



Muslim Women's Shura Council

FEMALE GENITAL CUTTING: HARMFUL AND UNISLAMIC

The Shura Council is a global and inclusive council of Muslim women scholars, activists, and specialists. The Council endeavors to connect Islamic principles to society's most pressing issues and develop holistic strategies for creating positive social change. In this statement, the Shura Council condemns Female Genital Cutting as a harmful and un-Islamic practice and makes suggestions for its elimination. In this, the Council is in accordance with the rising religious consensus on the issue, the views of the international human rights community, and published medical research.

INTRODUCTION

Female Genital Cutting (FGC) is the partial or total removal of the external female genitalia for non-medical reasons. The term describes a varied range of practices, including the following: slight pricking or nicking of the clitoral hood; hoodectomy (excision of the clitoral hood); clitoridectomy (excision of the clitoris); the excision of the clitoris and labia minora and majora; and infibulation (suturing) with excision of the external genitalia.

Commonly cited reasons for the practice include the faulty beliefs that FGC is "a good tradition" or a religious requirement or that it ensures "cleanliness" and prevents excessive clitoral growth. FGC is also deeply connected to marriage rituals and ideas about protecting virginity and preventing promiscuity.

FGC is practiced openly in 28 different African countries, as well as secretly in parts of the Middle East, Europe, Australia, and the United States. Over 130 million women worldwide have been affected by some form of FGC, and three million girls are at risk every year. Most children are subjected to FGC between the ages of four and ten years; however, there has been a recent downward shift in the age of victims.

FGC IS HARMFUL

Medical consequences of FGC include, but are not limited to, the following: death through shock and/or excessive bleeding; infection; sepsis; urine retention; ulceration of the genital region; injury to adjacent genital tissue; scarring; infertility; cysts; painful sexual intercourse; increased risk of transmission of sexually transmitted diseases, including HIV/AIDS; and a range of resulting psychological and psychiatric problems.

The procedures are often performed in unsterile environments and with little or no anesthesia. Children who develop uncontrolled bleeding or infection under such conditions die within hours of the first incision. Risks associated with FGC are reduced but not eliminated when FGC is performed in modern medical facilities. The practice has been widely condemned by medical, political, and religious authorities and is banned by a wide network of local, national, and international laws.

FGC IS UN-ISLAMIC

FGC is not a Muslim Practice: FGC precedes the birth of both Islam and Christianity. Virtually unknown in many Muslim-majority countries, it is performed by Muslims, Christians, Jews and members of non-Abrahamic religions in areas where it is common.

FGC contradicts every principle of Islam and every source of Islamic law: Based on every single source guiding Islamic ethics, it is clear that FGC is unjustifiable on Islamic grounds.

These sources include the Qur'an, the example and sayings of the Prophet Muhammad (*sunnah and hadith*), the objectives and principles of Muslim religious law (*maqasid al-shari'a*), religious consensus (*Ijma*), legal opinions (*fatawa*), and analogical deduction (*qiyas*).

FGC Contradicts The Holy Qur'an

The Qur'an does not mention female genital cutting, and the Qur'anic messages of health, justice, and compassion clearly contradict the practice.

The Qur'an promotes mutual pleasure during marital sexual intercourse (2:187 and 30:21), which is severely limited by FGC.

According to the Qur'an, humans were created in "the best stature" (95:4). Therefore, the Qur'an repeatedly condemns acts that negatively affect the human body (30:30 and 2:195).

"Tradition" is not an acceptable reason to continue FGC, as the Qur'an condemns those who blindly follow traditions which hurt innocents: "and when the girl child who was buried alive shall be asked 'for what sin was she killed'" (81: 8-9).

FGC Contradicts the Prophet's Example (Sunnah) and Words (Hadith)

There is no evidence that any female members of the Prophet's household were cut, whereas there is evidence that his grandsons were circumcised.

The Prophet was exemplary in his kindness and gentleness towards all members of his family and is known to have said, "Whoever becomes the father of a girl, he should neither hurt her nor treat her with contempt."

Scholars past and present have deemed all hadith that mention FGC weak, therefore not suitable for legal argumentation; even these weak hadith depict a curbing of the practice.

FGC is Not Supported by Legal Consensus (Ijma)

In accordance with the principle of protecting life and in confirmation of the important hadith, "there should be neither harming nor reciprocating harm," Islamic law forbids any attack on the human body, including any form of corporal harm or sexual assault.

There is no consensus within classical legal (*fiqh*) schools on FGC; however it is likely that scholars who called FGC permissible were not aware of its harm, because only a cultural practice that does not hurt an individual or the society can be called permissible under Islamic law.

FGC Contradicts the Principles of Islamic Jurisprudence (maqasid al-shari'a)

According to scholarly consensus, the six objectives and principles of Muslim religious law (Shari'a) include the protection and promotion of religion (*al-din*), life (*al-nafs*), mind (*al-'aql*), family (*al-nasl*), wealth (*al-mal*), and dignity (*al-'ird*). FGC violates at least five of these principles:

The Protection of Life: FGC harms infants, girls, and women, endangering their lives and the lives of their future children. In fact, FGC practicing regions have the world's highest maternal and infant mortality rates.

The Protection of Mind: FGC harms girl's minds by undermining their mental and psychosexual health, causing psychosis and trauma.

The Protection of Family: FGC prevents the proper fulfillment of conjugal relations and forecloses mutually pleasurable sexual relationships for husband and wives. It has been linked to infertility and divorce.

The Protection of Dignity: FGC harms a woman's dignity, condemning her to a life of serial infections and intimate scars. Disfiguring genitalia, on the unproven assumption that the practice prevents promiscuity, denies humans their divine right to free will and dignity.

The Protection of Religion: In many cases, suturing and scars make it impossible for the cut female to attain ritual cleanliness (*tahara*), denying her the right to worship. The unnecessary health problems caused by FGC prevent a woman from enjoying the two blessings the Prophet has praised: "health and free time for doing good."

FGC is Not Supported by Legal Opinions (Fatawa)

With the increase in scientific and medical knowledge on the effects of FGC on children, women, and families, extensive scholarly consensus has begun to form among contemporary scholars. Numerous learned fatwas have been issued against the practice worldwide, and an increasing tide of Islamic scholarship has been wearing down the cultural walls of FGC.

In a global 2006 conference, an impressive array of high-level Islamic religious scholars from around the world declared FGC to be both contrary to Islam and an attack on women. In 2009, Egypt's Dār al-Iftā', the international flagship for Islamic legal research, released a fatwa, which denounced "female circumcision" as a harmful cultural rite: "Anyone who is acquainted with the reality of the matter cannot speak except in favor of its prohibition."

FGC is Not Supported by Analogy (Qiyas)

FGC is not analogous to male circumcision because:

- it has no basis in Islamic texts
- functional organs as opposed to skin tissue are cut
- there is no unity of practice: it is performed only in some Muslim communities who differ to the extent of the incision
- there are proven medical benefits to male circumcision, including protection against HIV/AIDS, yet only medically proven harm from FGC, including increased transmission of HIV/AIDS.

CONCLUSION AND RECOMMENDATIONS

The Shura Council condemns FGC as a harmful and un-Islamic practice that contradicts the spirit and the letter of Islam, violates international laws on children's and women's rights, and endangers populations in need. Research suggests that FGC can be eliminated very rapidly if communities themselves decide to do so. The Shura Council believes that the dissemination of religious information of FGC will help eradicate FGC, especially when combined with context-specific, culturally sensitive, grassroots measures. The Council suggests that human's rights groups seek the collaboration of local, national, and international religious authorities in the struggle to eliminate FGC.

CAMPAIGNS AND ACTIVISM

WISE is a global program, social network, and grassroots social justice movement led by Muslim women and sponsored by the American Society for Muslim Advancement. WISE is generously funded by the MDG3 fund and Henry Luce Foundation. To read the longer Shura Council statement against FGC, find information about current campaigns, and to connect with organizations and activists working to eradicate FGC, please visit <http://www.wisemuslimwomen.org/currentissues/femalegenitalcutting>