**What Islam Says About Children**

**(part 1 of 5): God Guarantees the Rights of Children**



Islam is a religion revealed by God for all people, in all places, at all times.  As such, Islam is accessible to everybody and is particularly mindful of the importance of respect, rights, and responsibilities.  The words of the Quran and the authentic traditions of Prophet Muhammad, may the mercy and blessings of God be upon him, contain the rights and responsibilities granted by God to humankind.  They are not subject to the whims and desires of men or women therefore they do not change.  These unique rights mentioned in Islam also include the rights of children.  Children’s rights are not guaranteed by the actions of their parents, their communities, or even their governments.  God Himself guarantees children’s rights.

Islam establishes a legal framework, and embodies a code of ethics, designed to protect the rights of an individual including his or her right to live in a secure society.  For children, security is of the upmost importance.  The rights of a child begin even before birth; in fact they begin before conception. The Quran and the authentic traditions of Prophet Muhammad make it clear that two people should not enter into a marriage carelessly.  A great deal of thought and preparation is necessary before man and woman commit to each other and to the family that may result from their union.  Prophet Muhammad was heard to say, **“A woman may be married for four reasons: her wealth, her lineage, her beauty, and her religious commitment.  Marry the one who is religiously committed.”**

If a man and a woman have both dedicated their lives to worshipping and pleasing their Creator then the rights of any children they may have are automatically guaranteed.  Worshipping God means obeying His commandments and His commandments include securing the rights of the child.  By marrying rather than having an illicit relationship the couple has already begun to secure the rights of their future children.  A child has the right to know and understand his or her lineage.

Once a child is conceived, it has the right to life.  The Quran makes it very clear that all life is sacred.  It is never permissible to terminate a pregnancy because one fears being unable to financially support a child or another child.  It is God, who is the Provider and Sustainer of all life.

**“...kill not your children because of poverty - We provide sustenance for you and for them”. (Quran 6:151)**

When making a decision to terminate a pregnancy it is important to remember that having a child is a blessing from God and all such blessings should be accepted with joy and gratitude.  There are many people in the world today who are not able to have children, therefore when God blesses a family with one, it should be a cause for celebration and happiness.  However, children are not toys or possessions.  With them comes great responsibility.

The Quran and the authentic traditions of Prophet Muhammad, may the mercy and blessings of God be upon him, speak clearly about the responsibility that comes with raising a child.  It is an obligation upon the believers to raise and care for children by bringing them up as moral, righteous human beings.  Secure in the knowledge that they are valued members of the human race, and their particular families.  Neglecting this duty could potentially lead a person away from the path of righteousness and away from God.

**“O you who believe!  Ward off yourselves and your families against a Fire (Hell) whose fuel is men and stones, over which are (appointed) angels stern (and) severe, who disobey not, (from executing) the Commands they receive from God, but do that which they are commanded” (Quran 66:6)**

Prophet Muhammad said, **“Each of you is a shepherd and each of you is responsible for his flock.  The ruler is a shepherd and is responsible for his flock.  A man is the shepherd of his family and is responsible for his flock.  A woman is the shepherd of her husband’s household and is responsible for her flock”**.[[1]](http://www.islamreligion.com/articles/3584/" \l "_ftn21564" \o )

Caring for and raising children in the proper manner is a duty on parents and it is not always easy.  In fact, God reminds us in the Quran that children may even be a great trial for their parents.  The triumphs and tribulations of life are a test and children are no exception.  They can bring great joy and at times they can bring great sadness as well.  God in His infinite wisdom never leaves a human being alone and unable to face all of life’s trials.

**“Your wealth and your children are only a trial, whereas God, with Him is a great reward (Paradise).” (Quran 64:15)**

Following the teachings of Islam enables a believer to face all life events including the trials the tribulations and the triumphs.  The correct Islamic advice for raising and rearing children covers all aspects of life.  Just like Islam itself, it is holistic advice.  Physical, emotional, and spiritual wellbeing are all of equal importance.  It is interesting to note that Islam has always covered the rights of children. The Islamic view of childhood states that it is a unique period in an individual’s life.[[2]](http://www.islamreligion.com/articles/3584/" \l "_ftn21565" \o )  This is in sharp contrast to western/European ideology where the concept of childhood was not addressed until the 16th century.[[3]](http://www.islamreligion.com/articles/3584/" \l "_ftn21566" \o )  It is not that the west did not have children or young people but rather they considered them to be small adults with the same needs and wants as adults.

Throughout Islamic history and in Islamic literature the rights and responsibilities pertaining to children are clear cut.  Parents, families, and communities have certain responsibilities towards children.  Many of them are obligatory, and on the Day of Judgement, God will question adults about the treatment of their children.

The late Islamic scholar, Sheikh Uthaimeen, may God have mercy on him, described children as a trust given to parents by God.  He also said that children are to be well fed, well-groomed, properly dressed for seasons and appearance.  Children are entitled to education, religious learning, and spiritual guidance.  Their hearts must be filled with faith and their minds entertained with proper guidance, knowledge, and wisdom.  With that in mind, the following series articles will guide us through child care in Islam.

**Footnotes:**

[[1]](http://www.islamreligion.com/articles/3584/" \l "_ftnref21564" \o "Back to the refrence of this footnote) Saheeh Bukhari & Muslim

[[2]](http://www.islamreligion.com/articles/3584/" \l "_ftnref21565" \o "Back to the refrence of this footnote) Gil’adi.  A  1992, *Children of Islam: concepts of childhood in medieval Muslim society*, Macmillan, Oxford.

[[3]](http://www.islamreligion.com/articles/3584/" \l "_ftnref21566" \o "Back to the refrence of this footnote) Aries, P 1962, *Centuries of childhood*, Vintage Books, New York.

# (part 2 of 5): Children are Blessings not Possessions

Islam is a holistic religion that covers all aspects of life.  Spiritual, emotional and physical needs are all dealt with equally, one is not more important than the other.  In fact, for a person to be spiritually healthy one’s emotional and physical needs must be taken care of.  This is not restricted to adults; the rights and the needs of children are of paramount importance.  As we discovered in the previous article children’s rights come into play even before conception.

When man and woman make the decision to marry and start a family they are securing their future children’s rights.  Prophet Muhammad, may the mercy and blessings of God be upon him, advised his companions and all believers to make the following supplication to God before having sexual intercourse.

**“I begin with the Name of God!  O God! Protect me from Satan and protect what You bestow upon us (our offspring) from Satan.”****[[1]](http://www.islamreligion.com/articles/3588/" \l "_ftn21411" \o )**

Once a child is conceived it is important to remember that this is a trust from God. Although the child is most certainly a blessing, it is not a possession.  He or she has God given rights that must be fulfilled. Throughout the pregnancy, the expectant parents must take care to prepare for the new arrival.  The mother must take care of herself by eating the correct food, getting the required amount of rest, and seeking medical aid when needed.  Preparing for birth also includes remembering God and seeking His aid.

**“O my Lord! Grant me from You, a good offspring. You are indeed the All-Hearer of invocation.” (Quran 3:38)**

**“It is He Who has created you from a single person (Adam), and (then) He has created from him his wife Eve, in order that he might enjoy the pleasure of living with her. When he had sexual relations with her, she became pregnant and she carried it about lightly. Then when it became heavy, they both invoked their Lord (saying), “If You give us a child, good in every aspect, we shall indeed be among the grateful.”  (Quran 7:189)**

**“Our Lord! Bestow on us from our wives and our offspring the comfort of our eyes, and make us leaders of the pious.” (Quran 25: 74)**

Muslims believe all children are born submitting to God, this means they are born innately inclined to love and worship God alone.  In his traditions, Prophet Muhammad, may the mercy and blessings of God be upon him, made this very clear.  He said that no child is born except on his true nature (Islam) and that his parents may choose to give him/her a different religion other than submission to One God.[[2]](http://www.islamreligion.com/articles/3588/" \l "_ftn21412" \o )

When a child is born it is a cause for much happiness and celebration.  In Islam there is no preference for either a male or female child.  Quran says that both the male and the female were created from a single person (Adam) and that are equal except in terms of piety and righteousness.

**“And God said, ‘Oh humankind!  Be dutiful to your Lord, Who created you from a single person (Adam) and from Him (Adam) He created his wife (Eve), and from them both He created many men and women.” (Quran 4:1)**

Islam was revealed at a time when the Arabs practiced infanticide and would often bury their female babies alive. This was an ignorant practice and Prophet Muhammad stated categorically that female children are a blessing and that raising them to be righteous believers is a source of great reward.

**“And when the news of (the birth of) a female (child) is brought to any of them, his face becomes dark, and he is filled with inward grief! He hides himself from the people because of the evil of that whereof he has been informed. Shall he keep her with dishonour or bury her in the earth? Certainly, evil is their decision.” (Quran 16:58 & 59)**

 We have also learned much about the Islamic view of children from Prophet Muhammad’s beloved wife Aisha.  Traditions narrated by her show clearly that male children should not be preferred over female children and that raising daughters is a source of great reward.

**A lady along with her two daughters came to me (Aisha)  asking for some alms, but she found nothing with me except one date which I gave to her and she divided it between her two daughters, and did not eat anything herself, and then she got up and went away. Then the Prophet came in and I informed him about this story. He said, “Whoever is put to trial by having to raise daughters and he treats them generously (with benevolence) then these daughters will act as a shield for him from Hell-Fire.”****[[3]](http://www.islamreligion.com/articles/3588/" \l "_ftn21413" \o )**

**“Whenever a child was born among them, Aisha would not ask if it were a boy or a girl.  Instead she would ask, ‘Is the child healthy (and without defect)?’ If she was told, ‘Yes,’ she would say, All praise is for Allah, Lord of All the Worlds.’**

When the great day arrives, a new life joins the imperfect world.  He is placed into the hands of his parents and becomes entitled to even more rights.  Islam sets out very clearly that there are ways of welcoming and dealing with infants and children.  They are entitled to have their physical and emotional needs met and they are entitled to being taught how to worship, love and maintain a connection to God.

Parents, extended families, guardians and the Muslim community at large have been given a trust, a tiny life completely dependent upon its caregivers for protection and care.  For  many children the world is immersed in terror.  Hunger, pain, suffering, torture, sexual abuse, and other horrors are the realities of life.  When their small attempts to reach for comfort are rejected or their cries are silenced God is watching, and angels are recording.

In part 3 we will discuss the manners of welcoming a newborn child into the world and Islam.

**Footnotes:**

[[1]](http://www.islamreligion.com/articles/3588/" \l "_ftnref21411" \o "Back to the refrence of this footnote) *Saheeh Al-Bukhari*

[[2]](http://www.islamreligion.com/articles/3588/" \l "_ftnref21412" \o "Back to the refrence of this footnote) *Saheeh Al-Bukhari,* *Saheeh Muslim*

[[3]](http://www.islamreligion.com/articles/3588/" \l "_ftnref21413" \o "Back to the refrence of this footnote)Narrated by Aisha from *Saheeh Al-Bukhari*

**(part 3 of 5): Welcoming the Newborn**

One of the most important obligations in Islam is for parents to love and nurture their children.  Children have the right to be protected, and the right to learn how to worship and obey God.  As previously discussed children’s rights come into play even before their conception and birth and God warns humankind to protect themselves and their families from the torment of the fire.

**“O you who believe! Ward off yourselves and your families against a Fire (Hell) …” (Quran 66:6)**

The birth of a child, male or female, is a cause for great celebration.  In Islam there is certain etiquette involved in welcoming the child into the family and community.  There are a number of  recommended rituals from the authentic traditions of Prophet Muhammad, may the mercy and blessings of God be upon him, that are to be done that ensure the newborn is received properly by the Muslim society.  However, the absence of any or all of these recommended actions does not negate any children’s rights in Islam.

It is recommended that the parents or caregivers do *tahneek* and pray for the newborn child.  *Tahneek* means putting something sweet such as dates or honey into the child’s mouth.  One of Prophet Muhammad’s companions, Abu Musa, may God be pleased with him, said, “I had a baby boy and I brought him to the Prophet.  He named him Ibrahem, did *tahneek* with a date and prayed for God to bless him, then he gave him back to me.”[[1]](http://www.islamreligion.com/articles/3623/" \l "_ftn21587" \o )

Noted Islamic scholar Imam an Nawawi said that it is recommended to do*tahneek* with dates for the child when he is born; if that is not possible then to use some similar kind of sweet. The date should be chewed until it becomes soft enough for the baby to suck on it with ease.

The words of the call to prayer are often recited softly into the new born baby’s right ear soon after birth.  The first thing the child hears in this world, are the words of submission to One God.  It was reported that one of Prophet Muhammad’s companions saw him say the call to prayer in the right ear of one of his newborn grandsons.[[2]](http://www.islamreligion.com/articles/3623/" \l "_ftn21588" \o )  The newborn child is entitled to a good name.  Names are important; a person’s name conveys meaning and becomes a symbol of that person.  It is recommended that the child be named on the seventh day after his or her birth, however Islamic scholar Ibn al Qayyim said the matter was “wide in scope” and that it was permissible to name the child after birth,  or on the seventh day or at any time before or after those days.[[3]](http://www.islamreligion.com/articles/3623/" \l "_ftn21589" \o )

 It is usual for the father to name the child however scholars recommend that parents choose the name together.  More important is that the child should be given a good name, such as ‘*Abd-Allah or ‘Abd al-Rahmaan*. Prophet Muhammad, may the mercy and blessings of God be upon him, said  “The most beloved of your names to God are ‘Abd-Allaah (slave of God) and ‘Abd al-Rahmaan. (slave of the Most Merciful)”[[4]](http://www.islamreligion.com/articles/3623/" \l "_ftn21590" \o )  It is also recommended that the child be named after Prophets, or righteous predecessors.  Prophet Muhammad named his own son Ibrahim after Prophet Ibrahim.  He said,  **“A child was born to me last night and I called him by the name of my father Ibrahim.”**[[5]](http://www.islamreligion.com/articles/3623/" \l "_ftn21591" \o )

It is forbidden to use names that belong only to God, such as al-Khaaliq (the Creator) and al-Quddoos (the Most Holy), or names which are not befitting for anyone other than God, such as Malik al-Mulook (King of Kings).  It is also forbidden to use names that imply enslavement to any one or anything but God, such as ‘Abd al-‘Uzza (slave of al-Uzza – a pagan goddess), Abd al-Kabah (slave of the Kabah), Abd al-Daar (slave of the House).

It is disliked  to use names that have bad or distasteful meanings, or which sound odd, or would cause others to mock a person, or cause him embarrassment.  It is also better not to use names that are associated with sinners or tyrants.  Some scholars also dislike naming children after angels or the names of chapters of Quran. Names have meanings and implied meanings and these meanings will have an effect on the child for good or for bad.  Parents must take great care when choosing an appropriate name for their newborn child.

In Islam it is recommended that parents observe the birth of a child with an offering known as the *aqeeqah*. When a child is born it is commonplace for the family toslaughter one or two sheep and to invite relatives and neighbours to a meal, in order to allow the community to share in the happy event.

 Although an *aqeeqah* is not obligatory it does contain many benefits.  Ibn al-Qayyim, said that the *aqeeqah* is a sacrifice by means of which the child is brought close to God soon after he comes into this world, it is a sacrifice by which the newborn is ransomed just as God ransomed Ismael with the ram[[6]](http://www.islamreligion.com/articles/3623/" \l "_ftn21592" \o )  and it is the gathering of relatives and friends for the *Waleemah* (feast).

One of the rituals pertaining to newborn children and part of the rights due to children is circumcision. It is obligatory for baby boys to be circumcised.  Prophet Muhammad, may the mercy and blessings of God be upon him, said that five things are part of the inherent nature of people.  They are circumcision, shaving the pubic hair, plucking the armpit hair, cutting the nails, and trimming the moustache.[[7]](http://www.islamreligion.com/articles/3623/" \l "_ftn21593" \o )  These things are related to purity and essential conditions of prayer and imply complete submission to the will of God.

It is from the authentic traditions of Prophet Muhammad that the new born child’s hair be shaved and that the weight of the hair be given in gold or silver to charity[[8]](http://www.islamreligion.com/articles/3623/" \l "_ftn21594" \o ).  It is sufficient to estimate the weight and give the equivalent  amount in currency.

Welcoming the newborn child into the family and community is more than a celebration; the rights and rituals performed serve to remind believers that children in Islam have rights.  Whether the parents are alive or deceased, present or absent, known or unknown the child is entitled to be cared for and raised in security, surrounded by God’s love and laws.  Next week we will discover and explore the rights of children as they grow into adulthood.

**Footnotes:**

[[1]](http://www.islamreligion.com/articles/3623/" \l "_ftnref21587" \o "Back to the refrence of this footnote) *Saheeh Al-Bukhari, Saheeh Muslim*

[[2]](http://www.islamreligion.com/articles/3623/" \l "_ftnref21588" \o "Back to the refrence of this footnote) *At-Tirmidi*

[[3]](http://www.islamreligion.com/articles/3623/" \l "_ftnref21589" \o "Back to the refrence of this footnote) Tuhfat al-Mawlood, p. 111

[[4]](http://www.islamreligion.com/articles/3623/" \l "_ftnref21590" \o "Back to the refrence of this footnote) *Saheeh Muslim*

[[5]](http://www.islamreligion.com/articles/3623/" \l "_ftnref21591" \o "Back to the refrence of this footnote) Ibid

[[6]](http://www.islamreligion.com/articles/3623/" \l "_ftnref21592" \o "Back to the refrence of this footnote) Tuhfat al-Mawlood, p. 69

[[7]](http://www.islamreligion.com/articles/3623/" \l "_ftnref21593" \o "Back to the refrence of this footnote) *Saheeh Al-Bukhari, Saheeh Muslim*

[[8]](http://www.islamreligion.com/articles/3623/" \l "_ftnref21594" \o "Back to the refrence of this footnote) *At-Tirmidi*

**(part 4 of 5): Nurture, Love, and Education**

Islam is a religion concerned with justice and respect and as such, it takes rights and responsibilities very seriously.  Islam states that it is the responsibility of each individual to treat all of creation with respect, honour, and dignity.  Respect begins with loving and obeying the commandments of God and from this respect flow all the manners and high standards of morality that are inherent in Islam.  God expects us, adult believers, to treat children with respect and to nurture, love  and educate them.  When rights and responsibilities are taken seriously, it enables one to love and respect God.

**“And whosoever obeys God and His Messenger, fears God, and keeps his duty (to Him), such are the successful ones.” (Quran 24:52)**

Small children need  food, drink, sleep and they  also need  love and compassion.  Taking care of their physical needs and disregarding their emotional and spiritual needs is inappropriate .

After the birth of a child, mothers are advised to breastfeed.  Breast milk was designed by God to specifically fit the needs of each individual child.  Modern science has proven  the remarkable qualities of breast milk.  Breast milk has disease-fighting cells called antibodies that help protect infants from germs, illness, and even ‘Sudden Infant Death Syndrome’.[[1]](http://www.islamreligion.com/articles/3628/" \l "_ftn21321" \o )

Colostrum, the thick yellow fore-milk made during pregnancy and just after birth, will give babies the best start at life.  Milk changes over time to meet the baby’s needs.  By the third to fifth day after the birth breast milk has just the right amount of fat, sugar, water, and protein that is needed for a baby's growth.

**“The mothers shall give suck to their children for two whole years, (that is) for those (parents) who desire to complete the term of suckling” (Quran 2:233)**

However,  God does not put the believers into any situation they cannot handle, therefore if breastfeeding is not possible there are alternatives such as using a wet nurse and more commonly feeding the infant baby formula designed specifically for an infants needs.

**God does not want to place you in difficulty, but He wants to purify you, and to complete His Favour to you that you may be thankful.  (Quran 5:6)**

As soon as they are old, enough to understand children should be taught to love God.  This is usually easy because children as naturally disposed to know and love God.  It is straightforward for them to understand that God is the Creator. It is the parents or caregivers  responsibility to teach children that God is One, that there is none worthy of worship but He.

**And (remember) when Luqmaan said to his son when he was advising him: “O my son!  Join not in worship others with God.  Verily, joining others in worship with God is a great wrong indeed. (Quran 31:13)**

Parents, guardians, and caregivers are responsible for teaching their children the duties of Islam.  Children must be taught the correct way of worshipping God  and the best way to do this is by example.  From the moment that they can interact with their surroundings children are learning.  Even when a very small child hears the call to prayer,  he or she will know that it is time for all worldly endeavours to stop while believers focus their attention on God.  Children learn this by observing the behaviour of those around them.

From the traditions of Prophet Muhammad, may the mercy and blessings of God be upon him, we learn that it is obligatory upon us to teach our children to pray when they are seven years old and to admonish them for not praying when they reach the age of ten.[[2]](http://www.islamreligion.com/articles/3628/" \l "_ftn21322" \o " At-Tirmidhi, Abu Dawood.)  The reality is that children who live in a household where prayer and correct worship are visible,  are eager to pray and often a very young age can be seen bowing and prostrating at their parents side.

At seven years old children  must be taught how to pray correctly. By the age of ten children should be admonished for not praying. Whatever discipline is used it should be such that the child understands that praying is important.  Beating a child is never an option.

Children should be taught and made to observe those around then performing  all the other obligations that come with being a believer in the Oneness of God.  Children should be able to see those around them fasting, and performing other acts of worship such as  reading Quran. They should also observe their caregivers displaying good manners and morals.  The companions of Prophet Muhammad have narrated that  children were taught the basics of Islam from a young age.

**We used to observe this fast after that, and we used to make our children fast and make them toys of wool; if one of them cried for food we would give him that toy until it was time to break the fast.****[[3]](http://www.islamreligion.com/articles/3628/" \l "_ftn21323" \o " Saheeh Al-Bukhari, Saheeh Muslim)**

**I was taken for Hajj with the Messenger of God, may the mercy and blessings of God be upon him, when I was seven years old.****[[4]](http://www.islamreligion.com/articles/3628/" \l "_ftn21324" \o " Saheeh Al-Bukhari)**

Islam is a holistic religion; therefore, physical needs pertaining to this world must not be neglected. Children have the right to live safely and securely, and have all their physical needs taken care of.  Noted Islamic scholar Imam an Nawawi said,  “The father[[5]](http://www.islamreligion.com/articles/3628/" \l "_ftn21325" \o " This is taken to include mother, caregivers, and guardians. )  should bring his children up with good manners in all things, eating, drinking, dressing, sleeping, going out of the house, entering the house, riding in vehicles, etc.  He should instil in them the attributes of a good person, such as love of (personal) sacrifice, putting others first, helping others, nobility and generosity.  He should keep them away from evil characteristics such as cowardice, stinginess, lack of nobility, lack of ambition, etc.  Children must also be protected from physical harm and anything that is likely to lead them towards sinning.

Islam gives children many rights and is concerned with their spiritual, physical, and emotional well being. In the next and final part of this series of articles, we will discuss fairness, equality, and custody issues.

**Footnotes:**

[[1]](http://www.islamreligion.com/articles/3628/" \l "_ftnref21321" \o "Back to the refrence of this footnote) The (USA) Federal government source for women’s health information.  (http://www.womenshealth.gov/breastfeeding/benefits/)

[[2]](http://www.islamreligion.com/articles/3628/" \l "_ftnref21322" \o "Back to the refrence of this footnote) *At-Tirmidhi*, *Abu Dawood*.

[[3]](http://www.islamreligion.com/articles/3628/" \l "_ftnref21323" \o "Back to the refrence of this footnote) *Saheeh Al-Bukhari, Saheeh Muslim*

[[4]](http://www.islamreligion.com/articles/3628/" \l "_ftnref21324" \o "Back to the refrence of this footnote) *Saheeh Al-Bukhari*

[[5]](http://www.islamreligion.com/articles/3628/" \l "_ftnref21325" \o "Back to the refrence of this footnote) This is taken to include mother, caregivers, and guardians.

**(part 5 of 5): Custody & Fairness**

In the previous four articles, we discussed what Islam says about children, particularly in relation to children’s rights.  In this final article, we will talk about some issues concerning children that do not, at first glance, appear to be about the rights of children. The issues are custody, gift giving and fairness among siblings.  We will discover that the rights of children and their best interests are embedded into all issues pertaining to children.

## Custody

The main issue in custody disputes is what is in the best interest of the child.  Ibn Qudaamah al-Maqdisi, Islamic scholar of the 12th century said , “Custody is aimed at looking after the child, so it should not be given in a way that will be detrimental to his welfare and his religious commitment.”[[1]](http://www.islamreligion.com/articles/3662/" \l "_ftn21341" \o " Al-Mughni (8/190).  )

If a marriage ends and there is a dispute about who should have custody of the children or who should financially support them; then the solutions can be found within the teachings of Islam.  Until the child reaches the age of discernment, the mother is more entitled to custody than the father, unless the mother remarries, in this case the custody belongs to the father.  That is unless he agrees with the mother on something that is better for their child.  Muslim scholars over the centuries have differed in their views regarding child custody; however, they have all agreed that the child's best interests must be the primary concern.

A divorced woman whose ex-husband was claiming custody of their child went to Prophet Muhammad, may the mercy and blessings of God be upon him, and said, “My womb was a vessel for this son of mine, and my breasts gave him to drink, and my lap was a refuge for him, but his father has divorced me and he wants to take him away from me.  Prophet Muhammad said to her, **“You have more right to him so long as you do not remarry.”**[[2]](http://www.islamreligion.com/articles/3662/" \l "_ftn21342" \o " Imam Ahmad, Abu Dawood.)

According to Islam the period of discernment is around the age of seven or eight, at which time the official period of custody ends and the period of *kafalah*or sponsorship begins. This period lasts until the child reaches puberty at which time the child is free to choose with which parent he or she will reside with.  The choice however is dictated by the need for certain conditions to be fulfilled.

These conditions include that the parent or guardian is a Muslim who is able to be held accountable (i.e., an adult of sound mind etc.) is of good character and is able to fulfill all obligations towards the child.

Maintenance however is obligatory upon the father whether the mother is rich or poor.  He is responsible for accommodation, food, drink, clothing and education, and other everyday needs.  However, the monetary amount is based on the father’s circumstances and means.  Every situation is different.

**“Let the rich man spend according to his means; and the man whose resources are restricted, let him spend according to what God has given him.  God puts no burden on any person beyond what He has given him.  God will grant after hardship, ease”. (Quran 65:7)**

**Fairness & Gift Giving**

Islam tells us that it is important to treat children fairly. Prophet Muhammad, may the mercy and blessings of God be upon him, said, **“Fear God and treat your children fairly.”**[[3]](http://www.islamreligion.com/articles/3662/" \l "_ftn21343" \o " Saheeh Bukhari, Saheeh Muslim)

In relation to spending this means giving each child what he or she needs.  For instance, one child may need a school uniform worth $200 while another child’s uniform may only cost $100. Another example would be if one child is getting married and the parents have arranged it, they should do the same for other children when they desire to get married..

It is not permissible to show preference to one gender over the other or to one child over the others.  This can lead to sibling rivalry, jealousy, and bad feelings within the family.  In extreme cases, it may even lead to the breaking of family ties.

Some of the scholars are of the opinion that it is permissible to show preference to some children in regards to gift giving under certain specific circumstances.  For instance,  it may be permissible if  one of them is disabled or has a large family or is preoccupied with seeking knowledge or if there is some other reason that means he or she is in need of extra financial aid.  It may also be permissible to withhold gifts or money from your children if they are engaged in forbidden actions.[[4]](http://www.islamreligion.com/articles/3662/" \l "_ftn21344" \o " Fataawa al-Lajnah al-Daa’imah (16/193))

Sheikh *IbnUthamien*, noted Islamic scholar of the 20th century said, “If a parent granted one of his children financial remuneration to fulfill a necessity, such as a medical treatment coverage, the cost of a marriage, the cost of initializing a business, etc., then such a grant would not be categorized an act of injustice and unfairness.  Such a gift will fall under the right to spend in the essential needs of the children, which is a requirement that a parent must fulfill.

**"Be just: that is nearer to piety; and fear God.” (Quran 5:8)**

Islam is a religion concerned with justice and respect.  It is a religion that places great emphasis on rights and responsibilities.  It is a religion concerned with individual needs only as far as they do not impinge on the needs of a cohesive community.  Children have certain rights, the most important being that they are able to know and love God.  It is the parents (caregivers and guardians) responsibility to feed, clothe, educate, and nurture the children that have come under their care.

**Footnotes:**

[[1]](http://www.islamreligion.com/articles/3662/" \l "_ftnref21341" \o "Back to the refrence of this footnote) Al-Mughni (8/190).

[[2]](http://www.islamreligion.com/articles/3662/" \l "_ftnref21342" \o "Back to the refrence of this footnote) *Imam Ahmad, Abu Dawood.*

[[3]](http://www.islamreligion.com/articles/3662/" \l "_ftnref21343" \o "Back to the refrence of this footnote) *Saheeh Bukhari, Saheeh Muslim*

[[4]](http://www.islamreligion.com/articles/3662/" \l "_ftnref21344" \o "Back to the refrence of this footnote) Fataawa al-Lajnah al-Daa’imah (16/193)