *Ibid*, p. 390. Such treatment as described by the Prophet is a non-legislative Sunnah and includes as advice on how he ate a meal, drank water, walked, and talked. The advice is non-binding.
45. *Ibid*, p. 177. How can a child, who himself is not yet independent, perform *hajj* for his parents? It seems that he should not be child any more and hence this topic should perhaps not be discussed here.
46. *Ibid*, p. 180. Again this could only be done by someone who is not a '*tifl*' or child as such.
47. Jamal 'Abdur Rahman, *Atfal 'l-Muslimeen: Kayfa Rabahum Al-Nabiul Ameen?* (Muslim Children: How were they raised by the Prophet?) (Makka: Dar Tyybah al-khadra, 7th edn. 2004), 209 pages. The book is also translated into Urdu. See Jamal 'Abdur Rahman, *Atfal 'l-Muslimeen: Kayfa Rabahum Al-Nabiul Ameen?* transl. 'Abdur Rahman Yusuf, *Nabiney Musalman Bachunke Tarbiyat Kesay Farmaye?* (Lahore: Dar al-kutub, 2009).
48. See 'Abdur Rahman, *Atfal 'l-Muslimeen*, p. 154-155. However, in his footnote number 1 on page 155, he mentions that this quote is taken from '*Manhaj Al-Tarbiyat al-Nabawiyah Litifl*' by Muhammad Noor Sawid, p. 364-365.
49. Abdur Rahman, *Atfal*, section 111, p. 161.
50. *Ibid*, section 112, p. 161-162.
51. *Ibid*, section 113, p. 162-163.
52. *Ibid*, section 114, p. 163.
53. *Ibid*, p. 164.
54. *Ibid*, section 115, p. 165.
55. Khalid Dhorat, *The Rights of Children in Islam* (unpublished MA dissertation submitted to the Faculty of Arts in Rand Afrikaans University South Africa in 1996) available online at

- [https://ujdigispace.uj.ac.za/bitstream/handle/10210/6194/K.%20DHORAT\\_1996\\_M A.pdf?sequence=3](https://ujdigispace.uj.ac.za/bitstream/handle/10210/6194/K.%20DHORAT_1996_M A.pdf?sequence=3) (last accessed 26 January 2013).
56. Ibid, p. vi.
  57. See, Ibid, chapter four which is titled, 'Fundamental Rights of Children', at pp. 46-124. This is the most significant chapter of this work.
  58. Ibid, p. 5.
  59. Fazal Elahi, *Bachun ka Ihtisab: Ay Mairay Baitay* (Islamabad: Dar al-nur, 2008).
  60. Ibid, p. 45-51.
  61. Ibid, p. 54-84.
  62. Ibid, p. 90-110.
  63. Ibid, p. 129-143.
  64. *Guidelines for Raising Children in Islam*, ed., 'Abdur Rahman 'Abdullah (Riyadh: Darussalam, 2003).
  65. Ibid, p. 15-23.
  66. UNICEF – Al-Azhar University, "Children in Islam: Their Care, Development and Protection". Its summary is available online at [http://www.unicef.org/egypt/Egy-homepage-Childreninislamengsum\(1\).pdf](http://www.unicef.org/egypt/Egy-homepage-Childreninislamengsum(1).pdf) (last accessed 02-03-2014). The whole work has 121 pages excluding bibliography. One wonders how much of the work is written by each author!
  67. The author has personal experience of this while interacting with religious leaders in all parts of Pakistan for the last 10 years on a similar study carried out by Al-Azhar University for the International Committee of the Red Cross (ICRC).
  68. Leon Holtzhausen, "When Values Collide: Finding Common Ground for Social Work Education in the United Arab Emirates", *International Social Work* 54 (2) 2011, p. 191-208.
  69. Ann Elizabeth Mayer, "Islamic Reservations to Human Rights Conventions: A Critical Assessment", *Recht van de Islam* 15 (1998), pp. 25-45.
  70. Ibid, p. 43.