

Disciplining Children through Beating: An Islamic Perspective and Feminist Thought

Samira Muhammad Hamid Al-Omari¹

Abstract

Objectives: This research aims at filling this gap and analyze the phenomenon of parents' disciplining their children through beating as permissible in both Islamic and Feminist's perspectives. Methodology: The research undertakes the Islamic ruling in the given regard, their goals, substantiation, legal limitation and implications of failure in adhering to the aforementioned limitations. It also delves into the feminist assertion on matters concerning the use of physical force by parents to discipline their children and their campaigns to do away with parental power within the household. Results: The researcher also discovered that according to Islam, the fathers and/or mothers have the most authority within the particular family since they are responsible for the disciplining of the children especially because they are critical in determining the structure of the family and through their proper upbringing, the welfare of society will be enhanced. It is permissible in Islam for parents to use disciplinary beating that parents should not cross or use unfairly. The study also reveals such a threat to feminist concern as the corporal punishment of children while showing the methodological mistakes of these claims This is due to the fact that feminists strive to eliminate the legitimacy of parental authority and equate it with domestic violence. This research outlines the costs that accompany these assertions as being a family unit and society break down. Conclusion: Beating children by their parents is allowed in Islam according to certain conditions, the goal of which is the continuation of the family and upbringing of its members for the sake of everyone's benefit.

Keywords: Punitive Power, Physical Punishment, Right to Punish, Child's Rights, Paternal Authority, Feminism

INTRODUCTION

In the name of Allah, and may peace and blessings be upon the Messenger of Allah, his family, and all his companions.

The issue of regulating children's behavior through spanking them raises a very broad agenda and contentious positions of human rights associations centered on the rights of children, and the international conventions on child rights besides being consistent with the feminist principle of non-violence against women and children; and the on the Muslim scholars who base their rulings on the references from the Islamic teachings stressing parental responsibly in training, supervising, and controlling their children rightfully and properly. This research will therefore seek to establish the Islamic point of view on this subject, and what feminism strives for in the quest to eliminate the parents' permission to use physical force on children in the name of safeguarding them from domestic violence.

The modern ways children hone their conduct are numerous, although there are still controversies regarding some conventional approaches, like physical methods, like spanking. Regrettably, some parents have abused this method citing section 57 of the apologized laws to invoke their rights of disciplining their children. Therefore, this study seeks to answer the following main question:

This paper seeks to answer the following question

What does Islam and feminism say to parents' discipline using physical correction?

From this main question arise the following sub-questions

From this main question arise the following sub-questions:

1. What are the objectives of Sharia on this ruling? What are the regulations regarding it?

¹ Associate Professor of Jurisprudence and its Principles Yarmouk University, Jordan. E-mail: samira@yu.edu.jo

2. What preventive measures are there against parents exploiting this right in the way they correct their children?
3. What are the postulations of the feminist thought concerning this right?
4. What are the potential vulnerabilities of the feminism appeals with regard to the matter of parents' authority and correction by physical punishment?

Study Objectives

This study aims to:

- Clarify the Islamic perspective on parents disciplining their children through corporal punishment and the evidence supporting it.
- Explain the objectives of Sharia regarding this ruling and its regulations.
- Clarify the Islamic ruling on parents who abuse the right to discipline.
- Explain the claims and risks of feminist thought regarding this right.
- Respond to the claims of feminist thought.

METHODOLOGY

The study employs a descriptive methodology based on tracking, induction, foundation, analysis, and discussion. This involves examining texts and opinions in Islamic jurisprudence and feminist thought regarding the issue of parents disciplining their children through corporal punishment. The study will analyze the concept of disciplinary corporal punishment, its regulations, and the safeguards associated with it in Islamic jurisprudence. Additionally, it will analyze, discuss, and critique feminist perspectives on this issue, highlighting its potential risks.

Distinction of This Study from Previous Research

Through researching the topic of parents disciplining their children through corporal punishment, the researcher noticed that most studies focused on a single aspect of the issue, examining it from either a religious, educational, or psychological perspective, without addressing the efforts of feminist movements to change laws in this regard. These movements advocate for the adoption of international child rights conventions, which grant children absolute rights that may include abolishing the parents' right to discipline their children and even criminalizing parents who do so.

What distinguishes this study from others is that the researcher aims to provide a comprehensive religious foundation for this issue, covering all its aspects, and to refute the false claims of feminist thought. The study highlights the dangers of these claims, something the researcher did not find in any of the previous studies reviewed on this topic.

Study Objectives

- Specify the position of a Muslim on parents' correction of their children by using physical force and the proof that supports it.
- It is essential to clarify the goals of Sharia concerning this ruling and the regulation in this case.
- Said about the position and relatives who misuse the right to punish their children:
- Describe how the right articulated by the feminist thought entails the following claims and risks.
- Counter argue with some of the propositions of the feminism.

METHODOLOGY

The study uses the tracking, induction, foundation, analysis, and discussion methodology that falls under the descriptive research approach. This entails the analysis of texts and opinions in Islamic jurisprudence and

Feminist thought concerning the question of parents' discipline through physical punishment. In this research, the primary focus would be on the interpretation of the discipline, corporal punishment, the rules governing it, and the measures of protection covered under Islamic law. Moreover, it will consider, outline, and evaluate the poisons of feminism concerning this matter and its implications.

What distinguishes the study from its predecessors

Through research into the subject of parents disciplining their children by beating, the researcher noted that most studies that addressed the subject of discipline by beating focused on one aspect in presenting the issue as a study from a legal, educational or psychological point of view without noting what feminist movements seek to change the laws in this regard by approving the implementation of international agreements on the rights of the child and what these laws include in giving the child absolute rights that go as far as canceling the right of parents to discipline their children, and even criminalizing them if they do so.

The above is what distinguishes this study from other studies, as the researcher worked to clarify the legal basis for this issue in jurisprudence from all its aspects, and refuting the false claims made by feminism in this issue, indicating the dangers of these claims, which the researcher did not find in any of the previous studies that he had the opportunity to review on this topic.

The Concept and Forms of Discipline

First Requirement: The Concept of Discipline

The concept in Language

The term "discipline" (تأديب) is stemmed from the root (أدب) and its literal meaning is to educate as well as correct. Adab is interpreted as meaning a direction to avoid doing wrong and to be given to goodly acts. The term 'adab' in its form means invoking manners or performing socially appropriate behaviors. Hence, "adab" means aggressiveness or self-control and shyness and the concept of manners are also called "adab," (etiquette). Discipline also encompasses training as well as correcting the wrong doing of the learners. For instance, "أدبه" (addaba) refers to he corrected his manners or behaviour/ bad mouth and disciplined him.

The Concept in Terminology

According to the linguistic import the terminological meaning of discipline does not deviate much which means to train, to learn, to punish for mischievousness مَعْنَى أَسْرَارِ مِنَ الدِّسْبِيْلِينَ مِى لَا يُسْتَعْمَلُ عِنْدَ شَيْءٍ مِّنْى مَعْنَانِ الْعُمُومِيَّةِ النَّعْلُقِ It can be described as "the knowledge of how to prevent all sorts of mistakes" (This is in a nutshell, literary meaning knowledge of how to elude all forms of errors). Some jurists have confined the term to the aspect of punishment, defining it as: as in the English phrases: "beating, threatening, and rebuking" (الضرب والوعيد) (الردع بالضرب والزجر), or "deterring through beating and reprimanding".

Second Requirement:

Common Forms of Discipline

It is quite clear that the aim of discipline in Islamic Shariah is learning, gaining of knowledge and the inculcation of good manners. Consequently, how the correction is delivered and the related forms of discipline depend on the nature of the mistake made and the personality of the errant. The disciplinarian is then presented with the challenge of deciding on the manner of the discipline depending on the prudence and/or incrementalism which the circumstances call for.

The forms of discipline include the following, summarized: The forms of discipline include the following, summarized:

1. **Discipline through Preaching and Gentleness:** This is one of the best methods of discipline since it incorporates a component of being sweet and permissive most of the time.

2. **Discipline through Rebuke, Reprimand, and Blame:** An example of this is the Prophet Muhammad's (peace be upon him) statement to Abu Dharr: "(O Abu Dharr! Did you reproach him for his mother? You are a man who has some remnants of ignorance in you.)"
3. **Discipline through Estrangement and Temporary Confinement:** An example of this is Abdullah bin Mughaffal, who punished a relative for a mistake by saying, "(I will not speak to you for such and such a time.)"
4. **Discipline through Beating:** This is the focus of this research.

Guardianship of Disciplining Children (Legitimacy/Types of Guardianship/The Guardian/The Disciplining Son)

First Requirement: The Legitimacy of the Guardianship of Discipline

There is no doubt that discipline is a right for the child because it is in his interest, care, attention, and upbringing in an Islamic manner. The guardianship of discipline has been proven by the following evidence:

The Concept in the Holy Quran

"O you who have believed, protect yourselves and your families from a Fire whose fuel is people and stones." [Surah At-Tahrim 6]

Ali bin Abi Talib said about the meaning of the verse (Protect yourselves and your families from a Fire whose fuel is people and stones.) He said: Teach them and discipline them. He teaches them to abandon sins, perform acts of obedience, and protect their families by encouraging them to do so through advice and discipline.

And [mention, O Muhammad], when Luqman said to his son while he was instructing him, "O my son, do not associate [anything] with Allah. Indeed, association [with him] is great injustice." [Surah Luqman 13]

In the verse there is evidence of disciplining the child (to present the speech in a way that indicates repeating his admonition, so he said: "and he admonishes him" meaning he advises him with what benefits him and softens his heart and refines his soul, and makes him fear God and be just)

Terminology in the Prophetic Sunnah

- His saying - may God bless him and grant him peace - (And your child has a right over you).
- His saying - may God bless him and grant him peace - (Each of you is a shepherd and is responsible for his flock.... and the man is a shepherd in his family and is responsible for his flock).

The two hadiths provide evidence that it is acceptable to discipline children and teach them the requirements of their religion. Children are entrusted to their parents, who have a duty to care for, guide, and direct them. Additionally, parents will answer to God regarding their flock, as stated in the saying, "may God bless him and grant him peace." God will question every shepherd about the flock he was entrusted with, whether it was preserved or neglected.

- His saying - may God bless him and grant him peace - (I am like a father to you, I teach you).
- On the authority of Omar bin Abi Salamah, he said: (I was a boy in the care of the Messenger - may God bless him and grant him peace - and my hand would wander in the plate. Then the Messenger of God - may God bless him and grant him peace - said to me: (Boy, say Bismillah, eat with your right hand and eat from what is in front of you, and that has not ceased to be my food since then).

In the two hadiths, it is recommended to teach the child the etiquette of eating, drinking, and other aspects of life.

- His saying - may God bless him and grant him peace - (Command your children to pray when they are seven years old and beat them for it when they are ten and separate them in their beds) and in the hadith there is evidence of the legitimacy of a man disciplining his children.

Second Requirement: Types of Guardianship of Discipline

First Type: Guardianship of disciplining the child for the sake of God Almighty

This is indicated by the previous hadith, where scholars agreed on the recommendation of disciplining the child for the sake of God Almighty, such as disciplining him for prayer and fasting.... The majority of jurists believe that the guardian of the child must discipline him for the sake of God Almighty due to the apparent wording of the command.

Second Type: The guardianship of disciplining the child for the right of the parents and other servants

The jurists have stated that the father has the right to discipline his sane child if he does or does not do something that requires his discipline, whether it is for his right or for the right of other servants (and this is done by way of discipline and refinement, not by way of punishment), as it is permissible to beat the boy not for neglecting an obligation but (for training and accustoming, such as discipline for learning handwriting, the Qur'an, crafts and the like) and if he commits any sin against his parents or other servants, he is not criminally punished for it and is not held criminally responsible for his crimes, so there is no punishment for him, but he is held responsible for his discipline, so he is disciplined for the crimes he commits.

The Third Requirement: The one who has the authority to discipline the children, and the disciplining son

The First branch: The one who has the authority to discipline

It is known that the authority to discipline the child is primarily for the father, and this is indicated by the evidence previously mentioned in the legitimacy of discipline, as indicated by the prophetic hadiths commanding discipline, which were mostly directed to the father, and the discussion here is about disciplining the young, as the jurists agreed on the proof of the father's entitlement to discipline his young children even if they are in the custody of their divorced mother .

Does the mother have the right to discipline the children in the presence of the father ?

The jurists differed on the issue in two opinions:

The First Opinion: The Shafi'i school of thought, and a statement by the Hanafis

these prove the mother's right to discipline the children whether in the presence of the father or his absence.

They provided evidence: The generality of the evidence indicating the discipline of the child, and that the address in it is directed to both parents, and because it is not a disposition of money but for his benefit through discipline and education.

The Second Opinion: The Maliki school of thought and the Hanbalis, and a statement from the Hanafis in the well-known view, and a statement from the Shafi'is.

Those who argue that mothers do not have the right to discipline their children, except when they are the legal guardians of the child, base their reasoning on several points.

They argue that the right to discipline belongs exclusively to the legal guardian of the child, who is usually the father. If the father is not present, this responsibility then falls to the mother because it pertains to upbringing, an area where mothers have a significant role. Furthermore, they believe that fathers are generally more capable of administering discipline and education.

Preferred Opinion

The opinion that mothers have the right to discipline their children is more favorable, especially if the mother is compassionate and committed to the child's well-being, and not corruptive. This is particularly relevant if the father is incapable of or neglects his responsibilities towards the children. This opinion is supported by general evidence that commands both parents to discipline their children without distinguishing between father and mother. Additionally, the Prophet Muhammad (peace be upon him) recognized the mother's role in household management by stating, "And the woman is a guardian...". This indicates that a woman's role involves managing household affairs, children, servants, and advising the husband in all matters.

Section Two: The Disciplining of Adult Children

Previously, it was mentioned that the discussion about the right to discipline primarily concerns young children. Regarding adults (those who are mature and have reached puberty), scholars have differing opinions.

First Opinion

This view is held by the Hanafi school, a view within the Maliki school, and the more valid opinion within the Shafi'i school. They believe that parents do not have the right to discipline their adult children. They reason that once a child reaches maturity, the parent's legal authority over them ceases, and thus they no longer have the right to physically discipline them. They also note that the use of the term "child" in relevant Hadiths indicates a limitation to those under the age of maturity.

Second Opinion

This view is held by the Hanbali school, another view within the Hanafi and Maliki schools, and another view within the Shafi'i school. They argue that parents can discipline adult children, even those who are married. They cite the Hadith instructing parents to command their children to pray at the age of seven and to discipline them for failing to pray at ten. This Hadith implies the necessity of discipline to inculcate obedience before reaching maturity. Al-Khattabi supports this view, noting that it justifies harsher punishment for failing to perform obligatory acts after maturity. Additionally, in the story of the revelation of the Tayammum verse, Abu Bakr disciplined his adult daughter Aisha physically and verbally, indicating the permissibility of disciplining adult children.

Preferred Opinion

The opinion that allows the disciplining of adult children is preferable, but it should be restricted to methods appropriate for their age, such as admonishment and advice rather than physical punishment. Parental authority in a Muslim family is an inherent aspect of the responsibility to care for young children until they mature. Once children reach adulthood, they assume full responsibility for their own lives, and any parental authority should be exercised through kindness and mutual respect.

Disciplinary Beating in Islamic Jurisprudence and Feminist Thought

First Requirement: Disciplinary Beating in Islamic Jurisprudence

Legitimacy of Disciplinary Beating

Islamic scholars unanimously agree that the foundation of upbringing is gentleness. However, they also acknowledge that firmness is necessary when other methods fail. The legitimacy of parents disciplining their children through physical punishment is derived from the Hadith: "Command your children to pray when they are seven years old, and discipline them if they do not pray when they are ten years old, and separate them in their beds." The various narrations of this Hadith consistently indicate the use of physical discipline at ten years old for neglecting prayer as a means of correction.

"Men are in charge of women by [right of] what Allah has given one over the other and what they spend [for maintenance] from their wealth. So righteous women are devoutly obedient, guarding in [the husband's] absence what Allah would have them guard. But those [wives] from whom you fear arrogance - [first] advise them; [then

if they persist], forsake them in bed; and [finally], strike them. But if they obey you [once more], seek no means against them. Indeed, Allah is ever Exalted and Grand.' [Women verse 34]

The second section: Controls of discipline by beating

The jurists did not stop at explaining the ruling on discipline by beating, but they also took care to explain the controls of discipline by beating; because this method poses a danger to the child's life and body. Among these controls that it is not permissible to discipline by beating unless they are present:

1. That the disciplined child reaches the age at which he begins to be disciplined by beating, which is the age of ten according to the noble hadith; this is because (it is the time of the possibility of reaching puberty through wet dreams, so he may reach puberty but is not believed, and the second is that at that time he becomes strong and can bear the beating)

(The meaning of this is that before the age of ten, he is not disciplined by beating; because it may lead to harm to his body and he is liable; because the Shari'ah did not permit him to discipline someone who has no mind because there is no benefit in disciplining him.)

2. To exhaust the means of discipline that precede beating, so that he gradually disciplines him in a manner that suits the mistake he made, so he disciplines him (by threatening and reprimanding, not by cursing. If speaking does not help, he moves to beating) and in a manner that suits the nature of the child he is disciplining. Some children are deterred by threats and harsh words, and some are not deterred except by beating. So, parents should correct their children by being close and gentle. If they are harsh, then by being harsh and severe.

3. That the disciplinary purpose and goal of beating not be negated; because (punishment is only permissible for a boy - contrary to the original - because it is thought to be beneficial in deterring and reforming him. If it is thought to be of no benefit, then there is no reason for its permissibility). So, the place for beating is if he thinks it is beneficial, otherwise it is not.

4. That the disciplinarian has the authority to discipline, which is a legitimate authority that he derives from the Sharia, according to the details that I explained previously.

5. The purpose of beating should be discipline, and this is known through the instrument used and the method of beating. Therefore, the jurists have explained the controls of this instrument and the method of beating as follows:

- To beat with his hand, or a small, non-hard stick that is moderate between softness and hardness, and without the legal instrument with which the prescribed punishments are carried out.

- Not to beat while in a state of extreme anger for fear of causing harm to the child.

- The lashes should not exceed ten lashes, based on the saying of the Prophet (peace and blessings of Allah be upon him): "No more than ten lashes should be given except in the case of a prescribed punishment by Allah". (Therefore, no more than ten lashes should be given in disciplines that are not related to disobedience, such as a father disciplining his young son).

Some jurists have stated that they should not exceed three lashes.

- The disciplinarian should avoid harmful places such as the head, face and chest, and should not break a bone or disfigure a limb. He (peace and blessings of Allaah be upon him) said: "If one of you strikes, let him avoid the face". Sahnoun said: "It is not permissible for him to strike him, and the harm of striking them is clear (meaning the boy's head and face). It may weaken the brain, make the eye twitch, or cause an ugly effect, so they should be avoided. Hitting the feet is safer and more tolerable for pain."

The second section: Liability for Harm Resulting from Parental Discipline of Children through Beating

This is mainly caused by disciplinary beating not corrected by Shariah, as it will lead to both psychological and physical injuries. Beating, therefore, is a form of discipline not a way of punishing, taking revenge, or in some

way inflicting harm on children. What is hoped for is the pain that child feels, one that recalls guilt and subsequently incites the intention to do better.

Social scientists have cautioned disciplinarians against going beyond this purpose of disciplining children due to the effects it brings, whereby; a child's spirit, imagination, and self-esteem are drenched off and replaced with hatred, animosity, and a state of psychological (emotional) ill-health. In this regard, scholars have discussed aspects of physical harm in beating (sarayah), where parents cross the disciplinary line in beating that may cause body harm, injury, fracture, loss of organ function, or even death. Experts are in unison that a disciplinarian is legally answerable for any loss of a child in the process of proscribed sharia limits in disciplining a child.

Concerning the extent of the liability of a disciplinarian, they disagree on the following: Whether one is responsible for the loss where the harm occurred after following the Sharia conditions. This difference comes from the fact that discipline is a permissible right and that this right is dependent on safety. Permissiveness as a defense leaves people in a state of confusion on whether lack of liability will mean that risk precautions have been implemented or not harm occurred. Thus, advocates of the position that the right is not contingent upon safety argue against the disciplinary accountability, while the advocates of the position that the right is contingent upon the safety argue for it.

Their opinions are as follows:

1. **First Opinion: Abu Hanifa (in one narration)** Abu Hanifa opines that if a father beats his son for discipline and causes harm, he is liable for blood money and expiation. This is because discipline can be achieved through reprimanding without beating, and because the guardian beats for personal benefit unlike a judge's discretionary punishment. What is legally permissible for personal benefit is conditional upon safety. Moreover, discipline implies an action that leaves the subject alive; if it leads to death, it is deemed killing, not discipline, which is not permissible.
2. **Second Opinion: Malikis, Abu Yusuf, Muhammad (Hanafis), and Hanbalis** They believe the father is not liable if he beats his son for discipline because it is permissible to discipline and educate the child. The consequences of a permissible act are not liable, similar to legal punishments or if an imam punishes someone and they die. Additionally, the father beats for his benefit, unlike a teacher or someone who beats by authority's permission.
3. **Third Opinion:** Shafi' holds that liability exists in all cases because it is the father's right, not an obligation. He may forgo it, and it is his discretion, conditional upon safety. If it leads to death, it shows he exceeded the limit.

Preference

The preferred opinion is that the father is not liable if the beating is disciplinary because he beats for the child's correction and upbringing to be a righteous person. The paternal affection negates the suspicion of intent or revenge. Discipline is a necessary educational tool for addressing disobedience and is legally permissible. The disciplinarian has acted within his rights without overstepping or excess; hence, there is no liability.

Second Requirement: Feminist Claims Regarding Disciplinary Beating

The literature penned by the feminists in their struggle against patriarchy has unfortunately created hatred for fathers, so any instructions given by them are refused. It has also interfered with formation of unfavorable western laws that does not permit parents to punish their children since this illegalizes parental authorities of raising children. UN is an instrument to launch the Westernization of the world using different cultures and oral texts written in English – the paperwork contains words that have many interpretations to facilitate the resisting of Arab's voices on the Women and Children's agreements and documents.

Other pro-feminists unconditionally asserted that any kinds of physical contacts followed by various effects throughout the body, different degree and various rate are prohibited and criminal and asserted that corporal punishment should be banned regardless of the type and the offender, including in education of children. They emphasize on Legal protection with clear legal guidelines and clarify that prevention of violence against children

and prohibit disciplinary beating as a violation of children's rights are inseparable. Physical type of punishment influences the child's emotional behavior and his or her performance in school through diminishing the worth of the youth's self-esteem and dignity. They consider corporal punishment as a form of violence that is administered by parents on children particularly through disciplinary beating, which claims the lives of thousands of children, and leaves many others critically injured.

Feminists also note that information in the society about child rearing is not viewed in the same way as before. Unfortunately, children are not anymore the property of parents that can be handled and beaten in any way that the parents see fit. In the, generation presently, they're there a measure and regulator for the parents and ways of safeguard children through institutions of the law. In essence, the child or preventing him or her from the wrong doings should be dealt with to a reasonable measurement without bringing the child a harm.

Recent literature proposed viewing screaming at kids as a kind of violence in today's society, the major parenting methods that are unsafe are included in verbal aggression such as screaming at children. They also argue that disciplinary beating prepares children to accept that it is okay for the mighty to hit the weak and if one wants to sort out issues with another person, they use force hence the violent conduct among students touching their siblings and classmates.

All these feminist calls are enshrined in the Child Rights Document, Article 41 Saying that all types of violence against children are unlawful. It requires domestic laws to improve the availability of violence prevention and protection mechanisms. Were one to try to monitor its application in society, it is clear that based on the view that disciplining a child is equivalent to exploitation or violence against him/her, it would be perfectly okay for a child to report, or seek punishment for his/her parents, or desire to be placed in a better family, as is seen in western societies today.

The Third Requirement

Responding to the Claims of Feminist thought and Explaining its Dangers

Feminism seeks to give the child absolute rights, and to abolish the right of parents to discipline their children and criminalize it, and it believes that the quality of parenthood does not constitute an excuse for committing any violent act against children, and it follows from this that any act or behavior carried out by parents to reform their children is considered violence against children that requires punishment.

This means that the family is no longer the main source of education, guidance and deriving virtuous meanings, in addition to the decline in parents' monitoring of children and the widening gap between parents and children in thought and practice, which results in children rebelling against the virtuous values of the family in terms of creation, control and form, as it has become traditional and hinders the movement of civilization and urbanity.

The argument in all these claims calling for the abolition of the right of parents to discipline their children by beating is that it came out of fear of arbitrariness and exaggeration in the use of discipline.

In response to the above, I say:

Islam has come with controls for the issue of disciplining children by beating or otherwise, and it is not permissible according to Sharia law without them. I have explained this in detail based on the provisions of Islamic Sharia law in the previous discussions and demands of this research. What we witness of cases of domestic violence is the result of a lack of religious and moral restraint, and this does not mean canceling the Sharia ruling, but rather striving to conform to the intent of the Lawgiver in legislating the ruling, which is discipline, because it is in the interest of the child, which is indispensable in upbringing.

Preserving the father's personality and authority is also very necessary, as the son must feel that there is a paternal authority that he cannot exceed, and that his relationship with his parents has limits and controls that he cannot exceed.

What helps in understanding the ruling of the Lawgiver on this issue and doing it in accordance with the purposes of the Noble Lawgiver is the educational preparation of parents, as his efforts should be focused on two main axes, which are:

1. Familiarity with the rules and methods of effective educational guidance and its basic areas and the basic skills of a well-crafted educational discourse.
2. Working to acquire and possess the personal and professional specifications necessary to practice educational guidance for children in light of the meanings of wisdom in the Almighty's saying (And whoever is given wisdom has certainly been given much good)

With all of the above, we must believe in everything that is stated in the Qur'an and not be defeated by feminist thought and calls for enlightenment, human rights and freedom, so that we gradually abolish the provisions of our religion, which results in the disintegration of the family that Islam has been very keen to preserve. It must also be noted that the subject of discipline in general is what the enemies of Islam use in anti-Islam propaganda and placing it in a way other than what it was intended for in Islam. Islam, as we said previously, places the issue of discipline in general among the responsibilities of the husband or wife, given that they are responsible for preserving the family system, caring for its affairs, disciplining its members and controlling their behavior.

CONCLUSION

Among the results reached by the research:

1. Discipline has several forms in the Islamic concept, and beating is one of these means that are used according to the condition of the disciplined person and the mistake he made.
2. Islam gave the authority to discipline children to fathers and mothers according to the most correct of the jurists' sayings.
3. The child who is disciplined is the young one, and there is a jurisprudential dispute in disciplining the adult, the most correct of which is the permissibility of disciplining him in a manner appropriate to his age without beating.
4. Islam permitted parents to discipline their children by beating with specific controls.
5. Parents may not exceed the limits of the Sharia in disciplining children by beating.
6. If parents exceed the limits of disciplining their children by beating, they must guarantee.
7. If parents do not exceed the limits of disciplining their children by beating and the discipline results in harm, then it is a matter of disagreement among jurists, the most correct of which is that they are not liable unless they abuse the right to discipline.
8. Feminist thought seeks to abolish the right of parents to discipline children under the pretext that it is domestic violence that contradicts human rights.
9. The claims of feminist thought are dangerous to the family and to society, as they result in the disintegration of the family and the loosening of its strong bond, and the parents' stripping away of their authority to care for the family's affairs and its members, which hinders the movement of civilization and urbanity, as there is no civilization without a cohesive family based on lofty moral principles.

REFERENCES

- Al-Albani, Muhammad Nasir. *Sahih Al-Nasa'i*. Riyadh: Arab Education Library for the Gulf States, Riyadh, 1988
- Al-Alusi, Mahmoud Shukri. *Ruh Al-Ma'ani*. Beirut: Dar Ihya Al-Turath Al-Arabi, n.d.
- Al-Anbati, Muhammad bin Muhammad. *A message on the sports, education and discipline of boys*. Beirut: Dar Al-Bisharat Al-Islamiyyah, 2011
- Al-Ansari, Zakaria. *Fath Al-Wahhab with an explanation of the students' method*. Beirut: Dar Al-Kutub Al-Ilmiyyah, 1998
- Al-Bukhari, Muhammad bin Ismail Al-Bukhari. *Sahih Al-Bukhari*. Bulaq: Al-Amiriya Al-Kubra Press, 1311 AH
- Bushnaq, Suhair. *Hitting children and the dividing line between discipline and violence*, 4\12\2007, alrai.com
- Al-Baghdadi, Ghanem bin Muhammad. *Majma' Al-Damaanat*. n.d.: Dar Al-Kutub Al-Islami, n.d.

Disciplining Children through Beating: An Islamic Perspective and Feminist Thought

- Al-Baq'a'i, Ibrahim bin Omar. *Nazm Al-Durar fi Tansab Al-Ayat wa Al-Sur*. Cairo: Dar Al-Kitab Al-Islami, n.d.
- Al-Bakri, Muhammad Ali bin Muhammad. *Guide of the Successful to the Paths of the Righteous*. Beirut: Dar Al-Ma'rifah, 2004
- Ibn Balban, Alaa Al-Din Ali bin Balban. *Al-Ihsan in Approximation of Sahih Ibn Hibban*. Beirut: Al-Risala Foundation, 1993
- Al-Buhuti, Mansour bin Younis. *Explanation of the End of Wills*. Beirut: Alam Al-Kutub, 1993
- Al-Buhuti, Mansour bin Younis. *Kashshaf Al-Qina'*. Riyadh: Al-Nasr Modern Library, n.d.
- Al-Tirmidhi, Muhammad bin Isa. *Al-Sunan*. Beirut: Dar Al-Gharb Al-Islami, 1996
- Ibn Taymiyyah, Ahmad. *Majmu' Al-Fatawa*. Madinah: King Fahd Complex, 2004
- Al-Jurjani, Ali bin Muhammad. *Al-Ta'rifat*. Cairo: Dar Al-Fadhila, n.d.
- Ibn Al-Hajib, Othman bin Omar. *Jami' Al-Ummahat*. Dr. M: Al-Yamamah for Printing and Publishing, 2000
- Ibn Hajar, Ahmed bin Ali. *Fath Al-Bari with explanation of Sahih Al-Bukhari*. Egypt: Al-Salafiyah Library, 1390 AH
- Al-Hattab, Muhammad bin Muhammad. *Talents of the Glorious*. Dr. M: Dar Al-Fikr, 1992
- Hilmi, Camelia. *The most important terms mentioned in international agreements and conventions for women and children and their danger to the family*, Family Conference
- Al-Khattabi, Hamad bin Muhammad. *Landmarks of the Sunnah*. Aleppo: Scientific Press, 1932
- Abu Dawood, Sulayman bin Al-Ash'ath. *Sunnah*. Beirut: Al-Maktaba Al-Asriya, n.d.
- Abu Daf, Mahmoud Khalil. *Educational directives through the speech of parents to their children as stated in the Holy Quran*. Virginia: Muslim Family Conference in Light of Contemporary Changes, International Institute of Islamic Thought, 2015
- Al-Dardir, Ahmed bin Muhammad. *Al-Sharh Al-Sagheer with Al-Sawi's commentary*.
- Al-Dasouki, Muhammad bin Ahmad bin Arfa. *Al-Dasouki's Commentary on Al-Sharh Al-Kabeer*.
- Al-Rafei, Abdul Karim bin Muhammad. *Al-Sharh Al-Kabeer*.
- Al-Rafei, Samira Abdullah. *Intellectual Influences on Family Education and Ways to Confront Them: Social Darwinism and Post-Modern Values as a Model*. Muslim Family Conference in Light of Contemporary Changes.
- Al-Rahouni, Muhammad bin Ahmad. *Al-Rahouni's Commentary on Sheikh Al-Zarqani's Commentary*. Bulaq: Al-Amiriya Press, 1306 AH.
- Al-Subki, Ali bin Abdul Kafi. *Highlighting the Ruling from the Hadith of Lifting the Pen*. Beirut: Dar Al-Bisharat Al-Islamiyyah, 1992.
- Al-Sarakhsi, Muhammad bin Ahmad. *Al-Mabsoot*. Egypt: Al-Saada Press, n.d.
- Al-Sharbini, Muhammad bin Muhammad Al-Khatib Al-Sharbini. *Mughni Al-Muhtaj*. Dr. M: Dar Al-Kotob Al-Ilmiyyah, 1994.
- Al-Sharwani, Abdul Hamid. *Al-Sharwani's Commentary on Tuhfat Al-Muhtaj*. Egypt: Al-Maktaba Al-Tijariyyah Al-Kubra, 1983
- Al-Tabari, Muhammad bin Jarir. *Jami' Al-Bayan 'an Ta'wil Ayat Al-Quran*. Egypt: Dar Hijr, 2001
- Ibn Abidin, Muhammad Amin. *Radd Al-Muhtar 'ala Al-Durr Al-Mukhtar*. Riyadh: Dar Alam Al-Kotob, 2003
- Al-Abdari, Muhammad bin Muhammad bin Al-Hajj. *Al-Madkhal*. Dr. M: Dar Al-Turath, n.d.
- Al-Adwi, Ali bin Ahmad. *Al-Adwi's Commentary*. Beirut: Dar Al-Fikr, 1994
- Al-Iraqi, Abdul Rahim bin Al-Hussein. *Tarh Al-Tathrib fi Sharh Al-Taqrīb*. Dr. M: Old Egyptian Edition
- Corporal Punishment of Children in Jordan, www.endcorporalpunishment.org.
- Aliwa, Ali. *Children's Rights Between Truth and Claim*, 1\1\2002 Islamweb
- Awda, Abdul Qader. *Islamic Criminal Legislation Compared to Positive Law*. Beirut: Dar Al-Kitab Al-Arabi, n.d.
- Ghaboun, Hadeel. *Child Rescue, Recent Moves to Criminalize Corporal Punishment of Children Did Not Ban It Completely*, Al-Ghad Al-Urduni Newspaper, April 30, 2023, alghad.com.
- Al-Ghazali, Muhammad bin Muhammad. *Al-Wasit*. Cairo: Dar Al-Salam, 1417
- Al-Ghanimi, Abdul Ghani. *Al-Lubab in Explaining the Book*. Beirut: Al-Maktaba Al-Ilmiyyah, n.d.
- Al-Ghanimi, Muhammad Salama. *Disciplinary Punishments for Children in Islamic Jurisprudence: An Educational Perspective*. Internet
- Al-Fayoumi, Ahmad bin Muhammad. *Al-Misbah Al-Munir*. Beirut: Maktaba Lebanon, 1987
- Al-Qabisi, Ali Muhammad. *The detailed message on the conditions and rulings of teachers and learners*, in the book: Adel Al-Ghamdi, *the comprehensive book on the ethics of teachers*. Jeddah: King Fahd Library, 2009\ Tunis: Tunisian Distribution Company, 1986
- Ibn Qudamah, Abdullah bin Ahmed. *Al-Mughni*. Riyadh: Dar Alam Al-Kutub, 1997
- Al-Qarafi, Ahmed bin Idris. *Al-Dhakira*. Beirut: Dar Al-Gharb Al-Islami, 1994
- Al-Kasani, Abu Bakr bin Masoud. *Badai' Al-Sanai'*. Egypt: Al-Jamaliyya Press, 1327 AH
- Al-Kurdistani, Muthanna Amin. *Women's Liberation Movements from Equality to Gender* (Article: *The most prominent views of radical feminism are the abolition of the father's role in the family*)
- Al-Karmi, Mar'i bin Yousef. *The Ultimate Goal*. Riyadh: Al-Sa'idiya Foundation, 1981
- Ibn Al-Mubarrad, Yousef bin Hassan bin Al-Mubarrad. *Al-Durr Al-Naqi, an explanation of Alfath Al-Kharqi*. Jeddah: Dar Al-Mujtama', 1991
- Mahrous, Mona. *Discipline by beating*, 8\11\2007, midad.com.
- Al-Mardawi, Ali bin Suleiman. *Equity*. n.d.: Sunnah Al-Muhammadiyah Press, 1955
- Muslim, Muslim bin Al-Hajjaj. *Sahih Muslim*. Cairo: Issa Al-Babi Al-Halabi Press, 1955
- Ibn Muflih, Muhammad. *Al-Furu'*. Beirut: Al-Risalah Foundation, 2003

- Al-Maqdisi, Musa Al-Hajjawi, Al-Iqna'. Beirut: Dar Al-Ma'rifah, n.d. Ibn Manzur, Muhammad bin Makram. Lisan Al-Arab. Saudi Arabia: Ministry of Islamic Affairs, Endowments, Call and Guidance, 1300
- Al-Mawaq Al-Maliki, Muhammad bin Yusuf. Al-Taj and Al-Iklil. D.M: Dar Al-Kotob Al-Ilmiyyah, 1994 The Arab World Encyclopedia. Riyadh: Encyclopedia Works Foundation, 1996
- Al-Nafrawi, Ahmad bin Ghanim. Al-Fawaki Al-Dawani on the Epistle of Abu Zayd Al-Qayrawani. Beirut: Dar Al-Kotob Al-Ilmiyyah, n.d.
- Nazzal, Imran Samih. Family Scenes from Surat Maryam: A Cognitive and Social Study. Family Conference Al-Nawawi, Muhyi Al-Din bin Sharaf. Al-Majmu' Sharh Al-Muhadhdhab. Cairo: Al-Amiriya Press, 1344 AH
- Al-Nawawi, Yahya bin Sharaf. Al-Minhaj Sharh Sahih Muslim bin Al-Hajjaj. Beirut: Dar Ihya Al-Turath Al-Arabi, 1392 AH