

Islamic Approach to Prevent the Menace of Child Abuse in the Modern Times

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Abstract

The rights of the children are one of the most important issues of human rights in present times in the whole world. The international community has responded fantastically by adopting Conventions and conferences on the Rights of the Children from time to time. However, cultures, customs, and traditions in different parts of the world have tremendous importance as compared to legal regulations. Throughout the Muslim World when Muslims do something they try to justify it from Islamic Shariah (Islamic law) which is based on the Qur'an and Sunnah. Therefore the current research aims to discuss the important questions raised in this research work are: Whether child's abuse is allowed in Islam; whether Islamic law allows violence against children; what is the status of child's exploitation in Islam; what is the position of Islamic law regarding child sex? In this work, the methodology used so far is the original sources of Islam which are quoted here to support or refute a position. The main findings of this work are that Islam prohibits violence against children; their abuse is unlawful, their exploitation is banned and it is against child labour. Child exploitation, child labour, and selling or buying children for sex are prohibited under the Islamic law.

Key-words: *Child abuse, Islam; Physical Abuse, Psychological Abuse; Sexual Abuse*

1. Introduction

Allah says in the Qur'an "You are the best of peoples, evolved for the benefit of mankind" (Qur'an 3:110). Islamic law separates between adults and children for their more vulnerability. Children are an integral asset for future development of a nation. In lieu of this notion, almost all countries pay considerable attention to their development and wellbeing. In recent times, child abuse has become a worrying phenomenon that can no longer be ignored. This has been a phenomenon in the society today, to the extent that men of faith begin to wonder how this ugly trend could be arrested and calls for Islamic perspective to the issue. Islam prohibits any attack; abuse, nuisance and annoyance to the human being including mental and

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beating or other forms of physical, emotional and sexual exploitation. Children are undoubtedly the most neglected members of society and only just have any voice, even within the home. As a result, they are constantly becoming easy victims of all types of abuse. Nowadays a big number of children are depressed of their basic human rights due to undesirable health, nourishment and education as well as social situations. Child abuse is the physical, psychological or emotional ill-treatment of children. Various categories of abuse in our society are existing and increasing day by day. Child abuse plays countless effect on Child's mind and health. Child abuse may be sexual, physical or emotional in nature. In addition, children are showing to severe forms of physical and mental violence at home, in the work place, in institutions and other public places. On the whole, our children are not safe despite efforts made by government and non-government organizations in ensuring the rights of the children (Odhikar, 2015). In this research paper an attempt has been made to focus on the teachings of Islam and violence against children, their abuse, and exploitation. The main findings of this research work are that Islam forbids violence against children, their abuse is unlawful and their exploitation is banned once for all.

2. Concept of Child Abuse

Child abuse or maltreatment constitutes all forms of physical or emotional ill treatment, sexual abuse, neglect or negligent behaviour or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power (WHO, 1999). Child abuse is the physical, sexual or emotional maltreatment or neglect of a child or children (Encyclopedia). In the United States, the Center for Disease Control and Prevention (CDC) and the Department for Children and Families (DCF), define "child maltreatment as any act or series of acts of commission or omission by a parent or other caregiver that results in harm, potential for harm, or threat of harm to a child" (Leeb, 2008). According to the Journal of Child Abuse and Neglect, child abuse is "any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation, an act or failure to act which presents an imminent risk of serious harm" (Herrenkohl, 2005). In nutshell, child abuse includes all types of cruelty and maltreatment harmful to body, mind, emotion, impose force for personal concern and neglect by caregivers.

a) Physical Abuse

Beating, pushing, biting, punching, choking, shaking, throwing, poisoning, burning, scalding, and drowning (ahsaniamission, 2014). Physical abuse includes physical violence directed at a child by an adult. The American Humane Association defines

physical abuse as any “non-accidental trauma or physical injury to a child” (Association).

b) Sexual Abuse

Coercing, involve physical contact for example, rape or oral sex, non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing.(ahsaniamission, 2014). Child sexual abuse (CSA) is a method of child abuse in which an adult adolescent abuses a child for sexual stimulation. (Plus, 2008) Sexual abuse denotes to the sharing of a child in a sexual act aimed toward the physical gratification or the financial profit of the person committing the act (Theoklitou et al., 2012).

c) Psychological Abuse

Cursing swearing, assaults on self-esteem, blaming criticizing children feelings (ahsaniamission, 2014). In 2014, the American Psychological Association stated that: “Child psychological abuse [is] as harmful as sexual or physical abuse”. “Nearly 3 million U.S. children experience some form of [psychological] maltreatment annually” (Association, 8 October 2014).

3. Child Abuse: An Islamic Perspective

Defining child abuse with precision can be of significant complexity as there seems to be no universal meaning based on a broadly acceptable value. This is because form of neglect may not be considered as an abuse in one community, but it may be considered so in another society (Augustine as cited in Afridah, 2102)

The child abuse from Islamic perspective is clearly discussed and mentioned in numerous occasions in the Qur’an as well as in the Sunnah. During the pre-Islamic era, the killing of female infants was a common practice among the Arab Jahiliyyah society. With the advent of Islam, this act was called out and condemned by virtue of the following verse:

“Kill not your children for fear of want: We shall provide sustenance for them as well as for you. Verily, the killing of them is a great sin” (Qur’an, al-Isra,17:31).

In another verse, Allah ^(SWT) commands:

“Kill not your children on plea of want-We provide sustenance for you and for them” (Qur’an, An-‘am, 6:151).

Ibn Kathir (2000) interprets that Allah revealed these verses because the people during the pre-Islamic days used to kill their children, particularly female infants, as a consequence of obeying the lures of the devils. They used to bury their daughters alive for fear of shame, and sometimes kill their sons for fear of poverty.

In another verse, Allah also warns those who inflict violence by way of abusing their children in the following verse:

“Who break the covenant of Allah after contracting it and sever that which Allah has ordered to be joined and cause corruption on earth. It is those who are the losers” (Qur’an, al-Baqarah, 2:27).

Thus, with reference to the above mentioned verses, good Muslims reading will eventually realize that the act of abusing children violates the trust (*amanah*) of Allah and at the same time deprives children from having a normal life that they deserve.

The Qur’an, since its early revelation in Makkah, vehemently condemns and forbids such horrendous crime:

“When the female (infant), buried alive, is questioned, for what crime she was killed” (Qur’an, al-Takwir, 81:8-9).

Islam condemns this attitude and spurns all these practices. It forbids the murder of young girls and shows its abhorrent and horrifying nature. It is listed as one of the subjects of reckoning on the Day of Judgment. Here, the verse mentions it as one of the great events which overwhelms the universe in a total upheaval. It is signified that the murdered girl will be questioned about her murder. The verse also leaves readers to imagine how the murderer will be brought to account. (Sayyid Qutb, 2005) Thus, this verse clearly states that killing children, once practiced by the people of ignorance, is classified as a terrible sin and violates the trust of Allah. Therefore, any parental behaviour, which is abusive and potentially fatal in nature, is also condemned and forbidden.

To conclude, child abuse from Islamic perspective can be defined as: “violation of children’s basic physical and emotional needs as well as development in terms of health, education, religion, moral conduct, spiritual, emotions, nutrition, shelter, and security. It is also considered as a violation of Allah’s trust (*amanah*) where punishment will be due on the Day of Judgment.”

a) Islam on Physical Abuse

The Prophet ^(SAW) has urged all Muslims to be very kind and affectionate to children when he said: “He is not one of us who does not show tenderness to the young and who does not show respect to the elder” (*Tirmidhi, Hadith no. 1919*). Therefore, corporal punishment should be avoided as much as possible. There are many other alternative methods of disciplining the child. Some of these are giving advice, temporary isolation, admonition, withdrawing rewards, denial of play time and so on. One or more of these punishments are much more effective for the child than corporal punishment (Munir “Rights of the Child: An Islamic Perspective on Preventing Violence, Abuse, and Exploitation of Children and Pakistani Law”,

Accessed 25 January 2019). The proper context of hitting mentioned in the *Hadith* regarding *Salat* (daily prayers) does not seem to be corporal punishment as such, but rather a trick that the father could even hit the child if he does not observe the daily prayers. This is explained by another report in which the Prophet ^(SAW) said: “And for their disciplining, keep (the fear of) your stick on them, and make them to be afraid of Allah” (*Ahmad, Hadith* no. 22075). This is confirmed from another report in which Mu‘az b. Jabal ^(RA) has been given some instructions by the Prophet ^(SAW) among them was the display of a stick for their disciplining but not for hitting (*Ahmad, Hadith* no. 22075). Moreover, it is also reported from the Prophet ^(SAW) that the stick should be displayed in such a place so that it could be seen by all members of the household. It is important to note that the Prophet ^(SAW) did not order the hitting of anyone with the stick. Manawi comments on this *Hadith* and says that when the members of the household could see the stick, they will not commit bad things and it will encourage them to learn good manners (*Ahmad Hadith* no. 22075).

Therefore, children should only be disciplined but corporal punishment should be avoided as this will have negative effects on the child. Moreover, alternative methods of punishments should be used as these are very effective with children. One of the biggest disadvantages of punishing a child is that the parent will deprive himself of the mercy of Allah. The Prophet ^(SAW) is reported to have said to Aqra b. Haabis Al-Tameemi [who told the Prophet ^(SAW) that he has ten children, but he never kissed one of them] that “the one who does not show mercy will not be shown mercy [by Allah]” (*Sahih Bukhari, Hadith* no. 5651). It is reported that a Bedouin was surprised to see that the Prophet ^(SAW) kissed his grandsons, Al-Hasan ^(RA) and Al-Husain ^(RA), and asked the Prophet ^(SAW), “Do you kiss children? We do not kiss them. The Prophet ^(SAW) said, “It is beyond my control if Allah has removed mercy from your hearts” (*Sahih Muslim, Hadith* no. 2317).

Punishing the child might make him disobedient of his parents which will deprive the parents of all the goods the child was going to do them when they will be old. Ibn Qaiym mentions that a person who punished his son for disobedience was told by him (his son), “You have punished me when I was a child, I am punishing you when you are old. You neglected me in my childhood; I am neglecting you in your old age” (Ibn Qaiyam: 156). As you so, so shall you reap. Thus a child who is taken care of in his childhood will pay it back when he is a father.

b) Prohibition of Sexual Exploitation

Islamic considers an act of prostitution as a form of sexual exploitation and thus forbids it (Ibn Majah, *Hadith* no. 2842). Forced prostitution is likewise forbidden, as is sexual exploitation for profit, according to Quran 24:33, stating but force not your maids to prostitution when they desire chastity, in order that ye may make a gain in

the goods of this life. The Hadith of the Prophet ^(SAW) likewise prohibited taking the earnings of a soothsayer and the money earned by prostitution (*Ahmad Hadith* no. 6756). In Islamic law, if a man had sex with a female child, he will be given *hadd* punishment (Ibn Qaiyam: 150). In most cases a minor is forced or lured into sex by someone and sedated before sex. This carries a heavier punishment than sodomy for the active partner but no punishment for the minor.

c) Islam on Psychological Abuse

The Prophet ^(SAW) would only advise the child in a polite way if he would see that someone had made a mistake. This is evident from the report of Anas ^(RA) who said: “I was with the Prophet ^(SAW) for ten years and I swear in the name of God that he never said ‘uff’ (fie) to me nor did he say, “why have you done this or why have you not done that” (Imam Sarkhasi, vol. 9: 75.). He further asserts that whenever I delayed to do something according to his orders or would do otherwise than would be ordered [by the Prophet ^(SAW)], he would never blame me or chide me. Anas (RA) further says that when any member of the household of the Prophet ^(SAW) would complain against me to the Prophet ^(SAW), he would say “Do not say him anything (to him), if Allah would will this thing, it would happen” (Bukhari, Hadith 5578). As is known Anas ^(RA), ‘Abdullah b. ‘Abbas ^(RA), Zaid b. Haritha ^(RA), and Osama b. Zaid ^(RA) remained with the Prophet ^(SAW) for a longtime and served him and his household but none of them have complained of any chiding, blaming, scolding and reprimands by the Prophet ^(SAW). Thus, the Prophet ^(SAW) had never blamed a child in his life.

According to the teachings of the Prophet ^(SAW), parents should never curse their child. Instead, they should always make *du‘a* (supplication) for him as their supplication for their child is responded to by God. The Prophet ^(SAW) is reported to have said: “Three *du‘as* (supplications) are surely answered: The *du‘a* of the oppressed, the *du‘a* of the traveler and the *du‘a* of the father/mother upon their child”. In addition, the Prophet ^(SAW) is reported to have said: “Don’t curse yourself, your children, your servants, your property, least you ask Allah at a time in which supplications are accepted” (*Tirmidhi, Hadith* no. 1828). Moreover, the Prophet ^(SAW) has said: “*Du‘a* can change even God’s decree” (*Sahih Muslim, Hadith* no. 5328).

4. Recommendations

- a) The state should create its laws as strict as possible against sexual exploitation of children
- b) Rise knowledge about this issue and aware children about child abuse which person identify reliable and dependable.
- c) Stop aggressive attitude and behaviour with children.

- d) Generate consciousness among the people by writing to newspapers and magazines about the issues.
- e) Produce religious guidance and direction regarding child abuse.
- f) Increase family motivation to learn morality, justice and right way to choose friends.

5. Conclusion

From the above discussion it can be concluded that child abuse is actually a deviation from the crystal clear teachings of Islam and a breach of trust of the Creator. Therefore whosoever runs away from the injunctions of Allah with regard to the discharge of his/her duties will even be questioned on the Day of Judgment. Parents or caregivers must adhere in the letter and spirit to the injunctions of Allah ^(SWT) mentioned in the Qur'an and Hadith starting from the duties of parents at a birth of a child. Allah ^(SWT) has given clear description of whom to marry and those who should not. The Qur'an strictly warned against fornication and adultery. The Prophet ^(SAW) wants his followers to always speak good things or keep quiet. The paper concluded that Islam is against any kind of child abuse, child soldiering, infant wedlock, child labor, child trafficking Child sexual abuse among others.

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