

The Right Path to Health

Health Education through Religion

Islamic Ruling on Male and Female Circumcision

Muhammad Lutfi al-Sabbagh



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Foreword

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God created human beings in the best mould and wanted them to keep the nature in which they were created, forbidding them to make any changes in God's creation. Such a change, as God makes clear, would be an atrocity inspired by the devil. As the Prophet Muhammad ﷺ says: "God curses females who alter His creation".

In His infinite wisdom, however, God has allowed us to remove what is known in medicine as *adnexa cutis* whenever they get too long, in order to maintain personal health and hygiene. He considered such removal part of normal human nature and even called them "norms of human disposition". They include the trimming of nails, removal of armpit and pubic hair, and trimming the part of moustache hair that dangles over the mouth and gets soiled by food and drink. Another norm of nature is the removal of the foreskin called the prepuce, a fold of skin which forms a semi-cavity surrounding and covering the balanus in the male sexual organ. Hygienic negligence of the prepuce, which is quite frequent, may cause inflammation and fungal growth. In some cases it might cover the balanus too tightly and stifle it. Arabs before Islam used to remove the prepuce, and this was a practice remnant of the traditions introduced by Abraham. It is also a familiar practice of Judaism, where it is likewise inspired by the guidance of the Father of Prophets.

It seems that before Islam, some Arabs had the idea that such a practice should also be followed in the case of females, and so they introduced what they called *khifadh* (female circumcision), which originally meant the removal of what is known as the *clitoris prepuce*, so called after the *penis prepuce*. The prepuce of the clitoris, however, is much smaller and, therefore, it is inevitable that the clitoris itself, or the area that surrounds it, would be impaired, and this is a very serious and harmful matter. Other pre-Islamic cultures, particularly the Ancient Egyptian, introduced a greatly more odious atrocity. In their traditions, most of the female external genitals were cut off. This evil custom is still practised in some of the African countries which were ruled by the Ancient Egyptians. Known as

“Pharaonic circumcision” (or infibulation), it is an outright amputation, an outrageous deformation, a violation and an act of aggression which would be rejected by any sensible person.

It is deplorable that such unenlightened, pre-Islamic practices, to which women are subjected in the specific area of the world mentioned above, including some countries of our Region, are falsely attributed to Islam, which is entirely blameless, in order to bestow on them some sort of sanctity where they are practised. What makes this even more deplorable is that some of those who undertake to give Islamic rulings endorse and promote such actions, supporting their opinion with fabricated or poorly-supported *hadith*, falsely attributed to the Prophet ﷺ. He would never have approved, let alone ordained, practices which harm the gentler sex, the good treatment of whom he commended even as his soul departed his body, saying: “I urge you to take good care of women”. He would never have ordained or approved such a deed, for he prohibited the infliction of all kinds of harm and injury on oneself or on others. He also and forthrightly condemned females who tamper with God’s creation. What tampering with creation is more abominable than this violation against one of the main systems of the female body?

Even those *hadith* which some people use as evidence, although lacking in authenticity, do not, by any means, order clitoridotomy. All that they contain is an instruction to any woman who undertakes such an action to avoid the violation of the female genitals and to cut only a small, hardly noticeable part of the clitoral prepuce. He uses the expression “sniff”, and sniffing, as we know, is a very superficial and transient sensation that is hardly felt. If those *hadith* are correct, the most they recommend is a refinement of that pre-Islamic custom. The fact remains that they are not authentic. Religious rulings can be deduced only on the basis of highly authentic text.


It is an urgent task to make this fact known to people, to clear Islam of an accusation with which some people are trying to charge it, to emphasize that any practice of this sort which is likely to cause harm, be it little or much, to a woman is prohibited, and to enlighten all people as to the truth regarding this matter. What makes the task so urgent is that the subject relates to one of the most important concerns of the World Health Organization, namely the promotion of women’s health. The Organization opposes all ignorant customs which harm women’s health or which expose them to risk at any stage of their lives.

For this reason we requested a most authoritative scholar, Dr Muhammad al-Sabbagh, Professor of Islamic studies at King Saud University in Riyadh, to allow us to publish a short, valuable treatise he had written on the question of

male and female circumcision. In this paper, he proves with sufficient documented evidence that *hadiths* related to female circumcision are lacking in authenticity. We are indebted to him also for his wish to add to his treatise a paper written by Professor Al-Amin Dawood, and for welcoming the idea of also adding the important article published by Dr Muhammad Salim al-Awwa, a renowned scholar, under the title Female circumcision: neither a *sunna* nor a sign of respect.

In conclusion, I pray that God will let people profit from these three papers, each of which has a firm basis and will have good consequences, God willing. I also pray that this issue of the Health Education through Religion series will serve as the final word on this subject, which causes much worry and concern to all health workers, as well as to those with common sense and a merciful heart.

It is God who guides us to the right path.

A handwritten signature in Arabic script, likely belonging to the author of the text. The signature is written in black ink and is somewhat stylized, with a large initial letter 'ع' (Ay) and a long horizontal stroke at the end.

Terms used in the Health Education through Religion series

The following notes are intended for readers who do not know Arabic and who do not have an Islamic background.

<i>fatwa</i>	A formal religious legal opinion.
<i>fiqh</i>	Islamic jurisprudence (literally: understanding and acquisition of knowledge).
<i>hadith</i>	A saying or action ascribed to the Prophet ﷺ or an act approved by the Prophet ﷺ.
<i>haram</i>	Prohibited, banned, illegal, impermissible, from a religious standpoint. Epithet applied, in general, to actions or things considered sinful for Muslims.
<i>hijra</i>	The emigration of the Prophet Muhammad ﷺ, from Mecca to Medina in AD 622. The event is used as the starting point for the Islamic Calendar.
<i>Prophet</i>	The Prophet Muhammad ﷺ, the Messenger of God. Any reference to the Prophet is usually followed by the phrase "Peace be upon him ﷺ".
<i>Quran</i>	The Holy Book of Islam; the highest and most authentic authority in Islam. Quotations from the Quran are normally followed by a reference to the number of the chapter (<i>sura</i>) and the number of the quoted verse (<i>aya</i>). All Quranic texts in this publication are printed in italic.
<i>schools of fiqh</i>	The schools of Islamic thought or jurisprudence, the four most important of which were founded by Malik, Abu Hanifa, Al-Shafie and Ahmad ibn Hanbal.
<i>sharia</i>	The body of Islamic law based on the Quran and the <i>sunna</i> (see below).
<i>sunna</i>	Practices undertaken or approved by the Prophet ﷺ and established as legally binding precedents.

Introduction

This is a brief treatise on circumcision as viewed in Islamic *sharia*. It was conceived as an answer to an inquiry by a colleague whom God had blessed with daughters and who had heard that clitoridotomy was obligatory. He asked me what the Islamic ruling was and in response I wrote this treatise, pointing out what I believe to be the true ruling on both male and female circumcision. Many people misunderstand the ruling in the case of daughters, being prejudiced by the customs of older generations in their countries. They follow long-established customs and claim they are observing the *sunna* of the Prophet ﷺ. They are wrong. In the case of male circumcision, there is no doubt that the evidence of its legitimacy, as well as its importance and usefulness, is strong, as will be clear in the course of this treatise.

I have seen papers on the subject by contemporary authors, some of whom overlook some requirements of proper scholarship in their studies. Some describe as authentic some *hadith* which are markedly lacking in authenticity, discuss a topic which they have not fully explored, and resort to rhetoric. This encouraged me to offer my own opinion, praying to God to protect me from error, make the truth clear to me, and bless me with adherence to it.

God speaks the truth and guides people to the Straight Path. May He bless our Prophet Muhammad ﷺ, his kin, and his Companions.

Muhammad Lutfi al-Sabbagh

Islamic Ruling on Circumcision

Someone asked me about circumcision, the ruling on it in the case of both males and females, and the time to perform it. He said, “If this question raises no problem for some Muslim communities, it involves several problems for others, particularly in Africa”.

When I considered the matter, I realized that it falls under the question of Islam’s attitude towards human beings and the way it takes care of them.

In point of fact, every time I examine something advocated by this profound faith of Islam, whether a specific detail or a general matter, I end up with a greater conviction that this religion and its noble Book come from God. I further conclude that no human being, however gifted a genius, could produce all this with the coherence, harmony and deep insight that we find in the religion.

Circumcision is one of the characteristics of sound human nature, which leads people to the worship of one God and to submit to His law.

The Prophet ﷺ says, “Sound human nature is in five things: circumcision, removal of pubic hair, plucking of armpit hair, trimming of the moustache, and cutting of the nails”.¹

Let us begin with a definition of circumcision linguistically and in Islamic law. The Arabic word for circumcision is derived from the verb *khatana*, which means to cut or sever, and the word *khitan* is used for both the procedure of circumcision and for the part of the body which is circumcised, as indicated in the authentic *hadith* related by Aisha, who directly quotes the Prophet ﷺ as saying: “If the two ‘circumcision’ organs meet, grand ablution, i.e. *ghusl*, becomes obligatory”.² (In

¹ See *Fathal-bari (The creator’s inspiration)*, X, 340 and 349; XI, 88 (published by Al-Salafiyah Press in Egypt). Also see No. 257 in the Chapter on Qualities of Sound Nature, the Book on Purification, *Muslim’s anthology of authentic hadith*.

² See *Muslim’s anthology of authentic hadith*, the Istanbul Edition, I, 187; Ibn Majah, No 608; Al-Albani, *Al-Tirmithi’s Sahih*, I, items 94 & 95. The reference of the Prophet ﷺ to the “two circumcision organs” does not, as some people claim, stand as evidence that female circumcision is obligatory, because it is an Arabic usage of the dual form of one of two words, denoting two items to refer to both of them, for example, “the two fathers”, referring to the father and mother; “the two moons”, referring to the sun and moon; “the two Marwahs”, referring to the two hills of As-Safa and Al-Marwah. Arabic linguists sometimes call such a usage “dual case extension”. It follows no set rule and it is determined by common usage. (See Al-Ghalayini, *A comprehensive collection of Arabic lessons*, II, 9.) Some linguists accept the usage of such dual forms by analogy when the context gives a clear meaning with no ambiguity. (See Abbas Hassan, *Comprehensive grammar*, I, 74.)

some versions the *hadith* is phrased as if the chain of transmission ends with her and the statement is made in her own words, but this is still regarded as equal to a direct quote.)

In Islamic law, circumcision is the removal of the skin flap which covers the balanus. By this removal, the body is relieved of a pocket where dirt, germs and fungi accumulate and a focus of impurity and offensive smell. Several medical studies have concluded that the occurrence of inflammation of the male genitals is higher among men who have not been circumcised³, and that infection with sexually transmitted diseases such as syphilis, gonorrhoea, and particularly AIDS, is much more common among them. This is in addition to the well-known fact that the incidence of male genital cancer is reduced by circumcision, and the rate of occurrence of cervical cancer among married women is less in the case of the wives of circumcised men. Such advantages explain why many non-Muslims in Europe and America are circumcised.

Male circumcision

Scholars are not unanimous on the question of male circumcision; some maintain that it is obligatory, while others say it is recommended.

Those who say it is an obligation cite a number of proofs in evidence. One of these is that the Prophet ﷺ says: “Abraham circumcised himself at the age of eighty, using a hatchet”⁴ (related by Al-Bukhari and Muslim).

Ibn Hajar lists seven arguments as evidence, one of them is the above-quoted *hadith* and the others are quoted below. After making each point, he cites the comments made on it by scholars.

The first is that the prepuce retains impurity, which renders prayers invalid, the same as in the case of a person holding an impure object.

The second is the *hadith* related by Ahmad and Abu Dawood on the authority of Kulaib, who quotes the Prophet ﷺ as telling him: “Get rid of the hair of infidelity and get circumcised”⁵. Scholars have found this *hadith* to be lacking in authenticity.

D.H. Spach, et al., *Journal of the American Medical Association*, 267 (1992), pp. 679-81; Linda Cook, et al., *American journal of public health*, 84 (1994), pp. 197-201; J.L. Mark, *Science*, 245 (1989), pp. 470-71; S. Moses, et al., *International journal of epidemiology*, 19 (1990), pp. 693-97.

⁴ See *Fath al-Bari*, VI, 388, and *Muslim's anthology of authentic hadith*, IV, item 2370.

⁵ See *Ahmad's anthology of hadith*, III, 415; Abu Dawood's *Sunan*, I, 148 item 356; Ibn Adi, *Al-kamel*, I, 223. *As-sunan al-kubra*, I, 172. The *hadith* is quoted after Abd al-Razzak, who

The third is that a person who is going to be circumcised is allowed to expose his genitals, the exposure of which is usually prohibited. If circumcision were not obligatory, the exposure would not have been allowed.

The fourth is that the procedure is a removal of a part of the body that does not grow back, and it is done as an act of worship. This makes it obligatory, the same as the amputation of a thief's hand.

The fifth is that it causes considerable pain, which is permitted only in one of three cases: an advantage, a punishment, or an obligation. The first two are inapplicable, which makes the third the valid reason in this case.

The sixth reason which makes circumcision an obligation is that it is the distinctive mark of Islam, distinguishing a Muslim from an infidel.

In *Tuhfat al-mawdood*, Ibn al-Qayyem lists fifteen points of evidence, proving that circumcision is an obligation⁶, among which are those quoted from Ibn Hajar. After the list, he writes a chapter in which he quotes the response to these points by those who disagree that circumcision is obligatory.

Ibn Hajar says "According to Al-Baihaqi, the best argument is to cite as evidence the *hadith* reported by Abu Huraira and listed in both Al-Bukhari's and Muslim's anthologies of authentic *hadith* as a direct quote from the Prophet ﷺ and which says, 'Abraham circumcised himself at the age of eighty, using a hatchet'. God says, *Then We inspired you (with this message): Follow the creed of Abraham* (16:123). An authentic *hadith* quotes Ibn Abbas as saying that the

says, "Ibn Juraij told us that he had been told by Uthaim Ibn Kulaib, quoting his father, who in turn quotes his own father that he went to the Prophet ﷺ and said, "I have become a Muslim". Kulaib's father says the Prophet ﷺ answered with the above-quoted words. The *hadith* is extremely lacking in authenticity on account of the fact that the one who reported it to Ibn Juraij and both Uthaim and his father are unknown. Ibn Hajar in *A summary of Al-Habir*, IV, 82, says the *hadith* is also cited by "Al-Tabarani, Ibn Adi and Al-Baihaqi, all quoting Ibn Juraij as saying: 'Uthaim was quoted to me as saying...'. According to Ibn al-Qattan, there is a gap in the narration, and both Uthaim and his father are unknown. Abdan, however, says: "He is Uthaim ibn Kathir ibn Kulaib. Kulaib is a Companion of the Prophet ﷺ, and Uthaim is identified by his grandfather in citing the source of the *hadith*"."

Ibn Adi quotes this *hadith* in the biographical sketch for Ibrahim ibn Muhammad ibn Abu Yahya al-Aslami. Ibn Adi quotes Malik ibn Anas as saying, "Ibrahim ibn Abu Yahya is a liar, and it is he who quotes Ibn Juraij. Al-Albani rates the *hadith* as fair, because it has two different sources. See *Irwa' al-ghalil*, I, 120, item 79; *Abu Dawood's authentic sunan*, I, 72 item 343; and *Al-jamie al-saghir of authentic hadith*, 1251. It is God who knows best.

⁶ pp. 163–68.

commandments by which God tested Abraham and which the latter fulfilled⁷ were qualities of normal, sound human nature, one of which was circumcision. ‘Testing’ is more often used for obligations.”

Ibn Hajar goes on to quote Al-Mawardi who says: “Abraham would not do it at that age without an order from God”.⁸

Ibn Hajar adds: “Abu al-Sheikh quotes and documents in *Al-aqiqah*, referring to Musa ibn ‘Ulai ibn Rabah, who quotes his father, that Abraham was ordered to be circumcised, and he was at that time eighty years old. He hastened to carry out God’s order, using a hatchet. As a result, he suffered great pain and prayed God to relieve his pain. God sent him a message saying, ‘You hastened to do it before being told what instrument to use’. He answered, ‘Lord, I hated to procrastinate in carrying out Your command’⁹.”¹⁰

Apparently, this command was observed by Abraham’s followers, including the Arabs before Islam who had retained some remnants of his religion, the most obvious of which was the pilgrimage.

Abu Shama says: “Arabs regarded the prepuce as filthy. Censure and satire of the non-circumcised is frequent in their poetry. Circumcision, for them, was a special occasion, and it called for a special banquet. Islam endorses this attitude”.¹¹

Circumcision is a practice which Muslims in general, generation after generation, observe and are accustomed to. Such observance can only be for something which is obligatory.

Ibn Hajar sums up the views of scholars on circumcision as follows: “Al-Shafie and the majority of his disciples believe circumcision is an obligation.

⁷ He is referring here to God’s statement in the Quran, 2:124, “When his Lord tried Abraham by His commandments, which he fulfilled”. See Al-Sayooti, *Al-durr al-manthoor*, I, 111 ff.

⁸ *Fath al-bari*, VI, 388.

⁹ The *hadith*, with this particular chain of transmission, is lacking in authenticity, as there is a gap between Ulai ibn Rabah, who died after the year 110 AH, and the Prophet ﷺ. His son Musa is described by *hadith* scholar Ibn Hajar in *Al-taqrib*, 552, as a person who “tells the truth, but occasionally he may be mistaken”. The *hadith* is listed by Al-Baihaqi in *The major sunan*, VIII, 326, and Ibn al-Qayyem in *Tuhfat al-mawdood*, 155.

Ibn Hajar’s comments are in *Fath al-bari*, X, 342. In volume VI, 390, he mentions that this story was documented by Abu Yala.

¹⁰ *Fath al-bari*, X, 342. Ibn Hajar mentions in volume VI, 390, that this story was related by Abu Yala.

¹¹ *Fath al-bari*, X, 342. Ibn Hajar mentions in volume VI, 390, that this story was related by Abu Yala.

Among old scholars who hold the same opinion is Attaa. He goes so far as to say: ‘If an adult embraces Islam, he does not become a full Muslim until he is circumcised’.”

Ahmad and some Maliki scholars also say it is obligatory. Abu Hanifa holds the opinion that it is an obligation, but not an ordinance.¹² Al-Nawawi says that circumcision is viewed by Malik and many other scholars as a *sunna*.¹³ Ibn al-Qayyem says: “Scholars of Islamic jurisprudence differ on this question. Al-Shaabi, Rabia, Al-Awzaie, Yahia ibn Said al-Ansari, Malik¹⁴, Al-Shafie, and Ahmad all say it is obligatory. Malik emphasizes the point and goes as far as to say: ‘When a man is not circumcised, he cannot be an *imam* in prayer and his testimony cannot be admitted’.”

Many scholars quote Malik as holding the view that it is a *sunna*. Judge Iyadh says: “For Malik and scholars in general, circumcision is a *sunna*, but they are of the opinion that failure to observe a *sunna* is akin to a sin, for they place it somewhere between a recommended practice and an ordinance.¹⁵ Therefore, the Imam Malik declares that the testimony of a non-circumcised man cannot be admitted, nor should he serve as *imam*”.

Al-Hasan al-Basri and Abu Hanifa say that it is not obligatory, but rather a *sunna*. The same view is held by Ibn Abu Musa, one of Ahmad’s colleagues, who says it is a confirmed *sunna*.¹⁶

Ibn Qudama says in *Al-mughni*: “Circumcision is an obligation for men and a sign of respect for women, but for the latter it is not an obligation. This is what many scholars believe”.¹⁷ He adds: “If a male adult embraces Islam and feels apprehensive about circumcision, it is waived in his case, since ablution, *ghusl* or grand ablution, and other obligations are waived in his case if he feels any of these

¹² *Ibid.*

¹³ *Al-majmou’*, III, 148.

¹⁴ It seems that both views are attributed to the Imam Malik, but his school of thought holds that it is a confirmed *sunna*, as maintained by Ibn Jazzi in *Al-qawanin al-fiqhiya*, p. 129, where he says: “As for male circumcision, it is a confirmed *sunna* in the opinion of Malik and Abu Hanifa, the same as the other qualities of sound human nature, with which it is mentioned. Scholars agree that these are not obligatory”.

¹⁵ And that is what the Hanafi school of thought call an obligation.

¹⁶ *Tuhfat al-mawdood*, 162.

¹⁷ I, 70.

is hazardous. It makes then more sense for circumcision to be waived in such a case”.¹⁸

The point of view I find most convincing is that circumcision is **obligatory only for males**, as suggested by the evidence used by those who deem it obligatory, some of which is cited above, but the obligation is waived in the case of a person who embraces Islam and feels afraid of the consequences of the procedure. **In any case, it is not a condition for the validity of a person’s profession of accepting the Islamic faith or the performance of his religious duties.**

Many scholars express the opinion that circumcision is one of the rituals of Islam and that if the population of a town intentionally and collectively abandon it, the ruler should fight them the same way as he should do if they abandon the call for prayer.¹⁹

Time for circumcision

As for the time set for circumcision, Al-Mawardi says: “There are two periods for it, one at which it becomes obligatory and another at which it is recommended. The first is the time of puberty, and the other is any time before that. The seventh day after birth is chosen as the proper date for circumcision”.²⁰

The question of time is a matter of controversy, and the important point is that a boy should be circumcised when he reaches puberty. It is the habit of people to have their male children circumcised shortly after birth, which is a good habit. There is, however, no *hadith* that supplies a definite evidence as to any definite time to perform this obligation.

Abu al-Sheikh cites a quotation of Jaber saying that the Prophet ﷺ had his grandsons Hassan and Hussein circumcised when they were seven days old.²¹

¹⁸ *Ibid.*, I, 71.

¹⁹ Ibn Abidin, *Al-hashiya*, V, 478. Also see *Tuhfat al-mawdood*, where Ibn Al-Qayyim mentions more than once in the section he devotes to the question of circumcision, that it is one of Islam’s rituals (see pp. 165, 166, 168, 171, 174, & 177). He quotes many scholars on the point.

²⁰ *Fath al-Bari*, X, 342.

²¹ Ibn Hajar says in *Al-talkhis*, IV, 83, that: “It is related by Al-Hakim and Al-Baihaqi on Aisha’s authority, and also by Al-Baihaqi on Jaber’s authority quoting the Prophet ﷺ”.

I add here: Al-Baihaqi also relates it in *As-sunan al-kubra*, VIII, 324, with a chain of transmission including Muhammad ibn al-Mukandar, Zuhair ibn Muhammad al-Makki, and Al-Walid ibn Muslim who quotes Jaber saying, “God’s Messenger ﷺ sacrificed sheep at the birth of Hassan and Hussein and had them circumcised when they were seven days old”. Of Zuhair ibn Muhammad al-Makki, Abu Hatem says that he tells the truth but has a somewhat bad

Al-Walid ibn Muslim says: “I asked Malik about it, and he said: ‘I do not know, but circumcision is an act of purification, and therefore the earlier it is performed, the better to my liking’”.²²

Al-Nawawi says in *Al rawdha*: “Circumcision becomes obligatory when the age of puberty is reached. But it is recommended to have a child circumcised on his seventh day, unless the baby is too weak to take it. Then it should be postponed until the child can go through it”.²³

Female circumcision

With regard to female circumcision, it is a question on which there is controversy among scholars. As for the *hadith* that speak of it, **none aspires to a degree of authenticity which would indicate that female circumcision is obligatory**.²⁴ One of the *hadith* often quoted on the subject is that of Umm Attia, a woman who performed female circumcision.²⁵ It is said that God’s Messenger ﷺ told her, “Umm Attia, restrict yourself to a sniff and do not overstrain; (this way), it is more pleasant in appearance and more satisfactory to the husband”. Al-Iraqi in *Al-mughni ‘an al-asfaar* says: “The *hadith* concerning Umm Attia is quoted by Al-Hakim and Al-Baihaqi, on the authority of Al-Dhahhak ibn Qais. Abu Dawood mentions something similar to this *hadith* of Umm Attia, and both versions are lacking in authenticity”.²⁶

As Abu Dawood quotes it, the *hadith* says: “Do not overstrain; that is more pleasant for the woman and more preferable to her husband”. Abu Dawood points out that the *hadith* is reported in its general sense on the authority of Ubaidullah ibn Amir ibn Abd al-Malik. Abu Dawood comments that: “Its chain of transmitters is not strong. Besides, it is reported not as a direct quote attributed to the Prophet ﷺ. Moreover, Muhammad ibn Hassan is unknown. This *hadith* is poor in authenticity”.²⁷

memory. Because of this bad memory, the *hadith* he quoted in Syria are worse than those in Iraq. When he related from memory, he made mistakes, but when he quoted from what he had written, that was good. He died in 162 AH. See Al-Mazzi, *Al-tahthib*, IX, 417.

²² *Fath al-bari*, X, 343.

²³ X, 180.

²⁴ *Fiqh al-sunna*, I, 37.

²⁵ *Tuhfat al-mawdood*, 152.

²⁶ I, 148.

²⁷ *Abu Dawood’s sunan*, item 5271, IV, 497.

This shows that Abu Dawood mentions the *hadith* only to point out its weakness. It is quoted with several chains of transmission, all of which are poor in authenticity,²⁸ as explained in my detailed footnote. Some of these are poorer than others. This goes to prove that what Ibn al-Munther says, as quoted by Ibn

²⁸ As quoted by Abu Dawood, in the above citation, has the following chain of transmission: Sulaiman ibn Abd al-Rahman al-Dimashqi and Abd al-Wahab Ibn Abd al-Rahim al-Ashja'i, both quoting Marwan ibn Muawiyah, after Muhammad ibn Hassaan al-Kufi, after Abd al-Malik ibn Umair, after Umm Attia herself.

- Al-Baihaqi, in *Al-sunan al-kubra*, VIII, 324, relates it quoting Hisham ibn Ammar, after Marwan, after Muhammad ibn Hassaan, after Abd al-Malik ibn Umair, after Umm Attia, as, "He ordered a woman performing female circumcision, saying, 'When you perform circumcision, do not overstrain'." This citation involves Muhammad ibn Hassaan, whom Abu Dawood describes as unknown and comments that the *hadith* is poor in authenticity.
- Ibn Hajar in *Al-talkhis*, IV, 83, says, "Both Ibn Adi, VI, 2223, and Al-Baihaqi, VIII, 324, follow Abu Dawood in saying that the man is unknown. Abd al-Ghani ibn Said has a different opinion; he says, "He is the crucified Muhammad ibn Said." It is mentioned in *Al-taqrib*: "He is the crucified Muhammad ibn Said ibn Hassaan ibn Qais al-Asadi of the Shafie school of thought. Sometimes he is mentioned after his grandfather. It is said that his name is given a hundred forms to disguise him, and he is regarded as a liar. Ahmad ibn Saleh says that this man 'has fabricated four thousand *hadith*'. Ahmad adds: 'Al-Mansour sentenced him to death as an atheist and had him crucified'."
- Al-Hakim, II, 525, relates it as transmitted by Ubaidellah ibn Amr, after Zaid ibn Abu Anisa, after Abd al-Malik ibn Umair, after Al-Dhahhak ibn Qais, as: "There was a woman in Medina called Umm Attia, who practised female circumcision, and the Prophet ﷺ told her...". In regards to Abd al-Malik ibn Umair, there are two different versions, one of which is the above which attributes the text of the *hadith* as quoted from him directly. The other version has him quoting Attia al-Qurathi, who is supposed to have said, "There was a woman in Medina...".
- Al-Baihaqi, VIII, 324, relates it quoting Ubaidellah ibn Amr as saying, "A man from Kufa mentioned to me that Abd al-Malik ibn Umair quoted Al-Dhahhak ibn Qais as saying, 'There was a woman called Umm Attia'". This *hadith* is poor in authenticity, since the man from Kufa is unidentified.

Yahya ibn Ma'in says: "This is not the same Al-Dhahhak ibn Qais as Al-Fihri". He does not identify the man. Al-Dhahhak ibn Qais al-Fihri is a well-known prince called Abu Anis. He was a young Companion of the Prophet ﷺ and was killed in the battle of Marj Rahet in the year 64 AH.

In *Al-talkhis*, IV, 83, Ibn Hajar says, "There are question marks concerning Abd al-Malik ibn Umair."

- It is also cited as item 122 in Al-Tabarani's *Al-jamie as-saghir*, who quotes Muhammad ibn Sallam al-Jumahi, after Zaida ibn Abu al-Raqqad, after Thabet, after Anas. It is also related by Al-Baihaqi, VIII, 324, quoting Muhammad ibn Sallam, after Zaida, after Thabet, after Anas who quotes it as a statement by the Prophet ﷺ.

Hajar in *Al-talkhis*, is true. He says: “In regards to circumcision, there is no authentic report to refer to, nor a *sunna* to be followed”.²⁹

Consider how these two eminent scholars, Abu Dawood and Al-Iraqi, as well as the others mentioned in my documentation of this *hadith*, judge it as a *hadith* markedly lacking in authenticity. It is better to pay no attention to later scholars who sought to classify it as authentic. It is very unlikely that the Prophet ﷺ would address a woman, and be so candid with her, on such a subject, using the words, “that is more pleasant for the woman and more preferable to her husband”.

Even if the *hadith* is authentic, it does not imply that circumcision is a requirement. All it does is to forbid removing too much of the parts concerned. So, if female circumcision is to be performed, it should not be overdone.

This is why some scholars say: “Circumcision is obligatory for men and a sign of respect in the case of women”. A *hadith* with similar wording is quoted, attributed to Usama al-Huthali, who directly quotes the Prophet ﷺ as saying: “Circumcision is a *sunna* for men and a sign of respect for women”.

Hadith scholar Al-Iraqi comments on the status of this *hadith*: “It is related by Ahmad and Al-Baihaqi, with a weak chain of transmission”.³⁰

Ibn Adi, III, 1083, says: “Thabit is quoted here by Zaida ibn Abu al-Raqqad, and I am not aware of anybody else quoting the same.” But this Zaida is ‘weak’. It is mentioned in *Al-mizan*, II, 65, “Zaida ibn Abu al-Raqqad is weak. Al-Bukhari describes the *hadith* he reports as highly suspect. He is from Basra and quotes Thabit and others”.

- Al-Bazzar relates (item 1227, I, 669, in *Mukhtassar zawaid musnad al-bazzar* by Ibn Hajar) a similar *hadith* with a chain of transmission that includes Mandal ibn Ali after Abu Juraij, after Ismail ibn Umayya, and Nafie who quotes Abdullah ibn Omar as saying, “A group of women of *al-ansar* (the original inhabitants of Medina who supported the Prophet ﷺ) came to the Prophet ﷺ, and he said to them: *Ansar* women, apply *henna* profusely, be circumcised, but do not overstrain. (This way) it is more pleasant for your husbands, Beware of ingratitude to those who are kindly”. Mandal is weak.

This shows that the *hadith* is lacking in authenticity. Its various transmitters are all weak, which makes it even poorer evidence. The truth, however, is known to God alone.

²⁹ A *summary of Al-Habir*, IV, 83.

³⁰ *Al-mughni ‘an haml al-asfaar*, I, 148. In my own opinion, the *hadith* that says, “Circumcision is a *sunna* for men and a sign of respect for women”, is poor in authenticity. It is attributed to four of the Companions of the Prophet ﷺ:

- It is quoted on the authority of Usama ibn Umair al-Huthali, Abu al-Malih’s father:
 - Al-musnad, V, 75, “Abdullah says, my father told me that he learnt from Suraij after Abbad, after Al-Hajjaj, after Abu al-Malih ibn Usama who reports his father quoting the Prophet ﷺ as saying, “Circumcision is a *sunna* for men and a sign of respect for women”. Al-Hajjaj ibn Artaa, however, often confuses his authorities, and *hadith* narrated by him cannot be

admitted as evidence. He was a judge with a suspect reputation, and he was too haughty for a scholar. *Al-mizan*, I, 458–460.

- It is also related by Al-Baihaqi in *Al-sunan al-kubra*, VIII, 324–25, with a chain of transmission including Al-Hajjaj, who quotes Abu al-Malih ibn Usama as quoting his father. Al-Baihaqi says: “Al-Hajjaj is not trusted”.
- It is also quoted after Abu Ayyoub:
 - It is related by Al-Baihaqi, VIII, 324, with a chain of transmission including Al-Hajjaj, who quotes Makhoul, after Abu Ayyoub who quotes the Prophet ﷺ as saying the same words. Ibn Hajar, in *Al-talkhis*, IV, 82, says that Al-Hajjaj ibn Artaa “is not consistent. Once he reports it this way, in another version he adds Shaddad ibn Aws after Abu al-Malih’s father, and in a third version, related by Ahmad, he quotes Makhoul after Abu Ayyoub. Abu Hatem lists it in *Al-ilal*, a book devoted to explaining weaknesses in *hadith* reporting. He quotes his father as saying that there is a mistake on the part of Al-Hajjaj or on the part of the man quoting him, Abd al-Wahed ibn Ziad. Al-Baihaqi says, ‘It is lacking in authenticity, with a gap in its transmission’.
- It is also quoted after Shaddad ibn Aws:
 - It is related by Ibn Abu Shaiba in *Al-musannaf*, IX, 58, as item 6519, with a chain of transmission that includes “Al-Hajjaj, after a man, after Abu al-Malih, after Shaddad ibn Aws, who quotes the Prophet ﷺ”. It is poor in authenticity as the chain includes Al-Hajjaj who, as has been mentioned, confuses his authorities, and because of the gap represented by the unidentified reporter.
 - It is also related by Al-Tabarani in *Al-kabir*, VII, 273–74, items 7112 and 7113, with two chains of transmission. The first includes Muhammad ibn Fudhail, Al-Hajjaj, Abu Mulaih, his father, and Shaddad ibn Aws, who quotes the Prophet ﷺ. The second quotes Hafs ibn Ghiyath, instead of Muhammad ibn Fudhail, but the rest is the same.
- The *hadith* is also attributed to Ibn Abbas:
 - Al-Baihaqi cites it in *Al-sunan al-kubra*, VIII, 324–25, with a chain of transmission including Al-Walid ibn al-Walid who quotes Ibn Thuban, after Muhammad ibn Ajlan, after Ikrimah, after Ibn Abbas, who quotes the Prophet ﷺ. Al-Baihaqi says, “This is a weak chain of transmission, and the text is not a direct quotation of the Prophet ﷺ”. My own comment is that even this indirect quotation is also poor in authenticity. In addition, there is a controversy over Al-Walid ibn al-Walid, and while Abu Hatem describes him as honest, Al-Daraqutni and others say his reports should be abandoned. The *hadith* is also listed as attributed to Ibn Abbas, with a chain of transmission that includes Said ibn Bashir, quoting Qatadah, after Jaber ibn Zaid, after Ibn Abbas. Said ibn Bashir is judged as weak. In *Al-kabir*, XII, 182, item 12828, Al-Tabarni relates this *hadith*, where it is also attributed to Said ibn Bashir. Another version is also related in *Al-kabir*, XI, 359, item 12009, and attributed to Abd al-Ghafour, quoting Abu Hashem, after Ikrimah, after Ibn Abbas. Abd al-Ghafour is accused of inventing *hadith*. See *Al-mizan*, II, 641, and Ibn Hibban, *Al-majruhoun*, II, 148. This shows that the *hadith* is poor in authenticity, and its various versions, which are all poor, make it even more markedly lacking in this respect. The truth, however, is known to God alone.

Ibn Hajar says, "According to one opinion of the Shafie school of thought, it is not required for women.³¹ This is the one mentioned by the author of *Al-mughni*, quoting Ahmad ibn Hanbal. The majority of scholars, including some of the Shafie school of thought, are of the view that it is not a requirement"³², that is for women.

Al-Mawardi describes it as follows: "Female circumcision is cutting a fold of skin in the upper part of the vagina, which resembles a fruit stone or a rooster comb, but without removing the whole fold".³³

Al-Nawawi says: "It is cutting off the lowest part of the fold of skin in the upper part of the vagina".³⁴

However, female circumcision as currently practised in some Islamic countries in Africa, does not observe the limitation set by scholars, but goes much further. So-called Pharaonic circumcision (infibulation)³⁵ is still common in certain countries. Everything is removed, with the labia and the organ itself being mutilated and just an opening left for urine and blood.

Physicians tell us that female circumcision, and infibulation in particular, has severe consequences, which are summed up as follows.

1. This form of circumcision is a distortion of the female organ that has a terrible psychological effect on women, causing depression, nervous tension, and anxiety.
2. It weakens the sexual desire, and being so, when the girl gets married, it spoils marital life for her and becomes a major obstacle in the way of her sexual satisfaction.

³¹ See *Rawdhat al-talibin*, X, 180

³² *Fath al-bari*, X, 340.

³³ *Ibid.* My old and close friend, Dr Muhammad Haytham al-Khayyat makes the following comment:

In anatomy, this fold of skin is called the prepuce of the clitoris. If it is the target of cutting, and overstraining is forbidden, then cutting off even the slightest part of the clitoris itself is included in the prohibition and a person who performs it commits a sin. It is obvious that cutting does not mean removal, for, as Al-Mawardi accurately says, even the small fold of skin itself is not to be removed; only a part of it may be cut off. Consider what Al-Nawawi says: "It is cutting off its lowest part of the fold of skin". I wonder what plastic surgeon can perform this?

³⁴ *Al-majmou'*, III, 148.

³⁵ See Amin Dawood, *Infibulation as viewed by medicine and by Islamic law*. Dr Dawood gave me a copy of his treatise when I recently went to Sudan as a visiting professor at Omdurman Islamic University. Because it is a valuable paper, I have appended it to this treatise of mine. I take the opportunity to thank him and pray God to reward him.

3. It may cause infection and introduce germs into a woman's pelvis when it is performed by ignorant practitioners and at locations with poor sanitary conditions and with non-sterilized instruments. A girl exposed to such conditions usually gets sick and is exposed to inflammations, and her fallopian tubes become blocked. She may suffer acute, often fatal, bleeding after the operation. I may comment here that although using non-sterilized instruments is not restricted to female circumcision, but is also common in male circumcision, the reason I mention it here is that it is currently common in Sudan and other countries.³⁶
4. It may result in sterility. If it does not and the woman concerned gets pregnant, delivery will be difficult, and will have to be surgical.
5. As Dr Salah Abu Bakr³⁷ says, female circumcision has adverse effects on the urinary system, and may cause a urinary fistula, which causes, in turn, retention of the urine and the menstrual blood. He notes other possible complications including inflammation in other organs, such as in the cervix of the uterus, which is known as a uterine ulcer, or in the endometrium (inner lining of the womb).

Since all these risks are involved in female circumcision, it cannot be legitimate under Islamic law, particularly since nothing that recommends it is definitely established as said by the Prophet ﷺ. It is, however, established that he has said: "Do not harm yourself or others".³⁸ This *hadith* is one of the basic principles of this True Religion.³⁹

The conclusion to be reached is that **female circumcision is neither required nor is it an obligation nor a *sunna***. This is the view taken by a great number of scholars in the absence of any *hadith* that may be authentically attributed to the Prophet ﷺ. Even those who regard female circumcision as being legitimate oppose its deviant forms.

I should mention here that some scholars have made a distinction between various countries with regard to the ruling concerning it. Ibn al-Haj says in *Al-*

³⁶ Dr Khayat says: These health hazards are real, particularly since AIDS started to spread. Studies have established that it is more common among females who have been subjected to infibulation for two reasons. One is the employment of unsterilized instruments, and the second is that violence has to be resorted to in order for a man to have sexual intercourse with a woman who has been infibulated. As a consequence she may bleed and, whether the bleeding is light or heavy, it is a factor in transmitting the infection.

³⁷ This is quoted from *Sayyidati* magazine.

³⁸ Ibn Majah's *Sunan*, II, 784, item 2340; Malik's *Al-muwatta*, II, 745; Al-Baihaqi's *Al-sunan al-kubra*, XI, 69; Al-Hakim, *Al-mustadrak*, II, 28; Al-Daraqutni's *Sunan*, IX, 227; *Mujamma al-zawaed*, IX, 110.

³⁹ See Sheikh Ahmad al-Zarqa, *Sharh al-qawa'id al-fiqhiya*, p. 113.

madkhal: “There are different views concerning women, whether circumcision should be performed for them in general or distinction is to be made between women of the east, in whose case it should be applied, and women of the west, in whose case there is no need for it, because, unlike women of the east, they do not have the additional flap of skin which is supposed to be cut”.⁴⁰

This is a good point, and scholars deal with it in the case of male children as well, where they say that if a boy is born without the flap of skin, nothing is required in his case.

A specialist in the medical profession once told me that in certain countries this additional fold in women gets so big that it becomes harmful. He says he has seen a case like that and has removed the fold.

In cases of this sort, no objection can be made to female circumcision as long as proper sanitary conditions are observed.⁴¹

When all is taken into consideration, since female circumcision involves these certain and possible hazards, there is no doubt that it is better not to do it. If there is need to remove something that is oversized, it may be removed, but the person who removes it should avoid any excess.

These are the points I planned to discuss briefly in this paper. There are aspects of the subject—such as the history of circumcision, its position in ancient cultures, the social habits involved, the celebrations held, and so on—which I have not dealt with, because they have no bearing on the actual problem that people face.

I have appended to my paper the treatise written by Sudanese Professor Amin Dawood, because of its great value. It was originally published in Khartoum. I pray God to guide me and grant me sound judgement, and I pray that this paper and its companion piece be of benefit. I pray God to make all our endeavours dedicated solely to His service. It is God who speaks the truth and guides people along the right path. Praise be to God, the Lord of all the worlds.

⁴⁰ This is how Ibn Hajar phrases the point in *Fath al-bari*, X, 340. But in *Al-madkhal*, the phrasing is a little different. It says:

There is a controversy concerning women, whether circumcision is to be applied in general or a distinction should be made between peoples of the east and the west. People of the east are ordered to have it performed because at birth they have the extra fold of skin, while those of the west are not because it does not exist in their case. This is justified by the example of a boy who is naturally circumcised. The two cases are similar (III, 310–11).

⁴¹ This would be a surgical operation, like any other that is performed in the case of an oversized organ. It is a question for physicians to decide.

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Pharaonic Circumcision (infibulation)

Al-Amin Dawood, Ph.D

Before dealing with what is known as Pharaonic circumcision (infibulation) in its Islamic legal aspect, I would like to quote Dr Anwar Ahmad, Professor at the School of Medicine, Khartoum University, who writes in an article in *Al-sahafa* newspaper, no. 1488, of 26 December 1967:

I would like to discuss Pharaonic circumcision in a frank and scientific manner. May I seek my readers' forbearance if I use scientific language, in an attempt to make the question properly understood.

Pharaonic circumcision is a very old custom in Sudan. It was first introduced with the Ancient Egyptian conquest, and is still practised today. It is also practised in Somalia, Kenya, and certain parts of Indonesia. The old concept that female genitals are offensive to virtue appears to be still accepted. Before dealing with the problems which this kind of circumcision involves, I want to explain the anatomy of the external female sexual organs, so that readers may understand better what exactly goes on.

Female genitals

The female sexual organs consist of the following:

- The labia majora, which are two elongated folds of skin extending from the pubis to the perineum into which they merge. They are composed of adipose and osseous tissues, a network of sensitive nerves, and secretion glands. The labia majora receive a great amount of blood.
- The labia minora, which are two folds of tender skin located between the labia majora. They also receive a considerable amount of blood. In the rear they meet with the hymen and in the front they meet together and enfold the clitoris. Between the labia minora, the urine and vagina apertures are located.
- The clitoris is an organ subject to erection, exactly like the penis. It is extremely sensitive and has a very extensive neural network. It is composed of cancellous tissues and receives a very good amount of blood. As already mentioned, it is located at the point where the labia minora meet in the front. Its base is about one inch from the urine aperture. The clitoris is not created in vain; it performs a very important natural function, for it gets erect the same way as the male organ. When this happens, blood flows into the labia majora and the glands begin to excrete a liquid to facilitate sexual intercourse and allow the woman to enjoy it. All these sexual organs function to achieve

a purpose which is more sublime than many believe, and this is done through equal participation in a highly important biological function.

How infibulation is performed

Let us now look at what may happen when infibulation is performed. The operation calls for cutting off most of the labia majora and the complete removal of the labia minora and the clitoris. When this is done, a match is placed in the labia majora aperture. After the wound has healed, a small opening is left, from which urine comes out. At the age of puberty, menstrual blood is let out of the same opening. At the end of this operation, when the match is already placed, the girl's legs are tied together for forty days to make sure that the wound heals well.

Thus, quite simply, a woman is deprived of her genitals and denied the most basic element of life. Her life becomes one complex on top of another, and the house is filled with needless problems. Denying a woman the ability to share the pleasure makes her more negative. Denying her the relaxation of nerves which accompanies proper sexual intercourse creates in her feelings of great anxiety and loss. In turn, such negativity and such feelings of loss give rise to psychological, physical, and sexual disorders. An inferiority complex, a feeling of negativity, and an awareness that the man is the dominant master, the one who feeds with a spoon of gold, combine to gradually cancel her role in society. At the same time, feelings of weakness, negativity, and pain in the marital bed are certain to make her experience various sexual problems, such as sexual frigidity, which is nowadays a real crisis and the root of many domestic problems.

Harmful effects of infibulation

The above is a brief account of the indirect problems. The direct effects of infibulation are the following.

- *Surgical shock*, by which is meant the sudden drop in all functions of the body. There are many types of shock that produce the same effect, but an external shock is often the result of surgery performed without anaesthetics, and that is exactly what infibulation is. As a result of the great drop in blood pressure and in the activity of the respiratory system, this shock might end the girl's life. Or it may give the girl a psychologically painful memory, which haunts her all her life. It makes her afraid of sex and can only regard it as a vice. The concept that her sexual organs are dispensable and the great joy of her family when they are removed will undoubtedly implant that attitude towards sex in her head.

- *Bleeding*, which results from ignorance on the part of the midwife of the great amount of blood that feeds that part of the female body. Many innocent girls have been the victims of this widespread ignorance.
- *Inflammation and putridity*, which are caused by ignorance of even the simplest rules of hygiene. Putridity is caused by microbes that live with us in our bodies and in the instruments we use. The genitals are the area of the body where the highest percentage of microbes exist. An unsterilized or semi-sterilized knife is full of poisonous and harmful microbes.
- *Retention of the urine and of the menstrual blood*. During this noxious operation, the urine aperture is liable to infection, being so close to the clitoris, which causes urine to be retained in the early days after the operation. The aperture may also be so narrow when the wound heals that urine and menstrual blood cannot be discharged. No further explanation is required, for everybody knows what this means.
- *Puerperal fever*. A scalpel always has to be used to enlarge the vaginal opening at childbirth and allow the child to be delivered. This is sufficient exposure of the poor mother to the hazards of puerperal fever. It also causes psychological complications due to the pain the woman suffers at every childbirth, which in turn causes dystocia. I believe we all know that contractions of the womb are the basic factor in delivering the child. Fear stops these contractions or makes them highly infrequent, which places the delivering mother at the mercy of a caesarean operation.
- *Sterility*. Statistics clearly show that 20–25% of the cases of sterility in Sudan are caused by this terrible operation, which narrows the vaginal aperture to the greatest possible extent.

In addition to all this, there is the psychological pain infibulation causes through the incision and sewing that the woman undergoes every time she gives birth. This should be more than sufficient.

Pharaonic circumcision as viewed in Islamic law *

This form of female circumcision is an Ancient Egyptian habit, which was common in particular in the age of Ramses, more than 1000 years before Christ. It was introduced into the Sudan with the Egyptian conquests of the Nuba country. The kings of Nuba in turn conquered Egypt, and the custom of infibulation spread throughout the Nile Valley.

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The custom obviously does not exist in other countries. Female circumcision, whether in the form of infibulation or any other form, is not known at all in the countries of north-west Africa, the countries of Greater Syria, Iraq, India, Pakistan, Saudi Arabia, or Yemen.

There is nothing in Islamic law that prevents the abandoning of the simple form of female circumcision. As for Pharaonic circumcision (infibulation), it is a major crime, and if performed, full blood money has to be paid in compensation. It is a cardinal sin, and any person who performs it is damned.

Pharaonic circumcision is a devilish idea promoted by Satan. God says: *They (the pagans) only appeal to mere female deities instead of Him; they appeal but to Satan, the persistent rebel. God has cursed him, and he had said, "Of your servants I shall take my due share and lead them astray. I will fill them with vain desires and order them to slit the ears of cattle. I shall order them to tamper with God's creation". Whoever chooses Satan, rather than God, as his protector, suffers an irredeemable loss (4:117–19).*

The Prophet ﷺ says "Tattoo-makers are cursed by God..." and goes on, adding all those who "tamper with God's creation". A tattoo is done by using a needle to puncture the skin and sprinkling it with some kind of colouring that makes it green. It is a cardinal sin. A tattooed spot is impure and the impurity has to be removed by cutting the skin off, if possible, and if there is no serious risk. All the practices mentioned in the *hadith* are forbidden, and so are practices of similar nature. Pharaonic circumcision is one of these; indeed there is even more reason for it to be prohibited. The *hadith* give evidence that any person who performs such practices is damned, confirming that each of them constitutes a cardinal sin, because it is a form of altering God's creation. Abdullah ibn Mas'oud, a Companion of the Prophet ﷺ, says something to this effect, as reported by both Al-Bukhari and Muslim, and confirmed by Al-Nawawi and Al-Qurtubi. A woman blamed Ibn Mas'oud for cursing women engaged in such practices. He answered, "Why should I refrain from cursing those cursed by the Prophet ﷺ himself. I have support in God's Book, where He says: *Do whatever God's Messenger ﷺ bids you, and refrain from whatever he forbids you (59:7).*

So a man who allows his daughter to be subjected to circumcision in the manner now common in the Sudan, namely infibulation, is damned in Islamic law. He commits a major crime and cardinal sin. The same is true of any mother or woman who performs it. It is stupid and foolish for a father to say, "I do not interfere in such a thing, for it is a matter for women to decide", thus ignoring the saying of the Prophet ﷺ that "Each of you is a guardian, and each is responsible for his charges." In Al-Bukhari's and Muslim's version of this *hadith*, both

parents are included as bearing such responsibility. Such a father would also be ignoring the *hadith* which says, “Whenever any of you witnesses an abomination, let him rectify it with his hand; if he cannot, then with his tongue...”. A father can rectify the abomination by suing the woman who has performed infibulation, even if she is his own mother, and having her brought before court. God, if He pleases, will reward him when he does that for obeying His order to have abominations in society rectified, and for observing God’s injunction: *Believers, stand out firmly for justice and bear true witness before God, even against yourselves, your parents, or your kin. Whether the man involved is rich or poor, God can best take care of both* (4:135).

Some people, failing to see the issue correctly, may think that Pharaonic circumcision leads to chastity and protects the girl concerned. If it were so, God would create women with closed passages. But He creates them in the best possible form, and “no one can be keener to maintain virtue than God”.

When the colonial authorities tried to stop this savage practice, some people, with a superficial outlook, thought the British meant to harm them and were interfering in their private affairs. They forgot that the Prophet ﷺ tells us: “Accept wisdom, and do not worry what container it has come out of”. This means that even if it comes out of the mouth of a sinner or an unbeliever, wisdom should be taken, and its source does not reduce its value.

The tragedies of Pharaonic circumcision which people talk of and are sometimes published in the press constitute a great burden for us all. They are an abomination too great to tolerate. Here is an example of a lady complaining in the *Abnaa al-sudan* newspaper. She says:

My problem is that I feel angry and get mad at everything other than my three children. I cannot stand to see my husband, who loves me. I cannot stand to touch him or to go to bed with him. I cannot stand him. I cannot stand him. I hate men. I hate sex. I find no satisfaction in it whatsoever. I am not moved at all, when I have intercourse with my husband as happens with other couples. Dear editor, I do not know the secret why I loathe my husband, the secret of my frigidity when we have intercourse, of my anger and resentment, of my contemplating suicide. Does anybody know? Is there any remedy.

I hope so, and I impatiently await your answer.

Yours truly,
A.M.A.
Abbasiya, Omdurman

That is the lady's complaint. The editor tells her that it is wrong to contemplate suicide and that she should drive such notions out of her head because suicide never solves any problem. We also tell this lady that if this sinister practice of Pharaonic circumcision is not the basic reason for her feelings, it is certainly a major factor. This is a fault and a crime committed by her parents, and it is a sufficient punishment for them to be included in God's curse mentioned by the Prophet ﷺ.

You hear of many ladies like this one. In *Al-Sudan al-jadid* newspaper, a story was published about a young man who got married. Five days after the wedding he killed his wife because it was rumoured that he could not have sex with her. He believed the wife was the origin of the rumour and that was why he killed her. Many young men are prevented, for several months, by this ugly practice from getting on with their wives. Praise be to God, who has created man in the best possible form and distinguished him with reason from all animals.

One night recently, my little son came to me crying. His friend's mother was having great difficulty in her labour and no midwife was available to help her. Without help, she soon died. Her little children were all crying. I was greatly touched by this story and believed that if I died that night, I would be punished by God. I therefore determined to deal again with the subject of infibulation. The talk with my son reminded me of a conversation I had with Dr Abu Shamma, former under-secretary of the Ministry of Health. I had gone to him at the Ministry and asked him to recruit women who are efficient in performing female circumcision from abroad to come to Sudan. He answered, "That is not possible. We have given other countries the impression that Sudan is a civilized country, and that female circumcision is only practised in one small part of Sudan, and that soon it will be stopped altogether". He then added, "Women should be able to give birth by themselves, naturally, just as animals do. It is much to be regretted that Sudanese women have to have surgery every time they deliver. When a woman lives in a remote area and no midwife or physician is available, she will certainly die". It is clear from Dr Abu Shamma's words that he shared my conviction on this issue.

Let these words reach the ears of these imbeciles who value, and give importance to, corrupt family habits and traditions more than Islamic legislation and who are similar to those whom God describes when He says: *If they see the right path, they do not follow it* (7:146).

The remedy I suggest for this odious crime

Since Pharaonic circumcision is closely related to personal and family matters, entailing great harm for both wife and husband, and since scholars all agree on the necessity of stopping excuses and measures that lead to corruption, I hope a law will be passed by which female circumcision, whether the Pharaonic form (infibulation) or any other form, is utterly banned. I also hope that this law will stipulate that it is for the judges of religious courts to review any case related to female circumcision, when somebody violates the ban, because it has a close relationship with the personal and family laws.

The public know well that a judge in a religious court passes his judgements according to Islamic law. Therefore, if such a judge is in charge of a sensitive issue like this one, people are more likely to accept the matter and to observe his rulings. *But no, by your Lord, they do not truly believe unless they seek your arbitration in all their disputes, have no qualms about accepting your verdicts, and entirely submit (4:65).*

Since Pharaonic circumcision is a major crime in Islamic law, it entails the payment of the full amount of blood money. Scholars say: "Full blood money is required when a woman's labia are removed; otherwise, a verdict". This means that if the labia are not completely removed, and only part of them is cut off, a verdict imposing the punishment he finds most appropriate should be passed by a judge, according to his discretion, so that it may serve as a deterrent against this savage practice.

When a judge has determined that what was performed is indeed infibulation, he should order the person who performed it to be arrested and placed in prison if he wishes, until she pays the full amount of blood money to the victim. This woman is the one responsible, having not been forced to perform the savage act. Scholars are unanimous in the view that the clansmen do not have to pay collectively the blood money for an intentional act, and that the criminal alone should be made to pay.

The judge should then invite the parents to appear before him and to discipline them as he deems proper, for the *hadith* quoted in Al-Bukhari's and Muslim's authentic anthologies regards them as accomplices of the woman who commits the crime.

This woman should also pay, in addition to the blood money, compensation for the defect of atresia, that is narrowness of vagina, that she has caused to the girl. This is one of the four defects which, scholars agree, give a husband the right to reject a marriage even if he consummates it, when he has not been informed of it beforehand.

All of us should take a vow that we will never allow female circumcision to be performed on our daughters, since it is not something ordained by God and, from the point of view of Islamic law, there is nothing to prevent it being abandoned. In addition to observing Islamic law, let us help in promoting better awareness among people through all legitimate media, such as radio and television. Let speakers at mosques advise parents and explain to them how Islam views Pharaonic circumcision, pointing out that it is an abomination and a cardinal sin, entailing the payment of full blood money. Let them make it clear that a person who performs it is damned and that such a person, as well as those who order it and who know of it and do not speak up, is required to repent his crimes. Let people fear God in dealing with their little daughters. Muslim people continue to be safe as long as they recommend good deeds to each other and discourage each other from abominable acts. I hope many wise people, who listen to things that are said and follow the best, will respond to this invitation. God guides whomever He wishes to the right path.

Female Circumcision

Neither a *Sunna*, nor a Sign of Respect

Muhammad Salim al-Awwa, Ph.D

- Ever since the international CNN television network screened a filmed report depicting a circumcision being performed on an innocent Egyptian young girl, the subject of circumcision, in particular, female circumcision, has commanded considerable public interest, not just in Egypt, but in many other places, particularly within the Arab and Islamic world.
- Many people have dealt with this question in writing, endeavouring to determine how Islam views female circumcision. Some of these have overstated the case, claiming female circumcision to be a *sunna*, and other writers have gone too far, maintaining that Islamic jurisprudence makes “circumcision obligatory for both male and female”.
- Male circumcision is not a controversial subject, and there is no need to state how Islam regards it.
- Islamic legal rulings are deduced from the original, universally agreed sources. These are the Quran; the authentic *sunna* of the Prophet ﷺ; consensus, subject to the conditions set for it in the principles of Islamic jurisprudence; and analogy, when it meets the essential conditions.
- The conclusions of jurisprudence scholars are a human endeavour carried out by specialists in Islamic law to point out for Muslims, and even non-Muslims, the rulings of Islam on everything they are interested in. **Any conclusion reached by these scholars, however, should not be regarded as law, nor can it be cited as a creed to be followed. It can only be cited as an interpretation of the original texts and an application of what they say to actual cases.** Such a conclusion is a vehicle for a better understanding of the texts and of how they function, **but it is not infallible, and it is as likely to err as to be correct.** A qualified interpreter of Islamic jurisprudence is doubly rewarded when he makes a correct interpretation and receives a single reward when he errs.
- Therefore, if we wish to find out the ruling of Islamic law on the question of female circumcision, we should seek it in the Quran, then in the *sunna*, then in the consensus of scholars, and finally by analogy. We may find help in the interpretations of scholars, reassuring us that we have understood the text correctly, and confirming our conclusion. However, in the light of the knowledge now available to us and the progress made in medical science in particular, we may find nothing of benefit in those interpretations. When this is the case, we disregard them and pay no attention to what is set down in the books of scholars.

- **The Quran makes no mention**, whether explicit or implicit, of female circumcision. There is **no consensus** on the ruling of Islamic law in regard to it, and **no analogy** that is relevant and admissible.
- As for the *sunna*, it is the source to which the presumed legitimacy of female circumcision is ascribed, and this is because of certain quotations attributed to the Prophet ﷺ in some anthologies of *hadith*. In fact, **there is no authentic evidence in the cited statements** which allows for sanctioning this act, which has such serious matter, with its serious implications for human life as a whole.
- Scholars do not admit the evidence of *hadith* with questionable authority. Evidence can be taken only from those that have a strong chain of transmission.
- The *hadith* most often quoted of those which mention female circumcision is one that concerns a woman called Umm Attia, known to have practised female circumcision in Medina. It is claimed that the Prophet ﷺ told her: “Umm Attia, restrict yourself to a sniff and do not overstrain; (this way,) it is more pleasant in appearance and more satisfactory to the husband”. This *hadith* is quoted, with similar phraseology, by Al-Hakim, Al-Baihaqi, and Abu Dawood. All of them, however, relate it with weak chains of transmission, as *hadith* scholar Zein al-Din al-Iraqi points out in his commentary on Al-Ghazali’s *Ihya ulum al-din* (I:148).
- Abu Dawood, whose version differs in phraseology from the above-quoted one, says in commenting on this *hadith*: “It is reported in its general sense on the authority of Ubaidallah ibn Amr ibn Abd al-Malik. Its chain of transmitters is not strong. Besides, it is reported not as a direct quote attributed to the Prophet ﷺ ... This *hadith* is poor in authenticity” (*Abu Dawood’s sunan*, XIII, 125–26).
- Some contemporary scholars have collected the various versions of this *hadith*, all of which are lacking in authenticity and cannot be used as evidence. My colleague Muhammad al-Sabbagh, a renowned scholar, says in his treatise on female circumcision, “Consider, then, may God protect you, how these two eminent scholars, Abu Dawood and Al-Iraqi, as well as the others mentioned in my documentation of this *hadith*, judge it as a *hadith* markedly lacking in authenticity. It is better to pay no attention to later scholars who sought to classify it as authentic”.
- Thus, Umm Attia’s *hadith*, in all its versions, is of no value and cannot serve as evidence. Even if, for the sake of argument, we regard it as authentic, the instruction it gives is not an order to subject girls to circumcision. It is rather an explanation of how to perform it if it is to be performed. In this case, it should be restricted to a “sniff”, which scholars compare to the sniffing of perfume, meaning to cut off only a tiny part of the external side of the spot where

circumcision is usually performed, which is the fold of skin known as the *prepuce*. It is, as the Imam Al-Mawardi says, "...cutting off a part of this upper skin without removing the whole" or as the Imam Al-Nawawi describes it, "cutting off its lowest part". It is then a delicate medical question calling for a surgeon who can determine "the lowest part" of "this upper skin". Even if it is considered legitimate, female circumcision should not be performed by general practitioners, and certainly not by people who are not qualified as surgeons, such as midwives, barbers, etc. That is unfortunately what takes place in our country and other places where girls are subjected to this appalling operation.

- Another *hadith* which is as well-known as that involving Umm Attia is a quotation attributed to the Prophet ﷺ which says: "Circumcision is a *sunna* for men and a sign of respect for women". In his comments on *Ihya ulum al-din*, *hadith* scholar Al-Iraqi finds it also lacking in authenticity. For this and other reasons, the eminent scholar Sheikh Sayyed Sabeq says in *Fiqh al-sunna*: "The *hadith* recommending female circumcision are poor in authenticity. None of them is found to be authentic" (I,33).
- In his book *Talkhis al-habir fi takhrij ahadith al-rafie al-kabiri*, *hadith* scholar Ibn Hajar describes this *hadith* as poor in authenticity, and quotes Imam Al-Baihaqi's point of view that it is "poor, with a broken chain of transmission". In *Al-tamhid lima fil-muwatta' min al-ma'ani wal-assanid*, Ibn Abd al-Barr says, "It is based on the authority of a transmitter whose report cannot be admitted as evidence" (Shams al-Haq al-Azhim Abadi's *Awn al-ma'bood fi sharh sunan abu dawood*, XIV, 124).
- *Hadith* scholar Abu Umar ibn Abd al-Barr says in his above-mentioned book: "Those who consider (female) circumcision a *sunna*, use as evidence this *hadith* of Abu al-Malih, which is based solely on the evidence of Hajjaj ibn Artaa, who cannot be admitted as an authority when he is the sole transmitter. The consensus of Muslim scholars shows that circumcision is for men" (*Al-tamhid lima fil-muwatta min al-ma'ani wal-assanid*, XXI, 59).
- **Therefore this text cannot be used as evidence because of its weakness, being based on a transmitter whose report is unacceptable. How then can a ruling be based on it to the effect that a certain practice is a *sunna* or a sign of respect, which at worst is a recommended thing, and recommendation is a ruling that cannot be confirmed without sound evidence.**
- Nor is it an acceptable reply that this *hadith* gains evidence and support from the above-mentioned *hadith* of Umm Attia, for all the evidence cited by those who claim it to be authentic has serious defects negating such authenticity and rendering it inadmissible.

- Even if the *hadith* is authentic, which it is not, it does not imply that male and female circumcision have a similar ruling. It rather makes it explicit that female circumcision is not a *sunna*, but below it in degree. It is as if Islam, coming at a time when Arabs practised female circumcision, aimed at refining this habit by describing an extremely delicate and subtle method, using the words “restrict yourself to a sniff and do not overstrain” in the first *hadith* which is lacking in authenticity, and also aimed at making it clear that it is not a practice endorsed by religion, but rather a folk custom, and this is done by stating that circumcision is “a *sunna* for men...” in the second *hadith* which is also lacking in authenticity. The word *sunna* is used in the sense of “habit,” and not in the sense it has in religion.
- Neither of the two *hadith*, even if for the sake of argument they are supposed to be sound, admits an acceptable interpretation other than the above. Had the Prophet ﷺ intended an equal ruling for men and women, he would have said: “Circumcision is a *sunna* for men and women,” or he might have said, “Circumcision is a *sunna*,” and stopped at that. That would have made the ruling general, as long as it does not have anything which restricts its application to some, and not to all, people. Since the utterance, were it authentic, distinguishes between men and women, the ruling must be different, and its being a *sunna*, in the general sense of the word, applies to men alone. That is how Ibn Abd al-Barr al-Qurtubi interprets it when he criticizes those who claim female circumcision is a *sunna* on the basis of that unauthentic *hadith*. He points out that the consensus is that circumcision is for men.
- The same interpretation is implied in the words of Ibn al-Munther: “There is no authority to rely on in the question of circumcision, nor a *sunna* to be followed.” (quoted by Shams al-Haq al-Azim Abadi in his annotation of *Abu Dawood’s sunan*, XIV, 126).
- Imam al-Shawkani says: “In addition to the fact that the *hadith* is not valid as reference, it does not give any evidence to prove the case in question” (*Nail al-awtar*, I, 139).
- In some of the writings on the subject recently published in Egypt, there is a mention of a lady called Umm Habiba and a *hadith* in the form of a conversation between her and the Prophet ﷺ on this point is cited. There is no such *hadith* in any of the anthologies of traditions, and no mention of a woman with that name who practised female circumcision. Therefore, the argument is not valid; it is utterly unfounded.
- Another evidence people cite is a *hadith* attributed to Abdullah ibn Umar which addresses the women of *al-ansar* (the original inhabitants of Medina who

supported the Prophet (ﷺ) endorsing female circumcision. The *hadith* is described as unauthentic in the very source from which they quote it (Al-Shawkani, *Nail al-awtar*, I, 139), which says, “Abu Naim’s chain of transmission (Abu Naim being one of the two person who quote it) includes Mandal ibn Ali, who is classified as a poor authority, while Ibn Adi’s chain of transmission includes Khaled ibn Amr al-Qurashi, who is even a poorer authority than Mandal. Thus, this is another *hadith* that cannot be cited as evidence by anybody.

- Authentic *hadith* include one in which Aisha directly quotes the Prophet (ﷺ) (and with a version where she is the one quoted) as saying something, cited in more than one version with slightly different phraseology, to the effect that, “If the two circumcision organs meet, *ghusl* or grand ablution, becomes obligatory”. This *hadith* is cited by Malik in *Al-muwatta’*, Muslim in his anthology of authentic *hadith*, Al-Tirmithi and Ibn Majah in their anthologies, and other editors of collections of the *hadith*.
- The relevant point here is the phrase “the two circumcision organs” used by the Prophet (ﷺ) which is an explicit reference to the male and female organs that are usually circumcised and which is taken by some people as evidence that clitoridotomy is legitimate.
- This authentic *hadith* is by no means evidence of legitimacy, the Arabic word used for “the two circumcision organs” is in the dual case and it follows the habit of calling two objects or two persons after the more familiar or after either of them, giving it prominence. There are many examples of this in idiomatic Arabic usage, such as “the two Umars”, referring to Abu Bakr and Umar; “the two moons”, referring to the sun and moon; “the shining two”, making the same reference although the moon does not shine of itself and only reflects the light of the sun; “the two *ishas*”, referring to *maghreb* and *isha*, and “the two *zhuhrs*”, referring to *zhuhr* and *asr*. Arabs usually choose the more prominent of the two or the easier in giving a dual form, and that is why they say for parents, “the two fathers”, although they are a father and a mother. Sometimes they choose the easier to pronounce as in their saying, “the two Umars” or the greater in status, such as in God’s saying, “Nor are the two seas alike, the one being potable and pleasant to drink, and the other salty and briny”. The first of these “two seas” is a river and the second, an actual sea. Sometimes the word with the female gender is chosen to make the dual form, such as in the expression “the two Marwas”, referring to the two hills of As-Safa and Al-Marwa in Mecca. This usage in the Arabic language is familiar to Arabic linguists. (One famous reference book available to students and dealing with this point is Abbas Hassan’s *An-nahw al-wafi*, I, 118–19).

- Thus it is clear that in true *sunna* there is no evidence that female circumcision is endorsed, that all the *hadith* on female circumcision used as evidence are poor in authenticity and cannot serve as the basis for a religious ruling, and that the practice is nothing other than a custom which Islam left for time and for progress in medicine to refine or abolish.
- We should remind those who advocate female circumcision, believing it to be a religious practice, that the thing we are discussing is not a theoretical concept which can serve as a suitable subject of controversy. It is rather a custom which is very common. Published Egyptian statistics reveal that 95% of all Egyptian females are subjected to circumcision (*Facts about female circumcision*, The Egyptian Society for Protection against Practices Harmful to Women and Children, 1993, p.11). The practice takes one of three forms, none of which conforms to the procedure advocated by those who sanction female circumcision. All three forms deviate from that procedure.

In all its forms practised in Egypt, female circumcision falls under the 'overstraining' mentioned in the *hadith* that lacks authenticity. This means that this *hadith* provides them with no support because the practice does not conform to the advice mentioned in this *hadith*; it indeed contradicts it.

- Female circumcision as practised in Egypt, in its three forms, is an assault on the human body which falls under the category of criminal behaviour as defined in the criminal code (Salah Awais, Deputy Chief Justice at the Court of Cassation, *Female circumcision in light of the principles of criminal and civil responsibility in Egyptian law*).
- Physicians and nonphysicians equally shoulder the criminal and civil responsibility for this atrocity. The female genitals in their normal form and as created by God are not a disease, nor a cause of disease. Nor do they cause any sort of pain which requires surgical intervention. Thus any surgical tampering with this delicate, natural system, in any of the forms of female circumcision, is not regarded by the law as falling under any of the valid reasons for surgery, which are medical treatment, detection of a disease, relief from a current pain, or prevention of an expected one. Therefore, the surgical procedure in question is not allowed and calls for punishment (*Ibid.*, p.9).
- God's Messenger ﷺ forbade any meddling with God's creation, and authentic *hadith* quote him as cursing females who undertake such meddling. The Quran classifies the amputation of organs, even in animals, as a sin. Such amputation is what Satan warned to use as a means to lead human beings astray in handling their cattle, and it is mentioned together with tampering with God's creation. God says about Satan: *God has cursed Satan, and he had said, Of your servants I shall take my due share and lead them astray. I will fill them with vain desires*

and order them to slit the ears of cattle. I shall order them to tamper with God's creation. Whoever chooses Satan, rather than God, as his protector, suffers an irredeemable loss (4:117–19).

- As practised in Egypt and in other parts of the Islamic world, female circumcision involves tampering with God's creation and a removal of inviolable human organs. If doing this to animals is an act of Satan's, which he does in order to lead people astray, how can it be regarded when done to human beings?
- It is a well known fact that the location where female circumcision is performed is one of the highly sensitive spots in arousing sexual desire. The way it is touched determines whether or not a woman gets the satisfaction in intercourse which her husband is expected to give her. This satisfaction in turn determines whether she feels emotional fulfillment, and the two feelings of physical and emotional satisfaction increase or decrease in proportion to each other. Any surgical meddling with this part of the body certainly reduces both feelings. It is a flagrant assault on the woman's legitimate right to enjoy intimacy with her husband and to have the psychological peace which results from enjoying that right of hers. God has given the organs of every human being a special image that is never repeated in all its details in any other person. He knows best the things and the creatures He has created. There is no frivolity or oversight in His making any one of His creatures; and certainly there is nothing that needs to be corrected by a woman who practices infibulation, as argued by the advocates of female circumcision. All organs of the human body are made to carry out their functions in the fullest and best possible manner. To deny a person the fruits of some of these functions is certainly an assault on that person.
- Advocates of female circumcision who wish for it to continue ignore that fact and subject women to a most severe injury. It is an unlawful injury, the harm resulting from it cannot be cured, and the psychological pain it causes cannot be compensated by anybody.
- **Since female circumcision is not something required and no evidence from religious sources proves that it is either an obligation or a *sunna*, what remains is that it is an absolute damage that has no benefit.** It is not, as its advocates say, "a proper refinement of sexual desire, particularly in adolescence". They go on to say, "This is something that we can witness in, and be warned against by, the mixing, crowding, and even bodily contact of men and women in the areas and places where contact takes place these days, as everyone surely knows. Unless girls are circumcised...they will be exposed to various erotic excitements which, together with other elements with which this age is abundant, will lead them to deviation and vice".

- I maintain that things are not as these people claim them to be, because erotic excitement of the point which is subjected to female circumcision results only from direct contact under special circumstances, which is not something that occurs in the cases of mixing, gathering, and closeness they mention, the most obvious of which is public transport. In these cases, contact between various parts of the male and female bodies, contrary to religious instruction, occurs. Could the answer for such occurrences be to remove these parts from the bodies of all men and women?
- It is well known that every chaste and virtuous person, male or female, greatly suffers when something of that sort occurs to him or her, and usually that happens accidentally and unintentionally. When an upright and God-fearing person finds himself in such a situation, he or she suffers great embarrassment. In such a situation no sexual desire is going to be aroused to begin with, the brain being preoccupied with more urgent concerns. Except in the cases of abnormal and sick people, who do not count when general rulings are made, erotic excitement happens only in atmospheres of full relaxation, peace of mind, and willingness.
- Chastity and modesty are equally called for in men and women. They are the means of protection against the unpleasant consequences of close contact between the two sexes. Good upbringing, which instills virtuous conduct, is the real shield that keeps such contact from leading to consequences contrary to religious instruction and moral standards. As for the female circumcision which some people advocate, it is useless and, as already pointed out, an absolute injury.
- It is the duty of the government, both in Egypt and in other Islamic countries where this reprehensible custom prevails, to pass a law prohibiting it, particularly as it is practised at present. The inflexibility of some people in following the views of their forefathers should not be allowed as an obstacle against such a law. Scholars rule that the removal of the labia majora, which are the two outer folds of skin of the vulva surrounding the entrance for intercourse, calls for the payment of the full amount of blood money, and blood money is a punishment for the person who pays it and a compensation for the one who receives it. In explaining this ruling they point out that sexual satisfaction is linked with the labia, and losing or reducing the ability to have this satisfaction calls for such punishment and compensation. To take measures of prevention against its occurrence is certainly legitimate; it is much better than to wait for it to happen and then try and explain or justify it. (See Ibn Hazm, *Al-muhalla*, X, 458. Ibn Hazm quotes the views of scholars on the subject then makes clear his stand in opposition to them, calling for retaliation against intentional practice and

waiving blood money in the case of mistakes. Also see Ibn Qudama, *Al-mughni*, XI, 546 and XII, 158, where two views are quoted, one calling for retaliation when the labia majora are removed and the other ruling that blood money is sufficient for technical considerations which the retaliation procedure involves.)

- Thus it is clear that **in Islamic ruling, clitoridotomy is neither an obligation nor a sunna**, with no evidence supporting either. Nor is it a sign of respect because all the *hadith* endorsing it are poor in authenticity. **It is rather a custom**, and as such it is not common in all Islamic countries; it is restricted to some. **Besides, it is a custom that causes an absolute injury**, the infliction of which on any person cannot be accepted without legitimate justification. It is an injury which, particularly in its psychological aspect, cannot be compensated for. If its practice and the injustice it involves, as it is practised in all its forms that are common in our country, causes a woman to lose her ability to enjoy sexual satisfaction, scholars rule that retribution or blood money is due.
- Let the fear of God enter the hearts of those who sanction what cannot be sanctioned and attribute to Islam something that it does not call for. Let them remember what the Prophet ﷺ urged upon his followers in regards to women, when he said: “Take good care of women”. Let them picture themselves in the place of these poor women who, through circumcision, are deprived of a satisfaction which, if these men were the ones to be deprived of, they would find no compensation for in any other way.

