

PROTECTION OF CHILDREN AND PROHIBITION OF CHILD ABUSE UNDER ISLAMIC LAW

Juwayriya Badamasiuy*
Maimunatu Yarima Iyawa**

Abstract

The Qur'an and Sunnah lay a strong ethical and spiritual foundation for protecting children. Islamic law provides concrete legal frameworks and mechanisms to identify, prevent, and respond to child abuse. These mechanisms include the establishment of legal responsibility, judicial authority, and societal institutions tasked with safeguarding vulnerable members of society, including children. The paper categorizes child abuse under Islamic law into physical, psychological, sexual, and economic dimensions and affirms that all forms of child abuse are not only morally reprehensible but legally punishable under Islamic law. It highlights the role of the Islamic judiciary (Qadi), parental accountability, and institutional mechanisms in protecting children and responding to child abuse. Despite the clear textual mandates, the paper acknowledges ongoing challenges in Muslim societies including poverty, weak enforcement, and lack of awareness. The study concludes with actionable recommendations for bridging the gap between Islamic principles and contemporary realities, emphasizing the urgent need for legal reform, community

* Prof. Juwayriya Badamasiuy, Faculty of Law, Bayero University Kano, Email: juwabadamasi@yahoo.co.uk

** Dr. Maimunatu Yarima Iyawa, Faculty of Law, University of Maiduguri. Email: myiyawa@gmail.com

involvement, religious education, and socio-economic support to protect children and fulfill the Islamic mandate of mercy, justice, and trust. The approach is doctrinal.

Keywords: Child abuse, Prohibition, Protection, Islamic law

1. Introduction

Islam prohibits all forms of child abuse; be it physical, psychological, sexual, or neglect. Islamic sources identify and prohibit behaviors that constitute as child abuse. These include excessive corporal punishment, denial of sustenance or education, emotional harm, or any form of injustice to the child. Such actions are regarded as not only a violation of Shari'ah but also as a betrayal of the divine trust (*amanah*) placed in caregivers. Moreover, the objectives of Islamic law (*Maqasid al-Shari'ah*), aims to preserve life, intellect, religion, lineage, and property, apply powerfully to the rights and protection of children. Islamic law places the duty of upholding these objectives not only on parents but also on the wider community, including teachers, leaders, and legal institutions. Given the rising global concern over child abuse and the urgent need to safeguard children's welfare, it is imperative to explore these issues from the Islamic legal and ethical perspective. This paper therefore examines the rights of children in Islam, the Islamic prohibitions against child abuse, and the responsibilities imposed on families and the society. It also considers how Islamic principles can be harmonized with contemporary child protection laws, particularly within the context of Muslim-majority societies. In doing so, this paper contributes to both academic and practical discourse on how Islam can be a source of comprehensive protection for the most vulnerable members of society, its children. While Islamic jurisprudence may not employ the modern legal terminology of "child abuse," it unequivocally

condemns all actions that harm, exploit, or violate the rights of children. From the Qur'an to the Hadith and classical jurists, Islamic law views children as sacred trusts (*amānah*) whose protection is both a legal and spiritual duty. Islamic teachings provide preventive, protective, and corrective frameworks for addressing child abuse, encompassing physical, emotional, sexual, psychological, and spiritual dimensions.

2. Definition and Concept of Child Abuse under Islam

In modern legal discourse, child abuse refers to "any act or series of act of commission or omission by a parent or caregiver that results in actual or potential harm to a child's health, development, or dignity."¹ In the Islamic context, child abuse can be understood as any act that contradicts the rights and welfare that Allah and His Messenger (SAW) have guaranteed to children. Hence, Child Abuse can be defined in Islamic law as "*Any deliberate or negligent act by a parent, guardian, or individual that causes physical, emotional, sexual, spiritual, or psychological harm to a child, or deprives them of the rights guaranteed under Shari'ah.*" This definition draws on the Qur'an, Sunnah, and legal maxims such as: "*La darar wa la dirar*" – "*There should be neither harm nor reciprocating harm.*"² It also relates to the higher objectives of Islamic law (*Maqāṣid al-Sharī'ah*), especially the preservation of Life (*nafs*), Lineage (*nasl*), Dignity (*ird*), Intellect (*aql*), Religion (*dīn*). Any violation of these objectives with regard to children is classified as a form of abuse. The concept of 'child abuse' is

¹Arias, Lleana, Leeb, Rabeca T, Melanson, Cindi, Paulozzi, Leonard J, Simon, Thomas R, and CO Authors: National Center for Injury Prevention and control (U.S), *Child Maltreatment Surveillance: Uniform Definitions for Public Health and Recommended Data Elements* (Version 1, Centers for Disease Control and Prevention 2008)<<https://stacts.cdc.gov/view/cdc/11493>> accessed 12th December 2025

²*Sunan Ibn Majah*, Hadith 2340<<https://sunnah.com/ibnmajah>> accessed 1st December

dynamic and socially constructed thus its meaning varies across cultures, societies and time. The World Health Organisation (WHO) defines child abuse and child maltreatment as "all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment 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."³ Section 3 of the US Child Abuse Prevention and Treatment Act (CAPTA) defines child abuse and neglect as "set of acts 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, or an act or failure to act, which presents an imminent risk of serious harm." Child abuse can occur in a child's home, or in the organizations, schools, or communities the child interacts with.⁴

3.0 Legal Basis of Prohibition of Child Abuse Under Islamic Law

Child abuse in Islamic law is not limited to physical harm; it encompasses any act or omission that violates the child's God-given dignity, rights, and holistic development. The Qur'an and Sunnah both set the foundation for a compassionate, just, and secure environment where children can thrive. Recognizing and acting against all forms of child abuse is not only a legal matter, but also a religious obligation. These abuses are condemned through both textual evidence and the underlying principles of Shari'ah, especially the *maqāṣid al-sharī'ah* (objectives of Islamic law), which include the protection of life, intellect, lineage, dignity, and religion.

³ World Health Organization, *Preventing Child Maltreatment: A Guide to Taking Action and Generating Evidence* (WHO 2006).

⁴ Ahmed Bello Dogarawa, 'Child Right and Abuse in Islamic Perspective' (12th Annual Ramadan Lecture, Kaduna) <https://www.academia.edu/resource/work/81416383> > accessed 11 December 2025

Islamic texts contain numerous references condemning actions that may now be legally classified as child abuse. Below are the major categories of child abuse as they apply to children under Islamic law:

3.1 Prohibition Against Killing or Abandonment

The right to life is the most fundamental right guaranteed to every human being in Islam, including children. The Qur'an categorically forbids the taking of innocent life and condemns the pre-Islamic practice of female infanticide, which was common in the period of Jahiliyyah. Allah says: "*And do not kill your children for fear of poverty. We provide for them and for you. Surely, the killing of them is a heinous sin.*"⁵ This verse affirms that poverty or fear of economic hardship is never a justification for harming or killing a child. Islam elevated the status of children and made the protection of their lives a divine command. The Qur'an also recognizes the life of the foetus, granting it protection within the womb, thus establishing the child's right to life even before birth.⁶ In the Shariah, the sanctity of a child's life is further reinforced through prohibitions against abortion (except in extreme circumstances such as a threat to the mother's life), child neglect, abandonment, and any form of violence that may endanger the child's survival or well-being⁷. Scholars emphasized that life is the first objective of Shari'ah and any act that intentionally harms or terminates life without just cause is haram (forbidden)⁸. The Prophet Muhammad (peace be upon him) consistently demonstrated compassion and gentleness toward

⁵*Qur'an* 17:31

⁶*Qur'an* 6:151

⁷Muhammad Fazl-Ur-Rahman Ansari, *The Qur'anic Foundations and Structures of Muslim Society*, vol 2 (Trade and Industry Publication LTD 1977) 181-186

⁸ Abdul Azeez ibn Abdullaah ibn Bazz, Muhammad ibn Saaleh al-Uthaimeen, Abdullaah ibn Abdur-Rahmaan ibn al-Jibreen, and Saaleh ibn Fawzaan al-Fawzaan, *Islamic Fataawa Regarding the Muslim Child* (Impeks Publishing 2001) 106-118

children. He warned against harshness, saying: “*Whoever is not merciful to the people, Allah will not be merciful to him.*”⁹ This narration not only reflects a moral obligation but serves as a legal principle in Islamic ethics: that mercy and protection are the basis of just treatment, especially toward the vulnerable. Modern interpretations of Islamic child protection align with contemporary human rights principles, such as those found in the United Nations Convention on the Rights of the Child (UNCRC)¹⁰. However, Islamic law predates such conventions and provides an even more spiritually binding framework, where violation of a child’s life and dignity is not only a social offense but a sin against Allah. In sum, the right to life and protection in Islam is a comprehensive concept that encompasses physical safety, psychological security, and spiritual sanctity. It begins with conception, continues throughout childhood, and is reinforced by both divine command and prophetic example. “*Do not kill your children out of poverty; We provide for you and for them.*”¹¹ The Prophet Muhammad (SAW) never struck a child or woman. It is narrated: “*I never saw the Messenger of Allah strike anyone with his hand; not a woman, not a servant, except in jihad for the sake of Allah.*”¹²

3.2 Protection against Illegitimate Lineage (Nasab)

One of the most critical rights guaranteed to the child under Islamic law is the right to legitimate lineage (*nasab*). This right safeguard the child’s identity, social status, legal recognition, and eligibility for inheritance. The shariah treats this right as sacred and inviolable, as it directly relates to the

⁹ *Sahih al-Bukhari*, Hadith 6013

¹⁰ *The Islamic Charter on Family* (IICWC 2007).

¹¹ *Qur'an* 6:151

¹² *Sahih Muslim*, Hadith 2328

preservation of family and social order, as one of the Maqāṣid al-Sharī‘ah (Higher Objectives of Islamic Law). Allah says in the Qur’ān:

*“Call them by (the names of) their fathers: that is more just in the sight of Allah.”*¹³

This verse highlights the importance of associating a child with his or her biological father, thereby protecting the child’s identity and preventing false attribution. The Prophet Muhammad (peace be upon him) also emphasized this in his Farewell Sermon when he said: *“The child belongs to the (marital) bed, and the adulterer gets nothing.”*¹⁴ This Hadith underscores the legal presumption that a child born within a lawful marriage is the child of the husband, thereby protecting the child’s right to a legitimate lineage.

3.2.1 Implications of the Right to Lineage (Legitimacy)

- a) Right to Family Identity: A legitimate lineage gives the child the name, tribe, and social recognition. In Islamic societies, *nasab* determines one’s place in the family, clan, and community, matters that affect marriage eligibility, inheritance, and social status.
- b) Right to Inheritance and Support: A child has no legal right to inherit or receive financial support, including maintenance from someone unless a clear legal lineage is established. The Qur’ān (4:11) allocates specific shares of inheritance to children, making it essential to determine parentage accurately.
- c) Protection Against Illegitimacy and Abandonment: Islam prohibits zina (unlawful sexual relations) and discourages situations that may result in disputed paternity or illegitimacy, which can deny the child

¹³Qur’ān 33:5

¹⁴Sahih al-Bukhari, Hadith 6749

these essential rights. Children born from illicit unions are not to be blamed or punished, but the sin and legal consequences rest with the adults involved.

d) Prohibition of Adoption that Erases Lineage: While Islam encourages fostering and caring for orphans, it forbids legal adoption that changes the child's *nasab*. The child must retain his or her biological identity to preserve the right to lineage and avoid complications in inheritance or marriage¹⁵. Therefore right to legitimate lineage in Islam is both a legal entitlement and a moral shield that protects the child's identity, dignity, and social rights. It is a right that ties the child to the family and, by extension, to the community and the wider ummah. Tampering with or denying this right is seen as a grave injustice and a violation of one of Islam's foundational principles regarding human dignity and legal right.¹⁶

3.3 Protection against Lack of Maintenance, Care and Compassion

Islamic law gives children the unquestionable right to care, physical nourishment, emotional warmth, and financial maintenance. These responsibilities fall primarily upon the parents, particularly the father as the financial guardian and the mother as the natural caregiver during early childhood. This right begins at birth and extends through the various stages of a child's development, ensuring that all basic and emotional needs are met. The father has the legal obligation under Islamic law to provide for the children: Food, Clothing, Shelter, Medical care, and Basic education. This duty continues even in cases of divorce, and the financial responsibility cannot be evaded unless the father is proven incapable. The Prophet (peace

¹⁵ *Qur'an* 33:4–5

¹⁶ Aisha Hamdan, *Nurturing Eeman in Children* (IIPH 2009) 50-58

be upon him) said: “*It is sufficient sin for a person to neglect those he is responsible for*”¹⁷. The four major *madhahib* (schools of law) unanimously agree that maintenance is obligatory upon the father, and it may be enforced by an Islamic judge or court (qadi) if the father fails to comply. The Maliki School, for instance, allows a mother to claim maintenance on behalf of her child in a court of law.¹⁸ Islamic law emphasizes not only feeding and clothing but also emotional care and protection. The Prophet Muhammad (peace be upon him) often demonstrated affectionate interaction with children. He kissed, embraced, and spoke gently to them. A famous narration states: “*A man saw the Prophet kissing his grandchild and said, 'I have ten children, but I have never kissed one of them.' The Prophet replied, 'He who does not show mercy will not be shown mercy.'*”¹⁹ This Hadith reveals the prophetic model of parenting rooted in compassion, countering cultural attitudes that equate love with weakness. Moreover, neglect of a child’s physical or emotional needs may amount to abuse in Islamic ethics, as it violates the trust placed upon guardians and disrupts the healthy development of the child. In essences, Islamic teachings on childcare and maintenance can be incorporated into Muslim family laws, especially in settings where poverty, divorce, or displacement puts children at risk. Government and religious institutions can establish waqf (endowments) and zakat allocations specifically for children’s health, nutrition, and education, drawing from classical Islamic models of social justice. The right to care, breastfeeding, and maintenance is both a divine command and a social necessity in Islam. By assigning distinct roles to

¹⁷ *Sunan Abi Dawud*, Hadith 1692

¹⁸ Muhmed Lawal Omar, *Divorce Child Custody and Maintenance under the Shari'a Law* (Being a Paper Presented at the Induction Course for Newly Appointed Judges of the Lower Courts Organized by the National Judicial Institute on 20th – 24th May, 2024) 1-44

¹⁹ *Sahih al-Bukhari*, Hadith 5997

each parent and encouraging compassion, Islamic law ensures that every child receives a nurturing, stable, and dignified start to life²⁰. Violating this right is not only a breach of social ethics but a serious spiritual failing in the sight of Allah.

3.4 Protection against the Corruption of the Child's Intellect and Illiteracy

Education and moral upbringing, known in Islamic tradition as *Tarbiyah*, are among the most essential rights of a child. In Islam, *Tarbiyah* is not limited to formal instruction but includes a comprehensive development of the child's character, intellect, spirituality, training for livelihood, and workmanship. The purpose of *Tarbiyah* is to raise righteous, responsible individuals who live with awareness of Allah (*Taqwa*), uphold justice, and contribute positively to society. Thus, based on Qur'anic and Prophetic foundations, the Qur'an opens with the divine act of teaching: "*He taught man what he did not know*²¹." This verse affirms that education is an act of divine mercy, and by extension, children are to be taught what will benefit them both in this life and the Hereafter. The Prophet Muhammad (peace be upon him) emphasized this right through his own practice and instruction: "*There is no gift that a parent gives to his child more virtuous than a good education*²²." He also instructed: "*Command your children to pray when they are seven years old and discipline them if they do not pray by the age of ten.*"²³ This hadith illustrates the gradual, developmental approach Islam recommends for moral training. Therefore, it's incumbent to protect

²⁰ Sayid Mujtaba Rukni Musawi Lari, *Western Civilization through Muslim Eyes* (F.J Goulding tr, Ansariyah Publications 1977) 47-48

²¹ *Qur'an* 96:5

²² *Sunan al-Tirmidhi*, Hadith 1952

²³ *Sunan Abi Dawud*, Hadith 495

child's spiritual and religious growth, character development (Akhlaq), intellectual and critical thinking, life skills and social training. Therefore, part of the consequences of negligence and corruption of child's intellect and moral upbringing is considered a form of abuse and betrayal in Islamic ethics. The Prophet warned: "*Every one of you is a shepherd, and every one of you is responsible for his flock.*"²⁴ Failure to educate a child not only undermines their future but disrupts the moral health of society. Ignorance, corruption, and crime often stem from poor upbringing. Islamic scholars such as Ibn Qayyim al-Jawziyyah asserted that improper *Tarbiyah* leads to social decay and spiritual ruin.²⁵

3.5 Protection Against Negative Name and Labelling

In Islamic law, the right to a good name and identity is considered an essential aspect of a child's dignity and moral development. A name is not just a label; it reflects a child's lineage, religious identity, and social belonging. Islam places great importance on naming a child properly, as names can influence a child's self-esteem, values, and societal perception. Allah mentions the importance of identity in the Qur'an: "*O mankind! We created you from a male and a female and made you into nations and tribes so that you may know one another.*"²⁶ This verse underscores the divine wisdom behind human diversity and individual identity, which begins with the name and lineage. Every child has the right to a personal identity that distinguishes him or her and is rooted in truth and dignity. The Prophet Muhammad (peace be upon him) strongly encouraged parents to choose meaningful and virtuous names. He is reported to have said: "*Indeed, you*

²⁴ *Sahih al-Bukhari*, Hadith 893

²⁵ Ibn Qayyim al-Jawziyyah, *Tuhfat al-Mawdud bi-Ahkam al-Mawlid* (Dar al-Kutub al-Ilmiyyah 1996) 229-231.

²⁶ *Qur'an* 49:13

*shall be called on the Day of Resurrection by your names and your fathers' names, so give yourselves good names.*²⁷ In another narration, the Prophet changed names that had bad or negative meanings. For instance, he changed a man's name from *Harb* (war) to *Salam* (peace) and another from *Asiyah* (disobedient) to *Jamilah* (beautiful) (Sahih Muslim).²⁸ The name forms the basis of legal identity, used in birth certificates, inheritance documents, legal contracts, and social recognition. An incorrect name, name suppression, or naming a child after someone who is not their real parent is considered a major sin and legal injustice in Islam (as emphasized in Qur'an 33:4–5). Furthermore, a name contributes to the child's psychological development and sense of belonging. Being named after virtuous figures may inspire the child to emulate their qualities. Conversely, degrading or mocking names can harm a child's confidence and may amount to emotional abuse if done intentionally.²⁹

3.6 Prohibition Against Injustice and Lack of Fairness Among Siblings

Islam firmly upholds the right of children to be treated with fairness, compassion, and equality. This principle applies across gender, birth order, temperament, and personal preferences. Islamic teachings emphasize that favouritism or unjust treatment among children, whether in gifts, affection, inheritance, or attention, is ethically blameworthy and can lead to long-lasting emotional harm, resentment, and family discord. The Prophet Muhammad (peace be upon him) strongly discouraged unequal treatment of children. A well-known narration illustrates this:

²⁷ *Sunan Abi Dawud*, Hadith 4948

²⁸ Juwairiyya Bint Badamasuiy, *Protection of the Right of the Children in Northern Nigeria* (Ahmadu Bello University Press Limited 2015) 106

²⁹ *Ibid*, 104

Narrated al-Nu‘man ibn Bashir: “*My father gave me a gift, but my mother Amrah bint Rawahah said: ‘I will not be satisfied until you ask the Messenger of Allah (SAW) to bear witness.’ So he went to the Prophet and said, ‘I gave a gift to my son from Amrah bint Rawahah, and she told me to ask you to bear witness.’ He (the Prophet) said, ‘Have you given the like of it to all your children?’ He said, ‘No.’ The Prophet then said, ‘Fear Allah and treat your children justly.’ So he returned and took back the gift*”³⁰. This narration explicitly establishes that justice and fairness among children is a religious obligation, and failure to uphold it may result in spiritual accountability. Therefore, Parents are advised to avoid preferring one child over another in gifts, property, or privileges. Moreover favoritism unequal treatment can lead to: Sibling rivalry and long-term family conflict, Emotional trauma and self-esteem issues for neglected children, Social injustice where female children or stepchildren are systemically disadvantaged. The right to equality and fair treatment in Islam is a reflection of divine justice (*adl*) applied within the family unit. Upholding these right nurtures balanced, confident, and emotionally secure children. Unequal treatment, whether subtle or overt, is prohibited by the Sunnah and is a source of spiritual, ethical, and familial breakdown. A parent’s justice is not only a family matter, it is a matter of faith and accountability before Allah.

3.7 Other Components of Child Abuse under Islamic Law

These include:

- a) Physical Abuse: Hitting, injuring, or harshly disciplining a child beyond what is reasonable and compassionate.

³⁰ *Sahih al-Bukhari*, Hadith 2587; *Sahih Muslim*, Hadith 1623

- b) Psychological Injuries and Abuse: Insults, humiliation, neglect, favoritism, constant criticism, or rejection. Frequent yelling, comparison, public shaming, and sarcastic remarks can damage a child's sense of worth including being with unneighborly neighbors. Such behaviour, if habitual, contradicts the Prophetic model and is considered a form of psychological violence.³¹
- c) Lack of Familial Group and Parental care: Failing to provide food, shelter, medical care, or love and deliberate neglect is one of the most dangerous and yet most overlooked forms of child abuse. In Islam, parenting is a duty of accountability before Allah. The Prophet (SAW) said: "*Each of you is a shepherd, and each of you is responsible for his flock*³²..." Failing in these duties can constitute moral sin and legal injustice, especially if the child suffers.
- d) Sexual Abuse: Any form of molestation or exploitation is a grave offence. Islamic law prescribes severe punishments for zina, molestation, or exploitation of minors.
- e) Child Labor and Exploitation: Overworking or endangering children in labor tasks beyond their ability or at the cost of their education and well-being.³³

³¹ Che Hasniza Che Noh and Wan Izatul Asma Wan Talaat , 'Verbal Abuse on Children: Does it Amount to Child Abuse under the Malaysian Law?' (2012) Asian Social Science; see also MRML Sayid, *Western Civilization through Muslim Eyes* (Ansariyah Publications 1977) 47-48 <<https://www.academia.edu/resource/work/67321302>> accessed 11th December 2025.

³² *Sahih al-Bukhari*, Hadith 893

³³ Lubabatu Bello Dankadai, 'An Appraisal of Children's Right and Child Domestic Servants under Childs Rights Act 2003' (2015) 2(3) Advances in Social Sciences Research Journal <<https://www.academia.edu/resource/work/49588114>> accessed 9th December 2025

4.1 Islamic Legal Mechanisms and Punishment for Child Abuse

In Islamic jurisprudence, parents and guardians are legally and morally accountable for their treatment of children. Abuse, neglect, and moral corruption fall under breach of this obligation.

Prophetic Emphasis: “*Each of you is a shepherd, and each of you is responsible for his flock*³⁴...”

A parent who abuses or neglects a child betrays this trust (*amānah*) and may be subject to both religious blame and legal intervention.

4.2 Role of the Qadi (Islamic Judge)

In classical Islamic legal systems, the Qadi plays a crucial role in protecting children’s rights. The judge acts as the guardian of justice and public welfare (*Hisbah*).

Responsibilities of the Qadi include:

- i. Hearing complaints related to child abuse, neglect, or denial of rights.
- ii. Enforcing maintenance (*nafaqah*) for children from negligent fathers.
- iii. Revoking guardianship (*wilayah*) from abusive parents or custodians.
- iv. Appointing alternative guardians in the best interest of the child.
- v. Ensuring inheritance and property rights for orphaned or estranged children.

In some Islamic legal texts, such as Ibn Qudamah’s *al-Mughni* and al-Mawardi’s *al-Ahkam al-Sultaniyyah*, judges are empowered to intervene in family matters when harm is suspected.

³⁴ *Sahih al-Bukhari*, Hadith 893

4.3 Islamic Punishments for Abuse and Neglect

Islam prescribes *tazir* (discretionary punishments) for most child abuse cases, since they do not fall under the fixed (*hadd*) categories unless the abuse includes:

- i. Zina or sexual molestation (subject to *hadd* or *tazir*, depending on proof)
- ii. Murder or physical maiming (subject to *qisas* or *diyah*)

The Qadi or Islamic authority determines the punishment based on:

- i. Severity of abuse
- ii. Status and age of the victim
- iii. Evidence and community impact

4.4 Modern Islamic Jurisprudence and Child Protection Laws

Contemporary Muslim-majority countries have integrated Islamic child protection principles into national law. For example:

- i. Saudi Arabia: Child Protection Law (2014) based on Islamic legal values.
- ii. Malaysia: Islamic Family Law Act includes provisions for child custody and abuse prevention.
- iii. Nigeria: In states applying Shari'ah law (e.g., Kano, Zamfara), Islamic family courts address child welfare, including maintenance and abuse cases.

Organizations such as the Islamic Fiqh Academy and International Islamic Relief bodies advocate for stronger Islamic child protection frameworks rooted in Shari'ah, ethics, and human rights. Islamic law does not merely condemn child abuse, it provides comprehensive, institutional responses through parental accountability, judicial oversight, and community-based care. These mechanisms are grounded in divine justice,

prophetic compassion, and historical practice. Reviving and adapting these frameworks in modern contexts is essential for protecting children and fulfilling the Islamic duty of *amānah* (trust) and *'adl* (justice).

5. Findings and Recommendations in Addressing Child Abuse in Muslim Societies

Despite Islam's clear position on the protection and dignity of children, the reality in many Muslim societies reveals gaps between principles and practice. Cultural practices, legal limitations, poverty, ignorance, and institutional weaknesses continue to hinder effective protection of children against abuse. This section explores these challenges and offers faith-based and practical recommendations to enhance child welfare in line with Islamic teachings

.

5.1 Major Challenges

a) Cultural Norms and Misinterpretation of Islam

- i. In many communities, harmful cultural traditions, such as child marriage, corporal punishment, and gender-based favoritism, are wrongly justified in the name of Islam.
- ii. Misinterpretations of religious texts are sometimes used to suppress women and children's rights, even though Islamic law strictly protects them.
- iii. Silence around sexual abuse remains widespread due to shame or fear, often leaving victims without justice or support.

b) Lack of Legal Enforcement and Reporting Mechanisms

- i. In some Muslim-majority countries or regions, child protection laws are weak, outdated, or not enforced effectively.
- ii. Victims and their families often do not report abuse due to fear of retaliation, family honour, or distrust in authorities.

iii. Islamic legal remedies (like removing custody from abusive parents) are rarely applied due to administrative bottlenecks or lack of awareness.

c) Poverty and Economic Dependency

- i. In low-income communities, economic hardship often leads to child labor, neglect, or abandonment.
- ii. Parents may withdraw children from school to work or marry them off early due to financial pressure.
- iii. This undermines the child's right to education, emotional safety, and healthy development, clearly contrary to Islamic teachings.

d) Inadequate Religious and Legal Literacy

- i. Many caregivers and religious leaders lack proper understanding of Islamic rulings on child welfare and abuse.
- ii. Some mistakenly believe that discipline must be harsh to be effective.
- iii. Others are unaware that neglect, emotional cruelty, or unjust treatment constitute sinful behaviour under Islamic law.

5.2 Faith-Based and Practical Recommendations

a) Strengthen Islamic Education on Child Rights

- i. Integrate child protection topics into Islamic studies curricula, both in formal schools and Qur'anic learning centers (*madrasa*).
- ii. Train imams, scholars, and community leaders on authentic Prophetic teachings regarding mercy, justice, and childcare.
- iii. Use Friday sermons (khutbahs) to raise awareness about child rights and the sinfulness of abuse.

b) Reform and Enforce Legal Systems

- i. Governments in Muslim societies should align national child protection laws with Shari'ah principles and international

standards, ensuring: Clear definitions of abuse; Mandatory reporting laws; Judicial remedies for victims

- ii. Shari'ah family courts should be empowered to remove children from abusive homes when necessary and assign alternate guardianship.

c) Promote Community-Based Support Systems

- i. Establish Islamic counselling centres, safe houses, and child welfare organizations with trained professionals to assist abused children.
- ii. Encourage the revival of Waqf (Islamic endowments) to fund schools, orphanages, and therapy services for affected children.
- iii. Mobilize women's groups, youth groups, and civil society to monitor and prevent child abuse locally.

d) Leverage Media and Technology for Awareness

- i. Use radio, television, social media, and mobile apps to educate the public on Islamic teachings about child protection.
- ii. Share short videos, posters, and info graphics quoting hadiths and Qur'anic verses to counter harmful practices.
- iii. Launch campaigns encouraging people to "Speak Up for Children" using an Islamic ethical lens.

e) Address Root Causes like Poverty and Illiteracy

- i. Invest in poverty alleviation programs, vocational training, and economic empowerment of families, especially single mothers and widows.
- ii. Provide free or subsidized education and healthcare for children at risk of neglect or exploitation.
- iii. Encourage Islamic NGOs and Zakat bodies to direct funds towards vulnerable children and survivors of abuse.

Muslim societies face significant challenges in translating Islamic child protection principles into practice. However, the rich ethical and legal legacy of Islam offers a powerful framework to combat child abuse if implemented properly. Through education, law reform, community action, and economic justice, we can fulfill our obligation as an ummah to protect the most vulnerable members of our society. Upholding the rights of children is not just a legal or social duty, it is a sacred trust from Allah.

6. Conclusion and Recommendations

6.1 Conclusion

The Islamic perspective on child protection and abuse is both profound and comprehensive. Rooted in the Qur'an, Sunnah, and classical Islamic jurisprudence, it establishes children as individuals with inherent dignity, rights, and responsibilities. Islam commands parents, guardians, and society at large to nurture, educate, protect, and treat children with mercy and justice.

The rights of the child in Islam, such as the right to life, lineage, name, maintenance, education, affection, and fair treatment are not optional privileges but divinely mandated obligations. Violating these rights, whether through neglect, physical harm, emotional abuse, or exploitation, is a serious offence in the sight of Allah and may warrant both legal and moral consequences.

While Islamic law provides mechanisms to address abuse, through judicial oversight, parental accountability, and community safeguards modern challenges persist. Cultural misinterpretations, weak enforcement, poverty, and ignorance continue to endanger millions of children in Muslim societies today. These issues must be addressed not only by legal reforms but also

through a revival of the Prophetic model of mercy (*rahmah*), justice ('*adl*), and trust (*amānah*) in raising children.

6.2 Recommendations

Based on the Islamic teachings and contemporary realities examined in this paper, the following are key recommendations:

- a) Strengthen Islamic Awareness on Child Rights**
 - i. Encourage scholars, preachers, and educators to speak openly about child rights and abuse using Islamic sources.
 - ii. Develop faith-based parenting guides, school curricula, and training programs rooted in the Qur'an and Sunnah.
- b) Reform Legal and Institutional Frameworks**
 - i. Align national laws with Islamic principles that guarantee child safety, dignity, and justice.
 - ii. Establish or strengthen Islamic family courts and child protection units with authority to remove children from abusive homes and punish perpetrators.
- c) Promote Community Involvement**
 - i. Empower mosques, Islamic centres, and community groups to create safe spaces for children and report abuse.
 - ii. Encourage Muslim NGOs to fund shelters, counselling services, and rehabilitation for abused children.
- d) Address Socio-economic Drivers of Abuse**
 - i. Mobilize Zakat, Waqf, and other Islamic funds to support vulnerable families and prevent abuse born out of poverty.
 - ii. Ensure access to quality education, healthcare, and psychological support for all children, especially orphans and those in conflict zones.
- e) Encourage International and Interfaith Collaboration**

- i. Partner with international human rights organizations and faith-based initiatives to share best practices and advocate for universal protection of children, grounded in Islamic values.

AJLR (2025) Vol. 3, No. 2