

## RELIGIOUS PERSPECTIVES ON CHILD RIGHTS

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### Abstract

The child born in this world is basically carrying a sacred nature (*fitrah*), meaning that the child born of a mother's womb has not had any character. There are factors that make the characters in the children depend on parents and the existing environment. For that the elderly and the environment has an important role in shaping the character of the child the better. Education is a right solution must be given by parents to their children so as to materialize a winning personal and character well. All parents surely have great expectations to their child that one day he will become the next generation of good family, however the parents should also be aware that there are some rights which must be received by the child. In this discussion the author uses literature review method with a tabular theory approach that explains that humans born in this world like white paper that has no color, as for the color in the child depends on the parents and the environment. In the religious view there are several rights that must be accepted by the child among others are; *first*, the right to protection. *secondly*, the right to live and grow. *third*, the right to education. *fourth*, the right to earn a living and inheritance. *fifth*, the right to equal treatment (*non-discrimination*). *sixth*, Right to get exemplary from parents. Novelty in this paper is the Right to be given to the children in the form of good exemplary from the parents, so that the children have a good figure and able to actualize on theirself.

**Keywords :** *child rights, fitrah, tabular, education*

### INTRODUCTION

Basically children born in this world is to bring the holy nature (*fitrah*), meaning that the child born of a mother's abdomen has not had any character. As for the factors that make up the characters in the children depend on parents and the existing environment. For that the elderly and the environment has an important role in shaping the character of the child the better. Education is a right solution must be given by parents to their children so as to materialize a winning personal and character well. All parents surely have great expectations to his son that one day he will become the next generation of good family, however parents should also be aware that there are some rights which must be received by the child.

The child is also a gift of God Almighty should we're thankful for. He is the successor to the lineage that can preserve the reward for both parents even if the parents have already died. The child is also a mandate from God that must be handled properly, because at him is inherent, dignity and rights as human beings who have to uphold high. The sacred heart is a priceless jewel, pure and still has not been formed. He could accept any form which in any wish and pattern you want.

If she is conditioned on the kindness and his students, certainly he will grow in goodness and become a happy person in the world and the here after. However, if he is allowed to even be treated in hard the child will grow up in misery and psychic condition will affect the child where the child feels scared by someone.

On lately in the media a lot once the news of violence against children. But we know his own child was a priceless asset. Welfare problems may live that became the background of violent acts against children, but also there are other influences behind on back.

In the context of this is requiring the protection of the law, because in addition to the family is an asset as well as the assets of the nation. In fact the country even internationally have formulated rules on the protection of children. It's just that in practice are still not optimally. This is where the role of religion in this case needs to be further highlighted given the majority of our society is religious. Here we will have to lead his people how Islam language giving the shield cover toward the rights of the child. This was the Central study in this paper. The important point in this discussion include, how Islam looks at the nature

of a child and what are the rights of the child over his parents must be given.

## METHOD

In this discussion the author uses literature review method with a tabular theory approach that explains that humans born in this world like white paper that has no color, as for the color in the child depends on the parents and the environment.

## RESULT AND DISCUSSION

In the Islamic view of the child is a gift at the same time the mandate given to the God Almighty every parent. Various ways and effort is made so that parents are able to see his children grow and develop properly. But often the expectation does not correspond to reality, maybe because of the lack of communication or hampered parents' knowledge about how Islam gives guidance and guidelines on treating children in accordance with their relative proportion.

Prophet Muhammad taught that there are two things that will potentially coloring and shaping the personality of the child, namely the parents lying and environment that raised him. The Prophet Muhammad once said that: *"every child born in the State of the sound, then both parents who made him (character), or (has) nasrani or (has) among Malay."* (HR. Muslim)

Phenomena that occur at this time, not a few families who have child erred about the philosophy of existence. Often families only have the philosophy that the presence of children solely due to the logical relationships of the biological parents, without the Foundation of science and has the meaning of the direction of the existence of the grace children. According to Paul Hadisuprpto in her book also reveals that the notion of the child in relation to delinquency behavior of children, usually done by basing on the level of the age, in the sense of what an age level can be categorized as a child. (Paul Hadisuprpto, 2010:11).

In the regulations the Minister of women empowerment and child protection Safety number 15 Year 2010 also said that Children have special characteristics (*specific*) compared to adults and is one of the vulnerable groups of the right still neglected, therefore children's rights became essential and prioritized.

The definition of the child, there is a lot of understanding and definition. In layman, a child

can be definition as someone who was born due to the relationship between men and women is if tied in a bond of marriage. In positive law in Indonesia child is defined as a person who is immature (*minderjarig/person under age*), people who are under/circumstances under (*minderjarigheid/inferiority*) or also called as a child who is under the supervision of the guardian (*minderjarige ondervoordij*).

Understanding the child itself if we look further in terms of chronological age according to the law can vary depending on the place, time and for what purposes, it will also affect the limit used to determine the age of the child.

In Indonesia about the age limit a search can be done against some legislation, as follows: in article 1 the *Convention On The Rights of The Child*, a child is defined as any person under the age of 18 years, unless based on the law applicable to the child, maturity has been obtained in advance. What is meant by children are those who are immature and mature because of certain mental, physical rules still immature.

### *Children in Tabular theory.*

Tabularasa literally means 'empty paper', in the sense of not yet filled out anything. Tabularasa hypothesis States that the brain at the time were born like blank paper, which will be written or filled with experiences. This hypothesis was originally advanced by John Locke an empiricism and then disseminated by John Watson (*psychology behaviorime*). In this case, according to the hypothesis tabularasa, all human knowledge in a language that seemed to speak in behavior is the result of the integration of linguistic events experienced and observed by humans. In line with this hypothesis, behaviorisme assumes that linguistic knowledge consists only of a series of relationships formed instructional way S-R (*stimulus-response*). How to study S-R usually is a leading classical, three habits, and mediation the mediator or which has been modified into a language learning theories.

Behaviorism high lighting aspects of linguistic behaviour which can be observed directly and the relationship between the stimulus (*the stimulus*) and reaction (*response*). Effective language behavior is making the right reactions towards stimuli. This reaction will become a habit if the reaction is justified. Thus, children learn their first language. For example, a child utter 'bilangkali' for perhaps. It is definitely the child

will be criticized by his mother or anyone who heard those words. If an when the child utters perhaps appropriately, he received no criticism because their pronunciation is correct. A situation like this is called making the right reaction against the stimulus and is a staple for first language acquisition.

B.F. Skinner is a character stream behaviorisme. He wrote the book *Verbal Behavior*, 1957 (Safriandi, 2009) that is used as a reference for the followers of this flow. According to this flow, learning is the result of external factors that are charged to an organism. According to Skinner, linguistic behavior is the same as the behavior of the other, controlled by the consequences. When a business is fun, that behavior will continue to be worked on. On the contrary, if not profitable, that behavior will be abandoned. In short, if there is a suitable reinforcement, behaviors will change and this is what is called learning.

Nevertheless, much criticism of this flow. Chomsky says that the theory is based on conditioning and reinforcement could not explain the sentences recently spoken for the first time and this is what we do every day. Bower and Hilgard was opposed to it, saying that current research does not support this flow. The customarily or language learning theory States that the behavior of one's language is formed by a spate of mixed-reward spectrum that appears around that person. A childhood that is being gained his sound system, was originally going to say all the sounds that are in all of the languages that exist in the world at this stage of the chattering (*babbling period*). The baby's parents just 'give' existing sounds in the language, then the baby is have customarilied to imitate the sounds of the language course. If it's correct or close to produced the utterances of his parents, he got the 'gift' of his mother in the form of a smile, a kiss, laughter. It could be said the language of childhood developing phase out, ranging from the sounds, words, phrases, and sentences. According to Behaviorism is a set of language behaviours.

Behaviorism is resisted by the generative transformation theory because it is not able to explain the process of language acquisition (Simanjuntak, 1987). Criticism of the theory of generative transformation experts, especially from Chomsky (1959), creating Jenkin (1964.1965) unleashes the description of the language creativity based on framework behaviorisme. Jenkin introduces the theory of mediation (mediator)

called the chain of response (*the response chaining*). This theory is based on the principle of mediation by Osgood. It seems clear that the factor of mediator played by the brain plays an important role in the learning process 'chain' response to it.

According to the principle of mediation, if one has to know the relationships between the tables and chairs, and the relationship between the table and the floor, then find out the relationship between the Chair and the floor will be much easier. One can issue a sentence in someone else removing the stimulus. According to Skinner (1957) talks were a response time that is dilazimkan to a stimulus from inside or outside. To explain this, Skinner introduced a bunch of categories similar language response functions with speech, *namely mands, tacts, echoics, textuals, and intraverbal operant*.

### ***The rights of the child in Religion***

In Islam have been elaborated further on the rights of the child and also remind expressly the obligation of parents and the community to note and fulfill the rights of the child. As for the rights of the child in Islam is as follows :

#### ***The right to Protection***

The most important rights of the child in Islam is the right protection. Protection here especially from any situation and unfavorable conditions, which can make children become displaced or made it into human beings up on God. Islam teaches in order for protective measures and childrearing is done long before his birth to Earth. It starts off by giving guidance to mankind in choosing a life partner. Men and women are encouraged to choose a life partner from people of good character, noble and virtuous person. Long before marriage, encouraged many to pray: "my Lord, give me from the side of Thee a son is good. Verily thou art the Supreme prayer of the Listener". (Qs. al-Imran-.38).

Later, while still in the womb, his parents (father and mother) were ordered again that many read the Qur'an and are doing virtues while continuing to pray. (Qs. Ibrahim, 35). Of course it is not enough to simply pray, but rather sought to be followed and the earnest efforts to realize that prayer in the realities of life. Effect referred to, among others, to keep both parents eating only kosher food and nourishing, behave polite and civilized, not to hurt their fellow man, and also does not destroy the universe. Many give alms to the marginal groups, the most minimal of alms is a sweet greeting and a smile that is entertaining. The

behavior of both parents will imprint in the child when born later. After birth, the parent (*father or mother*) was instructed to say the adzan at the right ear and left ear finds that they (HR. Imam Ahmad, Abu Dawud, al-Tirmidhi). Then, give it a good name (HR. Abu Dawud); shave the baby hair (HR. Imams Malik); implement akikah, namely the slaughter of goats for capable for given to the poor, especially from the family environment; and next, the circumcision of the child. Khitans or circumcision is only instructed to boys. As for older women is not recommended, even harmful to reproductive health in the future. All of it was meant so that children are protected from all kinds of dangers and bad influence that will ruin his life. Other protective measures is to register or record the birth of a son to the related government agencies (such as the registry office) in order to have a birth certificate which is indispensable when the children grow up.

#### *The Right to Live and Grow.*

Other rights that are no less important is the right of the child to life and growing hibiscus. It was clear from the suggestion of Islam to give breast milk child at least for two years. Children are entitled to receive mother's milk or less for two years. "*The mother should give her daughters breast milk for two full years, that is, for those who want to perfect the milk.*" (Qs. al-Baqarah, 233). So the magnitude of the Islamic attention to the development of the child. Under no circumstances will a family, the attention of the parents (*father and mother*) to the child must be maintained. Children must stay filled his rights. In fact, when divorce occurs between mom and dad, Islam has arranged that her father is responsible to give a living for the sake of the survival of the child until adulthood. Similarly, his mother is responsible give a milk to the age of two years.

#### *The right to education.*

After lactation through, begin the task of parents (father and mother) to educate children, especially religious education and character education. Education that can be given by a variety of methods in accordance with the age and developmental level of the child's psychological. Among them, education through conditioning, awarding exemplary examples, advice and dialogue, the giving of a gift or award (if doing something good or achievements) and also the penalty (if doing something bad), and so on. Penalties should not be given in the form of physical beating or otherwise because, it can be

categorized as acts of violence against children. All forms of violence against children are seen as crimes against humanity and violation of the law. Education in the family environment was more directed to the cultivation of the religious moral values, formation of attitudes and behaviour that is needed so that the children can develop itself optimally. Children are always taught to behave and conduct a smooth, gentle, polite, courteous, honest, disciplined, arif, and wise. They were kept away from the attitudes and behaviors that are modeled on the rude, vicious, lying, easily upset, no matter in others and a set of other bad temperaments. The child was gradually introduced in the religious teachings that can guide him into a man who loves his fellow man, respect older people, care for the poor and abandoned, avidly reading the Quran, praying, fasting and various other forms of worship. The Prophet Muhammad said: "there is no giving of a father who is better, apart from the sublime character. (Narrated by at-Tirmidhi). In another Hadith Muhammad also said that: "a father who educates her son, it's much better than he, and gifts each day by as much as one sha". (Narrated by at-Tirmidhi).

#### *The right to earn a living and inheritance.*

The other is the right of the child get a living and the estate of parents in accordance with the rules outlined Allah swt. The rights of living for a child of compulsory filled by her father, especially when his father and mother divorced. A number of Hadith exposed must a father gives a living good and lawful, not obtained from a street or dubious *syubhat*, let alone the *haram*, the interests and the survival of his children. "*Parental Obligations towards his son was giving a good name, taught the polite behaviour, teach writing, swimming and archery, providing a living good and lawful, and gave him when the time comes.*" (Hr. Muslim). Meanwhile, the right of inheritance can only be retrieved when a parent has died. But, it is not a possibility the parents give the treasure to his children while still alive and granting it named grants, not legacy.

#### *The right to equal treatment (non-diskriminasi)*

Islam emphasizes to do justice to children, does not discriminate or do not apply discriminatory between one and the other, including not discriminating between boys and girls. In: Muhammad said: "*they should your children in the event of the grant. If you want to provide more one among them, then give more awarding it to the children of women.*" (HR. at-

Tabrani). The Hadith stress the importance of equal treatment of children. Even if forced to give privileges on the child, it is recommended to give it on girls because they are usually placed on a weak position. Then Muhammad also said: "*Behold, I emphasized on you guys, more specific attention towards the right two people weak, namely orphans and girls.*" (HR. Ibnu Majjah). The same treatment here covers aspects of the area, including in the aspect of education. Parents are not allowed to apply discriminatory, especially concerned with boys than girls, as long as it is widely practiced in the society. Command in order to do justice to these kids showed how powerful messages of equality, equal rights, as well as how to avoid discriminating on the basis of sex and gender, in accordance with the demands of a society forward.

As such, a number of rights that must be met by parents against children. These rights are generally enshrined in the Cairo Declaration signed by member countries of the *Organization of the Islamic Conference (OIC)*, including Indonesia, on August 5, 1990. This is a declaration of principles regarding the rights of the child, as stated in article 7: Since birth, every child has the right which he obtained from parents, society and the State to be given the care, education, and treatment of materials, health and moral worth. Either her mother or fetus should be protected and given special treatment. The statement explained that each child has two principal rights to custody and care as well as education. Those rights if it can not be met by his parents, then the task of the society and the State to comply. Unfortunately, the Declaration was not legally binding for the Member States (*legally binding*), and also does not regulate how the mechanisms of implementation of norms that had already been agreed upon in the Declaration. However, there are a number of verses in the Qur'an which reminds of the muslim community in order to pay attention to the rights of their children, especially the rights of orphans and displaced. In fact, for those who disregard the rights of orphans, denounced as those who belie a religion (Qs. al-Ma'un, 1-3). In addition, the rights of the child in Islam as outlined above in principle in line with the content of the International (UN) Declaration on the rights of the child the year 1959 and the Convention on the rights of the child ratified by the Government of Indonesia year 1989. The contents of the Convention emphasizes five basic rights of the child, namely the right of survival, right to protection, right to education, the right of flower growing, and the right to

participate. May we all, both as a parent and as a member of society truly pay attention to the contents of the Convention and to implement it in real life in the family and society.

*Right to get exemplary from parents.*

Example in the great dictionary of Indonesian Language is derived from the word basic example which means any act or stuff or stuff that ought to be imitated or emulated. Example expressed in Arabic with the words "*uswah*" and "*qudwah*". Ibn Zakaria defines that "*uswah*" means is *qudwah*" which means follow and are followed. Thus example is things that can be imitated or emulated by someone from another person. (Armai Arif, 2002:117).

The format of the example in question here is about the basic planning of an example which should be applied by parents or educators. So in giving education parents don't just teach, but also memorable to be remembered by children until the children grow up. Islam has privatised the Muhammad as *suri tauladan* or example continuously for all educators, for generations, as it says in the Qur'an, meaning that: "*there has been a (self) on the Muhammad that suri tauladan is a good minimal model for you (IE) for people who expect (rahmat) (arrival) of Allah and the day of judgement and he many call Allah.*" (Qs. al-Ahzab: 21).

The above paragraph is already very clear that Allah sent the Prophet Muhammad to the Earth as an example or a good example of the Queen for mankind throughout the world. He always put into practice all the taught of God before delivering to his people. It was clear that the Muhammad of God had chosen to be role models for mankind. Her perfect and great, but remains obediently toward his creator is a proof that he is able to educate every motion. God has put on your personal picture of Muhammad saw. perfect about the Islamic religion. It is aimed so that he became the image of eternal life with the perfection of morals and grace for generations afterwards. Basically, human needs will be exemplary figures are sourced from the trend mimic who has become the human characters. Impersonation is predicated on the mental condition of a person who always feels that he is in the same feeling with a group of others (empathy), so in this imitation, children tend to imitate adults, the weak tend to emulate the strong clan as well as subordinates tend to imitate his superiors.

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## CONCLUSION AND SUGGESTION

Basically children born in this world is to bring the Holy nature (*fitriah*), meaning that the children born from the womb of a mother has not had any character. As for the characters that give color to these children depends on parents and the environment itself. For that the elderly and the environment has a very big role in providing education towards the child. In the human analogies tabularasa Hypothesis as blank writable anything or can get just about any language. This hypothesis associated with Behaviorism that rely on stimulus-response in communication language. In hipotetsis tabularasa discussed about five categories of response language that is : *mands, tacts, and textual, intraverbal echois operant*.

In view of the religion there are several rights that must be accepted by children of which are; *first*, the right to protection. *secondly*, the right to live and grow. *third*, the right to education. *fourth*, the right to earn a living and inheritance. *fifth*, the right to equal treatment (*non-discrimination*). *sixth*, Right to get exemplary from parents.

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