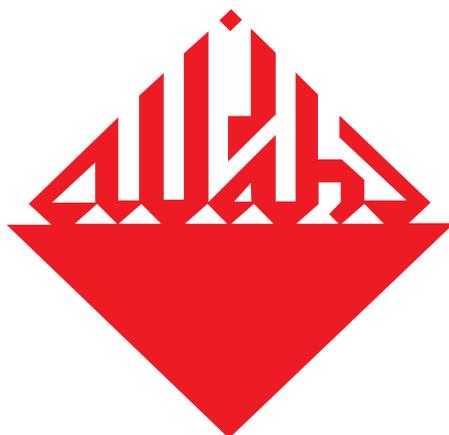


STUDIA ISLAMIKA

INDONESIAN JOURNAL FOR ISLAMIC STUDIES

Volume 21, Number 3, 2014



REDISCOVERING ISLAM IN JAVANESE HISTORY

M.C. Ricklefs

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Indonesian Journal for Islamic Studies
Vol. 21, no. 3, 2014

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STUDIA ISLAMIKA (ISSN 0215-0492; E-ISSN: 2355-6145) is an international journal published by the Center for the Study of Islam and Society (PPIM) Syarif Hidayatullah State Islamic University of Jakarta, INDONESIA. It specializes in Indonesian Islamic studies in particular, and Southeast Asian Islamic studies in general, and is intended to communicate original researches and current issues on the subject. This journal warmly welcomes contributions from scholars of related disciplines. All submitted papers are subject to double-blind review process.

STUDIA ISLAMIKA has been accredited by The Ministry of Education and Culture, Republic of Indonesia as an academic journal (SK Dirjen Dikti No. 56/DIKTI/Kep/2012).

STUDIA ISLAMIKA has become a CrossRef Member since year 2014. Therefore, all articles published by STUDIA ISLAMIKA will have unique Digital Object Identifier (DOI) number.

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Editorial Office:

STUDIA ISLAMIKA, Gedung Pusat Pengkajian
Islam dan Masyarakat (PPIM) UIN Jakarta,
Jl. Kertamukti No. 5, Pisangan Barat, Cirendeu,
Ciputat 15419, Jakarta, Indonesia.

Phone: (62-21) 7423543, 7499272, Fax: (62-21) 7408633;

E-mail: studia.islamika@uinjkt.ac.id

Website: <http://journal.uinjkt.ac.id/index.php/studia-islamika>

Annual subscription rates from outside Indonesia, institution:
US\$ 75,00 and the cost of a single copy is US\$ 25,00;
individual: US\$ 50,00 and the cost of a single copy is US\$
20,00. Rates do not include international postage and
handling.

Please make all payment through bank transfer to: **PPIM,
Bank Mandiri KCP Tangerang Graha Karnos, Indonesia,**
account No. **101-00-0514550-1 (USD),**
Swift Code: bmrriidja

Harga berlangganan di Indonesia untuk satu tahun, lembaga:
Rp. 150.000,-, harga satu edisi Rp. 50.000,-; individu:
Rp. 100.000,-, harga satu edisi Rp. 40.000,-. Harga belum
termasuk ongkos kirim.



Pembayaran melalui **PPIM, Bank Mandiri KCP Tangerang
Graha Karnos, No. Rek: 128-00-0105080-3**

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Circumcision and Muslim Women's Identity in Indonesia

Abstract: *In Indonesia, female circumcision is generally perceived as a traditional heritage that must be respected and preserved, as well as a religious injunction that must be followed and implemented. Despite there being a lack of religious arguments, the practice has been deemed as a medium to Islamize a girl and as a strong marker of a girl's Islamic identity. On the other hand, female circumcision is also associated with local tradition. The practice is intended to purify and preserve a girl's honor. This reflects a patriarchal ideology that emphasizes the importance of protecting female chastity. This paper unfolds the complicated nature of female circumcision in Indonesia, and examines whether it serves as an expression of religious belief, as a preservation of local tradition or as a violation of human rights.*

Keywords: circumcision, women, tradition, Islamic jurisprudence, human rights.

Abstrak: *Sunat perempuan di Indonesia pada umumnya dipandang sebagai tradisi turun-temurun yang harus dihormati dan dilanggengkan, sekaligus sebagai aturan agama yang harus ditaati dan dijalankan. Meski tidak dilandasi oleh dalil agama yang tegas, praktik tersebut kerap dianggap sebagai sarana untuk mengislamkan perempuan dan penanda identitas keislamannya. Di sisi lain, sunat perempuan juga dikaitkan dengan tradisi budaya setempat. Praktik tersebut ditujukan untuk menyucikan dan melindungi kehormatan diri perempuan, dan dengan demikian mencerminkan ideologi patriarkis yang menekankan kesucian perempuan. Tulisan ini menyingkap kerumitan sunat perempuan di Indonesia: apakah ia merupakan pelaksanaan keyakinan keagamaan, pelestarian budaya lokal, atau pelanggaran hak asasi manusia.*

Kata kunci: sunat, perempuan, tradisi, hukum Islam, hak asasi manusia.

الخلاصة: يعد ختان الإناث في إندونيسيا في أغلب الأحيان من التقاليد الموروثة التي ينبغي احترامها والحفاظ عليها، كما أنه في الوقت نفسه يعد من التعاليم الدينية التي يجب تطبيقها. وعلى الرغم من أن هذه الممارسة لا تستند إلى أدلة شرعية صريحة، إلا أنها تعتبر وسيلة لإثبات إسلام المرأة ودليلاً على هويتها الإسلامية. ومن جانب آخر يتم ربط هذه الظاهرة بتقاليد الثقافات المحلية التي تهدف إلى تطهير المرأة والحفاظ على كرامتها، وهي بالتالي تعكس الإيديولوجية الأبوية التي تؤكد أهمية طهارة المرأة. وهذا المقال يكشف عن تعقيدات ظاهرة ختان الإناث في إندونيسيا: هل هي تطبيق العقيدة الدينية أم حماية الثقافات المحلية، أم انتهاك حقوق الإنسان.

الكلمات الاسترشادية: ختان الإناث، التقاليد، الأحكام الشرعية، حقوق الإنسان.

Female genital mutilation/cutting/circumcision (FGM/FGC/FC) is generally known in Indonesia as *khitan* or *sunat perempuan*. These terms are Arabic terminologies, indicating the practice's association with the Islamic tradition. Female circumcision is commonly performed in Muslim societies throughout the archipelago, in particular those in Padang, Banten, Madura, Banjar, Makassar and Lombok. It is not found, however, in the non-Muslim milieu. Despite female circumcision having a strong association with Islamic identity, there is neither a Quranic verse nor a valid hadith that decisively support the practice. Moreover, the practice does not prevail in most of the countries in the Middle Eastern heartland of the Muslim world, such as Saudi Arabia.

Concern about the practice increased after the World Health Organization warned in 2010 against "all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons" (WHO, 2010). WHO classified FGM/FGC/FC as the following types: 1) the partial or total removal of the prepuce and/or the clitoris (clitoridectomy); 2) excision of the clitoris and labia minora; 3) infibulations, as commonly practiced in Africa; 4) unclassified types covering any harmful procedure to female genital. The first and the fourth type of FGM/FGC/FC prevails in Indonesian societies (Budiharsana et al, 2003). Based on this concern, the Indonesia Directorate General of Community Health issued a circular to health professionals in 2006 on the prohibition of medicalization of female circumcision.

In response to the ban imposed by the state, the Council of Indonesian Ulama (MUI, Majelis Ulama Indonesia) issued a *fatwá* No. 9A, concerning female circumcision in 2008. In its *fatwá*, MUI considered both male and female circumcision as part of Islamic *fiṭrah* (nature) and *shī'ār* (symbol). MUI regarded female circumcision as *makrūmah*, meaning implementation is a recommended ritual (*'ibādah*). MUI stated that prohibition of female circumcision was against Islamic law and demanded that the state apply the *fatwá* as a foundation on issuing any regulation concerning the practice. Nevertheless, MUI warned against excessive practice that could bring harm (*muḍārah*).

To some extent, MUI's *fatwá* strengthened Snouck Hurgronje's thesis that female circumcision in Indonesia was considered as an Islamic duty. Just like male circumcision, female circumcision has been viewed in some societies as a medium to Islamize a girl/woman

or to convert her to Islam. Female circumcision, therefore, has become one of the most important identity markers that distinguish Muslim women from non-Muslims. In some communities, circumcision is required to establish a woman's formal declaration to Islam. Otherwise, she would not be considered a Muslim and her rituals would not be accepted. Because of this, the practice sometimes involves the recitation of *shahādah* (Islamic pledge) and other Islamic prayers. Unsurprisingly, religion and tradition are the two dominant factors in most cases of female circumcision in Indonesia.

In order to understand the extent of the female circumcision and the social dynamics that perpetuate it in Indonesia, the author conducted field research in the national capital city of Jakarta, in Padang (West Sumatra) and in Lombok (West Nusa Tenggara). In analyzing the issue, the author explored the practice's socio-cultural and religious factors. By doing this, the paper is expected to reveal the complicated nature of female circumcision: whether it serves as an expression of religious belief; whether it is the preservation of local tradition; or whether it is a violation of human rights.

Female Circumcision: A Cultural or Religious Practice?

The nature of female circumcision has been a matter of continuous debate among scholars. According to Professor Jurnalís Uddin (2010: 87), the tradition of male and female circumcision can be traced back to Egypt and Middle Eastern countries since 4000 BC, indicating that circumcision is more of a cultural tradition rather than a religious ritual. Female circumcision, which involves either excision, infibulations or clitoridectomy, continues to be widely practiced in Africa. Female circumcision has been practiced among both Muslim and non-Muslim societies in most of the African countries, with the exception of Morocco, Tunisia, Algeria and Libya. The fact that female circumcision is also performed by non-Muslims in these regions indicates further that the practice is merely part of local tradition rather than an Islamic injunction.

Furthermore, female circumcision is not prevalent in Middle Eastern countries including Saudi Arabia, Oman, Qatar, UAE, Bahrain, Jordan, Syria, Lebanon, Turkey and Iraq. Yemen is an exception. The absence of female circumcision in most of these Arab-Muslim countries, which are geographically located in the 'heartland' of Islam, indicates that the practice has nothing to do with Islamic teaching. Whereas in Asia,

a limited form of female circumcision is found in Malaysia, Pakistan, India and Indonesia. In this regard, Uddin (2010) assumed that the female circumcision was brought by Yemeni traders (Hadramaut) who preached Islam in Asian countries, including Indonesia. This thesis provides a plausible answer to the question of why female circumcision is, at present, no longer perceived as being a mere cultural tradition but also part of religious obligation.

Nico Kaptein has argued that both female circumcision and male circumcision were indigenous cultural features in the Indonesian archipelago that had origin in pre-Islamic times. The practice was incorporated into Islam with the arrival of this religion in the archipelago (Kaptein, 1995: 298). Kaptein based his argument on the ethnographic data presentation of G. A. Wilken (1847-1891), who argued in his 1885 article that circumcision was not an Islamic custom and was also practiced by non-Muslims and people who had never encountered Islam. B. J. O. Schrieke (1890-1945) also strengthened this thesis. His argument was based on the discovery of a pre-Islamic artifact from Java that represented a circumcised phallus. In the early 19th century, the Javanese who had converted to Christianity continued to circumcise their children. This fact indicates that circumcision is a merely expression of the Javanese cultural heritage instead of an initiation to Islam.

This supposition is in line with Muhajir Darwin's research finding of 2003. In interviewing an expert of Javanese tradition in Yogyakarta, Darwin found that circumcision had been practiced by the society long before the arrival of Islam in Java. Darwin found that the ritual of circumcision (*tetakan* for boys and *tetesan* for girls) was considered a medium for removing *sukerto*—bad luck living in humans since the day of birth. In particular, female circumcision required sticking the clitoris with turmeric. The turmeric was to be cut and thrown into the sea, or buried in the ground. In this practice, the turmeric represented the yellow angel, named *Sang Hyang Manikmaya*, who had the task of removing *sukerto* from the child (Darwin et al., 2003). In this case, the Javanese philosophy of female circumcision clearly indicates its non-Islamic nature. Despite the symbolic aspect of the procedure, such a practice can be categorized into WHO's unclassified type—covering any harmful procedure to the female genitalia—since it might also involve unhygienic tools of circumcision. In his further observation, Darwin indicated that such circumcision also served as a rite of the

passage for the girl from childhood to adulthood in Java. As a puberty rite, a circumcised girl would be now considered mature and on the way to becoming a real woman.

Aside from Java, Schrieke's 1921 study indicated that female circumcision was also practiced in Sulawesi (Makasar, Gorontalo), Kalimantan (Pontianak, Banjarmasin), Sumatera (Lampung, Riau, Padang, Aceh), Kei Island in Ambon, Alor Island and in the Sasak tribe in Lombok. The study reported that female circumcision was generally conducted secretly at a very young age by removing a small part of the clitoris. This finding convinced Feillard and Marcoes (1998: 347) that female circumcision was introduced to Indonesia by early Islamic preachers, with the practice found only in regions where the majority of the populations were Muslim. They also found that it was non-existent in the areas where non-Muslim ethnic groups lived. They cited G.A. Wilken's later publication of 1912 which indicated that female circumcision was exclusively found among Muslims because it was a ceremony of entry into the religion and not an indigenous practice.

In addition, Feillard and Marcoes (1998: 341) referred to Snouck Hurgronje's view that female circumcision was considered a religious duty which was, like other duties, neglected by the majority of indigenous people. According to Hurgronje, the Javanese term for circumcision, *njelamaké*, means to 'make a Muslim'. This Islamizing function of circumcision probably came with the advent of Islam in the archipelago, wherein circumcision (*khitān*) was incorporated to Islam despite its marginal position in the Islamic legal handbooks. In this regard, circumcision has different legal statuses within Islamic jurisprudence: it is recommended (*sunnah*) according to Malik; it is obligatory (*wājib*) according to Shafī'i. Since the Shafī'i school of jurisprudence (*madhhab*) is predominant in Indonesia—and in other Southeast Asian countries, such as Malaysia—circumcision, together with the abstention from pork, is regarded now as one of the most important identity markers of a Muslim (Kaptein, 1995: 287).

Putranti's comparative study in Yogyakarta and Madura (2003) also affirmed that female circumcision, just as male circumcision, is meant to Islamize the member of society. Circumcision is considered as an Islamic ritual of purification, as the prayers (*ṣalah*) in Islam necessitate purification from any impurity (*najis*) attached to the human body—the genitals. That is why the view that *khitān* is obligatory for men and

women have become predominant in the society of Madura. Her survey revealed that 80 per cent of respondents in Madura conveyed that they practiced female circumcision for religious reason. In Yogyakarta, on the other hand, the reasons varied: 31 per cent of respondents conducted female circumcision for religious reasons; 26 per cent for preserving the tradition; 26 per cent for fulfilling a parent's demand. The procedures involved in performing female circumcision in Yogyakarta are also diverse, ranging from 'cutting and scratching', to 'cleaning the genitals' and 'symbolic procedure'. It seems that the variation in the motives behind female circumcision, whether due to religious or traditional factors, determines the variation in procedures.

In this regard, Darwin et al. (2003: 21) concluded that both male and female circumcision have equal socio-religious relevance for societies in Madura and Yogyakarta. Aside from being considered a religious obligation that must be practiced to avoid sin, circumcision has become a form of social pressure on individuals to be identified as part of the society. Children who have not yet experienced circumcision are deemed as yet to be Muslim. Their religious services deemed to be not accepted by God. In addition to its social identity function, circumcision also serves as a cultural bond among various groups when it is practiced on a massive scale. Therefore, along with the prevailing myths that imply benefits for sexual relationships, people are motivated to continue the practice.

The integration of tradition and religion is also apparent in Imam Zamroni's research in Pamekasan, Madura (2010). Madurese loyalty in enforcing the Islamic law is reflected in their proverb *abhântal shahādah, asapo' iman, apajung Islām* (having *shahādah* as pillow, *īmān* as blanket, Islam as umbrella). Islam is deeply ingrained in Madura's norms, making it hard to distinguish between religious prescription and cultural tradition. Although the Islamic legal status of female circumcision is debatable, most Madurese apply the principle of *qiyās* (analogy) and consider female circumcision as obligatory as the male circumcision, which functions to eliminate the dirt (*najs*) and to keep physical healthiness/cleanliness. This view, however, is only true for male circumcision. In this case it is mandatory because the greasy substance under the foreskin makes prayer invalid. On the contrary, female genitalia have no foreskin and, therefore, no source of impurity necessitating circumcision.

Aside from being a tradition passed from generation to generation in Madura, female circumcision is also regarded as a valid admission to Islam. A woman is not considered Muslim until she is circumcised. In Madura, the procedure of female circumcision can involve rubbing or cleaning the clitoris and its surrounding part. But most cases it is conducted by cutting off the tip of the clitoris. That *khitān* means ‘cutting’ in Arabic indicates the religious motives behind it. The fact that the practice is also provided by female Muslim clerics (*nyai*) indicates that female circumcision is an Islamic requirement which must be fulfilled before the girl reaches her puberty.

Another conflation of tradition and religion is apparent among the Banjar community in South Kalimantan. Nurdiyana’s fieldwork (2010) found that most of the Banjarese consider female circumcision as a mere tradition. As Banjar is strongly associated with Islam, however, it is a traditional obligation for Banjarese due to the belief that it is a teaching of the Prophet. This community views it as a medium for a symbolic purification in which the blood represents a human’s dirt that needs to be rid of through circumcision. For some Banjarese, female genitalia symbolizes the source of sins that must be circumcised so to control a woman’s libido and to preserve her sanctity. To some extent, this notion correlates with the conservative Islamic view of the danger inherent in women’s bodies—that must be controlled to prevent social chaos or *fitnah* (Mernissi, 1985).

In Payakumbuh, West Sumatra, Salma et al. (2012) also observed how female circumcision was associated with both the Prophetic tradition (*sunnah*) and the cultural tradition. Salma found that the use of the practice increased approaching the holy month of Ramadan, as female circumcision was considered an introductory ritual to fasting. The girls must be aged between 8-11 years to ensure that they would be able to offer prayer five times each day and to recite the Qur’an. These girls would also be fully responsible for fulfilling their religious obligation after being circumcised: *sunat salosai, boban tatenggek* (Salma et al., 2012: 36). Aside from cutting the upper part of the girl’s clitoris, the procedure in Payakumbuh involved Islamic symbols, such as the reciting of *basmalah, al-Fātiḥah, shahādah*, and religious advice. On this point, female circumcision became a medium to ‘re-Islamize’ the girls and to introduce them to Islamic norms. It was not clear, however, whether the similar process of ‘re-Islamization’ occurred with the circumcision of men.

The Islamic Perspective on Female Circumcision

Despite of various idioms used for female circumcision in Indonesia, the practice is widely known as *khitān* or *sunat perempuan*. *Khitān* originated from the Arabic word *khatana*, meaning the 'cutting' of a special part of a particular organ. *Sunat* is derived from the Arabic word *sunnah*, which refers to the words, actions and approval of Prophet Muhammad. In this regard, it can be assumed that Indonesians began to use the term after the arrival of Islam in Indonesia. However, scholars from 35 Islamic countries who gathered at Al-Azhar University in Cairo, Egypt, in 1998 declared that the practice of female circumcision was the result of a misunderstanding of the Islamic provisions. They concluded that female circumcision was non-obligatory in Islam, given that it was not mentioned in the Qur'an and, also, that there were no authentic citations in the Prophet Muhammad's hadith to justify a shari'ah provision on such an important issue for human life as female circumcision (Ragab and Serour, 2013: 6). This can be seen as in addition to the fact that, until today, Muslim jurists have not reached unanimous consent upon this practice.

In Indonesia, the Council of Indonesian Ulama (MUI, Majelis Ulama Indonesia) issued *fatwá* No. 9A concerning the practice of female circumcision in 2008. The *fatwá* was primarily meant as a rejection against the Indonesian government's prohibition of female circumcision in 2006. Following the *fatwá*, the Indonesian Ministry of Health issued regulation in 2010 that legitimized the procedure of female circumcision, and described it in detail. This regulation was eventually annulled in the beginning of 2014 on the consideration that female circumcision was not a medical procedure that needed to be regulated by the state. Dr Supriyantoro, General Secretary of the Ministry of Health, stated that: "If it is based on religion, then let the religious rules regulate this practice" ("Permenkes tentang Sunat Perempuan Dicabut," n.d.). This statement has indirectly leads the public to ultimately refer this issue to the country's highest Islamic authority: MUI.

Since the Holy Qur'an, as the first source of Islamic law, did not say anything about circumcision, let alone female circumcision, MUI's *fatwá* referred the practice to general verses in the Qur'an commanding Muslims to follow the Abrahamic faith (QS An-Nahl: 123; QS An-

Nisaa: 125; QS. Ali Imran: 95). In this way, MUI associated circumcision with Abrahamic teaching and imposed this religious teaching upon male and female Muslims alike. To strengthen its argument, MUI also quoted the Quranic commandment upon all believers to follow God's messengers—among them Abraham—in order to obtain God's mercy and blessings (QS Ali Imran: 31-32). It implied that whoever defied God's messengers—for instance by not performing circumcision—were non-believers. As a result, circumcision — which was marginal and without any significance in the Islamic legal handbook— is now being given a new position. As a matter of fact, the teaching of Abrahamic faith (*millat Ibrāhīm*) in the Qur'an covers a broad and general scope of the Islamic creed (*'aqīdah*). Accordingly, this implicit verse should not be used to formulate an explicit Islamic legal status of female circumcision.

Alas, many Muslims accept such extensive interpretation of these Qur'anic verses as God's designation of Prophet Abraham as a model for all Muslims and that they must do what he did. Aldeeb Abu-Sahlieh (1995: 78) found that some of them even refer to the Biblical stipulation of circumcision: *God told Abraham, '...may all your males be circumcised. You shall have the flesh of your foreskin cut off and it shall be a sign of alliance between me and you. When they reach their 8th day, all your males shall be circumcised... The uncircumcised, the male whose foreskin has not been cut off, this very life shall be cut off. He violated my alliance'* (Genesis 17:9-14). Muslims' faith in the preceding holy books means that the laws revealed to the prophets prior to Muhammad are valid until he nullified them. However, this Biblical verse specified male circumcision—an act medically proven to provide protection from several diseases. On the contrary, female circumcision affects the parts that create sexual pleasure. This has been reiterated in several hadiths regarding the practice.

Several of the Hadith cited in MUI's *fatwā* are as follows: "*Circumcision is a sunnah (Prophet's provision) for the men and makrūmah (noble) for the women*" (Narrated by Aḥmad); "*Oh women of Anṣar, dye your finger nails (with henna etcetera) and circumcise yourselves, but do not overdo*" (al-Shawkanī in his book *Nayl al-awṭar*); "*If two circumcised (parts) met then bathing is a must*" (narrated by al-Turmudhī, Ibn Mājah and Imām Aḥmad from 'Aisyah r.a.); "*The fiṭrah (human nature) is five things: circumcision, shaving of pubic hair, removing underarm hair, cutting the*

fungernails and trimming the moustaches" (Bukhārī, Muslim and other narrators from Abū Hurayrah). Also, the Prophet said to a woman who used to perform circumcision in Medina: "Do not cut too severely as that is better for a woman and more desirable for a husband" (Narrated by Abū Dāwud from Umm 'Aṭīyah the Ansharite). In a similar context, the prophet said to Umm 'Aṭīyah: "Circumcise and do not overdo, for it is beauty for the face and desirable for the husband" (Narrated by al-Ṭabrānī from al-Dahhak).

According to the MUI *fatwá*, individual interpretation (*ijtihād*) on female circumcision is no longer applicable. MUI observed that the texts of the Qur'an and hadith in this matter were sufficient as religious justifications. In fact, circumcision is nothing like any other Islamic stipulations that are clearly prescribed in the Qur'an, such as *ṣalāh*, *ṣawm*, *zakāh* and *ḥajj*. In addition, Prophet Muhammad had in detail either personally explained or demonstrated the procedures of these rituals, including the basic elements (*arkān*) and requirements (*shurūṭ*) of each practice. However, Prophet Muhammad's biography (*sirrah nabawīyah*), which covers all details and acts that occurred in his life and the lives of his family members, contains no evidence that he allowed the circumcision of his daughters, wives, or any other female relative.

If the Prophet's sayings, deeds or approval of *ṣalah*, *ṣawm*, *zakāh* and *ḥajj* were narrated and transmitted by reliable sources, the same is not the case for female circumcision. Many Muslim scholars acknowledge that the above-mentioned Hadith concerning female circumcision offer little credibility. Among them is Shaykh D. 'Abd al-Rahmān ibn Ḥasan al-Nafisah from Saudi Arabia, who declared that these hadiths were narrated loosely by weak *isnad* or through a chain of transmission ("Female Circumcision & Islam," n.d.). Due to the weakness of the hadiths referring to female circumcision—with some of their narrators being known for deceptiveness and others whose narrations carry no weight—Muslim jurists differed widely regarding the practice's legal ruling. Despite the diversity of opinion concerning the practice, MUI's *fatwá* stated that all of the Muslim jurists had reached a consensus (*ijmā' ulāmā*) that female circumcision was a part of *sharī'ah* as if the practice was equal to other rituals that were decisively stipulated in the main Islamic sources.

MUI's *fatwá* has implicitly attributed the practice to *sharī'ah* that means a Divine law, whereas it is actually the matter of *fiqh* or Islamic

jurisprudence that resulted from human understanding of *shari'ah*. The subjective reasoning explains why Muslim jurists had not reached consensus on this matter. In the Hanafi school of *fiqh*, some scholars consider female circumcision as Sunnah and others consider it as an honorable thing for women. It is considered a preferred act (*mandūb*) for women in the Maliki school of *fiqh*. In the Hanbali school of *fiqh*, circumcision is obligatory for men and an honorable thing for women. Meanwhile, the official opinion in the Shafī'ī school of *fiqh* states that circumcision is an obligation for both men and women. Naturally, the practice is widespread among Indonesians since the dominant school of jurisprudence in Indonesia is *madhhab* Shafī'ī. Some scholars like al-Sayyid al-Sābiq, however, have said that circumcision is obligatory for men and merely sunnah for women. This Shafī'ī scholar said in *Fiqh al-sunnah* the hadiths that call for female circumcision are all weak, and nothing among them is authentic. In this regards, MUI stated that the practice is fine based on the argument that it is not prohibited in all literatures of *fiqh*.

MUI argued that even if there was any harmful effect as a result of female circumcision, this negative risk emerged due to the procedure which was not implemented according to *shari'ah*. Yet, MUI did not describe in detail the procedure of female circumcision that would be in accordance with *shari'ah*. On one hand, MUI's *fatwá* cited *I'ānat al-ṭālibīn*, suggesting a little scratch of the female organ; on the other hand, it also cited *al-Fiqh al-Islām wa adillatuhu*, suggested a little cut of the upper skin of the female genital. MUI further reiterated the *fatwá* of the Great Mufti of Egypt Sheikh Jad al-Haq that circumcision for both male and female is part of nature (*fiṭrah*) and an Islamic symbol (*shī'ār Islām*). In other words, MUI considered female circumcision as one of the Islamic symbols as if there was no other honorable practice that could better symbolize Islam. MUI also did not include the *fatwá* of the next Great Muftī Shaykh Muḥammad al-Taṭawī, stating that the Quran contains nothing on female circumcision and that the Prophet Muhammad's statements on this subject are weak and, therefore, cannot be used to determine the Islamic legal status of female circumcision ("Tafsir Edisi 27: Khitan Perempuan," n.d.).

Based on the aforementioned considerations, nevertheless, MUI's *fatwá* determined the following decisions. Firstly, circumcision for both male and female is part of Islamic *fiṭrah* (regulation) and *shī'ār*

(symbol). Female circumcision is *makrūmah*, meaning implementation is a recommended ritual (*'ibādah*). Secondly, prohibition of female circumcision is against Islamic law. Thirdly, female circumcision only removes *praeputium* that covers the clitoris. It must not be overdone, such as to make a cut or wound to the clitoris—incision and excision—that brings harm. Fourthly, MUI demands the Ministry of Health to use this *fatwá* as a basis on issuing any regulation concerning female circumcision, and to provide female circumcision training for medical professionals. In this way, MUI called upon the medicalization of the practice despite the fact that there is neither medical indication nor medical benefit in removing praeputium that cover the clitorises.

Professor Jurnalís Uddin (2010, 164) demanded a review in response to the *fatwá*, arguing that the only valid hadith supporting the *fatwá*, the one narrated from the Prophet's wife Aisha concerning two circumcised organ (*khitānāyn*), does not necessarily refer to female circumcision. In fact, the linguistic expression in this context refers to two persons—which do not mean that both persons or objects are the same. It is like other Arabic words, *wālidāyn*, which literally means two fathers—although it refers to both father and mother. Furthermore, if the practice had truly been endorsed by Islamic Law it would certainly have been practiced and perpetuated in the regions where Islam originated. But unlike the *fard* that is religiously enjoined act, *wājib* that is religiously recommended duty, and *sunnah* that is Prophet Muhammad's deed, the practiced is declared as merely *makrūmah* that is not included in the Islamic legal category.

Aside from MUI, Islamic authority in Indonesia is also held by the largest Muslim mass organizations, Nahdlatul Ulama (NU) and Muhammadiyah. Female circumcision was a subject of discussion in the forum of *Bahtsul Mas'āl Diniyah Maudlu'iyyah* within Nahdlatul Ulama's 32nd conference in 2010. Based on several hadiths, the forum decided that female circumcision was recommended since Prophet Muhammad had never prohibited this practice among Medina people. The Prophet legitimated and even provided the guidelines of female circumcision in order to prevent excessive practice that may lead to women's sexual frigidity. According to the discussants, it indicated that the advantage of female circumcision outweighed its disadvantage, and therefore the practice was either *mubāḥ* or *sunnah* ("NU Tidak Larang Khitan Perempuan," n.d.). It is not clear, however, whether the

discussants in the forum had researched the validity of the hadiths or not before reaching this conclusion.

The practice also became a subject of discussion at Muhammadiyah's 27th national conference of *tarjih* in 2010. Providentially, the forum decided that circumcision was to be very much recommended for men but not recommended for women ("Munas Tarjih Muhammadiyah Hasilkan Fatwa Bunga Bank Termasuk Haram," n.d.). According to the head of the health department of Muhammadiyah, Dr. Natsir Nugroho, the *majlis tarjih*, or *fatwá* council of Muhammadiyah, did not acknowledge female circumcision because the disadvantage (*mudarah*) of it was regarded as being heavier than its advantage (*manfa'ah*). Unlike male circumcision, female circumcision has no religious basis in Islam. As a physician, he argued that any removal of a human organ must be based on medical consideration. Therefore, he guaranteed that such practice would not be conducted in Muhammadiyah hospitals and clinics across Indonesia (Interview with Dr. Natsir Nugroho, 11/11/2013).

Physician Nawal El-Saadawi, a feminist from Egypt, also critically asked how a divine religious teaching could order a human to cut off a healthy organ created by God, as God did not create the organs of the body arbitrarily without a plan (www.fgmnetwork.org). She argued further that the practice of circumcision did not correspond with the Quranic passages, "*He perfected everything He created*" [32: 7] and "*Our Lord, You did not create all this in vain*" [3: 191]. Thus, rather than it being a virtuous deed, the removal of important parts of the human body means altering the creation of Allah. There is an authentic Hadith pointing out, "*Allah curses those who change His creation.*" The Qur'an also condemns any change in God's creatures: [The devil said]: "*I will mislead them ... I will order them to slit the ears of cattle, and to deface the fair nature created by God.*" [4: 119]. The divine revelation stating that God created humans in the best form and that He did not create anything in vain provided a strong religious argument against the removal of part of the human body without medical indication. Particularly, that circumcision can be regarded as changing God's creation, which is condemned both in the Qur'an and hadith.

Considering the dangerous effect of female circumcision in Egypt, the International Islamic Center for Population Studies and

Research of Al Azhar University published an executive summary of its 2013 publication titled *Female Circumcision: Between the Incorrect Use of Science and the Misunderstood Doctrine*. This summary was updated and reviewed by a committee consisting of prominent scholars, including the former Grand Mufti of Egypt Professor Ali Gomaa. It emphasized that Islamic rulings were laid down to benefit the people and to prevent any harm that could be imposed on them. The Qur'an forbids man to harm himself based on the verse [2: 195]: "*Do not throw yourselves with your own hands into disaster.*" The Prophet also forbade the infliction of harm by saying: "*There should be neither harming nor reciprocating harm.*" Although Islamic doctrine considers "all matters to be permissible", it is only applied on objects like food, water, *et cetera*. But in any matter that affects the human body, property, honour and reputation, the original rule is prohibition rather than permission (Serour & Ragab, 2013). Based on these principles of Islamic jurisprudence (*uṣūl fiqh*), it can be concluded that female circumcision is prohibited because it assaults part of women's bodies—which is not permitted by Islam.

Dynamic of Female Circumcision in Indonesia

In order to understand the extent of female circumcision and the social dynamics that perpetuate the practice in Indonesia, the author conducted field research in Jakarta, Padang (West Sumatra) and Lombok (West Nusa Tenggara) in November 2013. The fieldwork included focus group discussions with men, women and girls, and also in-depth interviews with religious and traditional leaders, women activists, NGOs, researchers and medical and non-medical practitioners. It involved 31 informants in Padang, 38 informants in Lombok and 12 informants in Jakarta.

As previously predicted, the fieldwork in Padang and Lombok revealed that all female respondents were circumcised, although they were mostly unaware of its procedure since it was performed in their early ages. A majority of respondents (78 per cent in Padang and 90 per cent in Lombok) perceived female circumcision as both a religious obligation and a family tradition. Some of them also believed that the practice stabilized woman's sexual libido. Others believed that it was necessary in order to identify and purify a female Muslim. The rest of the respondents (22 per cent in Padang and 10 per cent in Lombok)

came from a younger generation and had achieved a higher educational level. They perceived the practice as being not obligatory in Islam. They also understood that there was neither medical benefit in practicing it nor harmful effect in not practicing it. Some of them even argued that the practice was a violation of women's rights since it decreased their sexual satisfaction and threatened their health.

The respondents in Padang and Lombok reported that female circumcision was performed either by a medical or a traditional practitioner (*dukun*), or a female religious leader. The involvement of religious figures indicates that religion also plays a role in perpetuating the practice. The respondents in Padang reported that the procedure involved a little bit of cutting or wounding of the upper part of the clitoris—an act categorized as either type 1 or type 4 of female circumcision under WHO's definitions. Although all of the respondents reported no implication so far, one of them said that she would have enjoyed marital sex if only she had not been circumcised. It can be assumed that these female respondents were unaware of what could be considered 'normal' or 'abnormal' in their sexuality. They would probably take any effects implied by female circumcision for granted, as most Indonesian women would tend to perceive sexual intercourse as a duty of the wife rather than a right.

Meanwhile, most respondents in Lombok did not know about the procedure in detail since they simply handed over the process to the practitioners. On the one hand, this submissive attitude poses a danger as parents have little idea about what the practice inflicts upon their babies' life. On the other hand, it is a good opportunity for the practitioners to provide non-harmful 'symbolic' circumcision rather than the real cutting. Although one of them reported that her daughter was circumcised using a razor blade and that there was a little bit of blood, most of the respondents said there was no cutting or bleeding involved in the female circumcision. This symbolic practice can be categorized as type 4, posing a health risk if the tools are not properly sterilized or if the tools are used on a massive scale of the practice. In Padang and Lombok, the practice used to be performed on the girls from newborns until five years of age, indicating the absence of the child's consent. However, there have been some cases where an adult woman has been circumcised as a sign of conversion to Islam.

Female Circumcision in Padang

Based on the data collected from various sources in Padang, it is quite hard to tell whether female circumcision is merely a tradition preserved from generation to generation or an Islamic virtue adhered by the Muslim community. A male physician in Padang affirmed that female circumcision was a part of both culture and religion, since both were the same entity in the West Sumatra. Although the detail of the procedure was not available in medical training, he said that some of the medical practitioners practiced it in order to fulfill the demands of parents who considered their daughters as being non-Muslim before having the circumcision performed. Despite his knowledge of the absence of medical or religious benefit for the practice, this physician had his daughters circumcised due to family pressure. He stated that the state's intervention would be ineffective since people considered female circumcision as a religious command:

[Religious] belief cannot be changed by the government's warning. People will say, "That is the rule of Allah!"... Actually, this is about the religious understanding. Minang people are Muslims. Circumcision is sunnah for them, and they are not Muslims if they do not perform it (Interview with doctor in Padang, 5/11/2013).

The religious understanding is important for Minang society. An adage in Minangkabau society says, "*Adat basandi syara', syara' basandi kitabullah.*" This means that tradition is based on shari'ah and shari'ah is based on the book of Allah. Despite the lack of a strong religious argument and a decisive status in the Islamic legal handbooks, female circumcision has become a traditional custom practiced by the Minang community without any debate. The research team interviewed a traditional leader, Datuk, who explained that female circumcision was the domain of religious leader. He said that he would just follow the opinions of the *'ulamā'* in this regard. He said:

The philosophy in Minangkabau is "adat basandi syara', syara' basandi kitabullah"... If there is any problem in this case (FC), people of tradition will hand it over the shari'ah experts... If MUI has issued *fatwā* about something, people of tradition will follow the ulama's advice. Here, the leadership is collectively held by "tungku tigo sajarangan": people of tradition, ulama, and intellectual (Interview with traditional leader in Padang, 6/11/2013).

The statement of this traditional leader indicates that female circumcision is not originally rooted within Minang culture and tradition. He preferred to refer the matter of female circumcision to the religious authority, taking their *fatwá* for granted. Upon further checking of the literature on the Minang tradition, this traditional leader found that circumcision was only stipulated for boys and not girls. The practice of female circumcision was not mentioned in the parental duty within Minang society. He stated as follows:

I will read out [what is prescribed] in a more popular tradition. The father owed to his Muslim son: (1). Give him a bath (dimande), carry him back home (didukuang), and feed him (diusuo); (2). Circumcise him (Sunnah Rasul); (3). Give him knowledge (tatunjuk ta'ajari); (4). Teach him principal matters (tasuguahkan kepada nan parlu). Meanwhile, the father owed to his Muslim daughter; (1). Give her bath (dimande), carry her back home (didukuang), and feed her (diusuo); (2). Cut and do her hair (taurai rambue'tata konde); (3). Give her knowledge (tatunjuk ta'ajari); (4). Marry her off (tasuamikan)... (Interview with traditional leader in Padang, 6/11/2013).

Probably because there is no clear reference in the Minangkabau tradition, female circumcision is heavily associated with religious teaching. A traditional provider (*dukun*) in Padang asserted that female circumcision was a religious obligation that had existed since the time of the Prophet Muhammad, and a woman must be circumcised so that her religious deeds were acceptable to Allah. Approaching the holy month of Ramadhan, many girls would come to her to get circumcision in order 'to be cleaned' before fasting. She said that she had circumcised a 90-year-old woman who dreamed that she had to undertake circumcision after her return from hajj pilgrimage. Although the *dukun* realized that religious judgment was in the hand of Allah, she believed that uncircumcised women were not a good Muslims:

Sunat (circumcision) is a must for every Muslim woman... The religion says so... Many Islamic teachers allow [female circumcision] because it is existed since the time of Prophet [Muhammad]... It is dangerous if she is not circumcised, her religious deeds would not be accepted by Allah. If she is circumcised she is clean... If she is uncircumcised, it means that she has no religion (*kalaupun tidak disunat, berarti tidak ada agama*). That is Allah to judge, not me (Interview with traditional practitioner in Padang, 7/11/2013).

Based on what she learnt from her grandmother, the *dukun* would begin circumcision by giving the girl a shower with cold water and reciting some prayers. Using the pen knife which was previously washed in hot water, she would remove a very small part of female genital, white in color, referred to as the head of rice (*kepala padi*). If the girl cried, the *dukun* assumed that this was more to do with fear rather than the wound. Many of them told her that the procedure actually did not hurt so much—or were ‘like ant bites’. She charged clients from outside the village a higher rate since they were usually rejected by the medical practitioners. It seemed clear that the community would always find a way to fulfill their desire for female circumcision—a religiously motivated practice—despite of the government’s prohibition on the medicalization of the practice. The *dukun* said:

People come here from far away to circumcise their daughters, because the hospital did not accept (them). People in hospital said that a circumcised girl will not have [sexual] desire. Yet, there is no correlation [between circumcision and sexual desire]. If her [private] part is not removed, she will be a flirty girl (*kalaupun itu tidak dibuang nanti anaknya bertingkah getek, centil*)... an uncircumcised girl is not valuable (*anak perempuan yang tidak disunat tidak ada artinya*)... (Interview with traditional practitioner in Padang, 7/11/2013).

In a contradiction, the *dukun* did not believe that the practice would affect women’s sexual desire while, at the same time, asserted that the girls who were not circumcised would have excessive libido. This notion reflects the sexual dynamic within Muslim society, wherein Fatima Mernissi examined the existence of a ‘double theory’ concerning female sexuality. While the prevailing explicit theory viewed women as passive entities and men as aggressive, the implicit theory viewed women as destructive subjects who must be subjugated in order to preserve the social order (Mernissi, 1987: 32). According to the *dukun*, circumcision had a positive implication on a girl, as she would grow up as a well-behaved woman. She was determined to provide circumcision as long as people asked her to do so. She deemed that it is sinful to refuse helping people who believed that female circumcision was a religious obligation, especially considering that she had the expertise in this practice. She insisted that nothing could stop her—not even the government’s ban—because female circumcision was not hurtful. A similar stance is shared by the MUI, which resisted the government’s ban on female circumcision on the same grounds.

Buya Gusrizal Gazahar, the head of MUI's *fatwá* commission in West Sumatra, reiterated MUI's position against the prohibition of female circumcision. It does not mean, according to him, that MUI considers it as obligatory. MUI determined that female circumcision was *makrūmah*—which Gusrizal, himself, considered was unclear legal terminology—as it believed the practice would not be harmful as long as it was performed in accordance to the Prophet's guidance. Nevertheless, the problem with this decision was the fact that they had not even considered the risk of female circumcision, as practiced by people in so many diverse ways and with various tools of different sizes. Gusrizal said that the ulama would not forbid what Allah and His Messenger had not forbidden in the first place:

In MUI's opinion, female circumcision is *makrūmah*. From the Islamic legal perspective, *makrūmah* is not a clear terminology, and it is not included in the terminology of Islamic jurisprudence. The Islamic law recognizes five categories—*wājib* [obligatory], *sunnah* [recommended], *mubāh* [neutral], *makrūh* [not recommended but not forbidden] and *ḥarām* [forbidden]. *Makrūmah* is between *makrūh* and *mubāh*, so it must not be prohibited. It is because *'ulamā'* are committed upon the source of Islamic law, namely a Qur'an and Hadith. Qur'an says that Allah is the law maker and He prohibits the ulama to do something they do not know about: "And do not say with your tongues, this is *ḥalāl* (lawful) and this is *ḥarām* (forbidden)" [16:116]. The Prophet says: "The *ḥalāl* is what Allah and His Messenger have made *ḥalāl*, and the *ḥarām* is what they have made *ḥarām*". Thus, *ḥalāl* and *ḥarām* refer to al-Qur'an and Sunnah [the Prophet's tradition] (Interview with Buya Gusrizal Gazahar in Padang, 5/11/2013).

Therefore, MUI opposed the state's banning of the practice as it was not prohibited by God and the Prophet. According to Gusrizal, the practice will be problematic only if it is done excessively, just like the Pharaonic circumcision in African society which he considered as non-Islamic. He stated that it was the excessive practice that had been covered by CNN during the World's Population Conference in Cairo Egypt in 1995, and that had since been wrongly associated with Islamic teaching. He recalled how Sheikh of Al-Azhar Jad al-Haq had protested against this accusation and had told Egyptian President Hosni Mubarak that he would expel all participants and charge them for 'destroying Islam' if they continued their agenda. Gusrizal further explained the reason why MUI resisted the Indonesian government's ban of female circumcision:

Why female circumcision cannot be prohibited? Because several valid hadith shows Prophet's spoken and tacit approval (*iqrār*) of the practice during his life, and Prophet's companions have not problematized it. Thus, the practice was existed in their period. [He quoted several hadiths mentioned within MUI's *fatwá* on female circumcision]. If Muslim prohibits the practice, it means opposing the Prophet's deed... In MUI's concept, female circumcision must not be banned. But it must be directed in accordance to the Prophet's guidance: do no cut, do not hurt (Interview with Buya Gusrizal Gazahar, 5/11/2013).

Although Gusrizal stated that the MUI *fatwá* did not mean obligating all women to be circumcised, Muslims understand the *fatwá* as a religious recommendation and justification for female circumcision. He seemed to disregard the fact that there were many things mentioned in Quran and Hadith that indicated the *taqrīr*, or implicit approval, of Allah and His Messenger, were no longer implemented—and were even banned—in the modern times. For instance, although there is no prohibition of slavery in the Qur'an and in Hadith, and although the Prophet's companions did not regard it as a problem, current Muslims are no longer practicing slavery for reasons of humanity and equality. Nobody considers the ending slavery as opposing the tradition of the Prophet, who possessed slaves just like anybody else did at that time. On this point, discussing female circumcision from the human rights perspective appears to be difficult without sufficient evidence indicating violation against women's and children's rights. Gusrizal compared the circumcision of men and women:

The practice here is not the same with the one in Africa. I wonder why people problematize it. If this is about pain and human rights, the men can protest because we were cut. Meanwhile, women are pierced and scratched a little bit. For us, the resistance against female circumcision is unreasonable. Especially considering some studies about the benefit of the practice for certain women with a very high libido, who feel difficult to concentrate in their activities because they get aroused easily (Interview with Buya Gusrizal Gazahar, 5/11/2013).

Gusrizal explained that female circumcision was not a necessity for every woman because he believed each woman had different physical features. He said there were some conditions that necessitated for women to be circumcised—for example, those with high sexual libido. In this very rare case, however, the practice is seen as the instant, final and only solution. In fact, many sexual disorders nowadays are solved though medical or psychological therapy practices that do not involve

any mutilation of female genitalia. Indeed, mutilation or cutting is considered as not being in accordance with a *sharī'ah* principle that an individual should not harm, or be harmed by, others (*lā ḍarar wa lā ḍirar*). In this regard, Gusrizal warned against the destructive practice of female circumcision:

Islam does not approve cutting. The word [of Prophet] “*walā tanhakiy*”, in our opinion, means “do not damage its form”. A mere scratching or piercing [of genitals], that is our directive. I think it is less hurtful than piercing the ears, nose, navel, tongue, eyebrow, as teenagers have it nowadays. The problem is that any mistakes occurred in the field will be blamed upon MUI. I think it is not fair. MUI has not given the chance to supervise the implementation of female circumcision (Interview with Buya Gusrizal Gazahar, 5/11/2013).

In this point, Gusrizal demanded that the state to give MUI more authority in supervising the practice—probably in a similar manner to its authority in providing *ḥalāl* certificates on some products. He argued that Islam allowed something to occur if there was a reason or a benefit. In the case of male circumcision, the practice was considered beneficial in that it maintained men’s health and hygiene; for women, ear piercing signified female identity. The pain inflicted by the practice was beneficial in that it controlled women’s sexuality. Even if this objective is to be considered as acceptable, this principle seems to be contradictory to the principle of Islamic jurisprudence that says “to avoid the damage is preferable to any benefit that might come from the act” (*dar’ al-mafāsīd muqaddam ‘alā jalb al-maṣāliḥ*). Nevertheless, Gusrizal believed that the Islamic guided female circumcision was not harmful, especially that there was no report saying otherwise:

If female circumcision is harmful, it is impossible that the Prophet did not know about it. It is impossible for a Prophet to allow something that harms his *ummah*... My mother and sister were circumcised, and nothing happened. However, we reminded the Department of Health that only the trained medical professionals can provide it, and that they must guarantee hygienity of the circumcision tools... *Al-ḥamd lillah*, so far there is no report that the practice done in accordance to Islamic guidance is damaging or is harmful (Interview with Buya Gusrizal Gazahar in Padang, 5/11/2013).

On the other hand, Dr Salma, a *sharī'ah* lecturer from the State Institute of Islamic Studies in Padang, has found that female circumcision plays a significant role in the Islamic spiritual cultivation

among children. Based on her direct observation in Payakumbuh, West Sumatra, she concluded that the practice was more about religious ritual than the circumcision itself. She explained that the ceremony usually took an hour for each girl, and most of the time was allocated for advising the girls of their religious responsibilities. That was the reason why the practice was mostly conducted in the month of Ramadan and performed on female children aged nine to 10 years—instead of babies or toddlers. In this context, female circumcision could be seen as an affirmation of a girl's Islamic identity. Dr. Salma explained:

In the ceremony, the 'wounding process' is very brief. Most of the time, [the] *dukun* advises the girl that she will be fully grown up and taking religious responsibilities. After being circumcised, [the] *dukun* tells her to take ablution and pray. [The] *dukun* corrects any mistakes in her prayers, and reminds her to respect the parents, to pray and fast, to observe her Islamic obligations. (Interview with Dr. Salma in Padang, 6/11/2013).

The emphasis on religious cultivation, according to Dr. Salma, is the reason why people prefer to go to the traditional practitioner—the *dukun*—rather than medical professionals. Although the *dukun* may place emphasis on the religious dimension of the practice, some of them are trained by and licensed by the government to provide circumcision. Despite the fact that the practice injures female genitals and draws blood without medical consideration, Dr. Salma found no negative consequence of female circumcision among her informants. She described the practice as follows:

Using scissors or a knife, the *dukun* takes out or removes a small upper part of the clitoris, as small as the tip of rice, just like a pimple. She will throw it and give the girl medicine, such as betadine.... The girl will cry a little bit, indicating that it is hurtful... There is a little bit of blood, but the wound has no effects...I asked the married ones whether it affected their sexual relationship, and they said 'no' (Interview with Dr. Salma in Padang, 6/11/2013).

Although she considered female circumcision as a positive practice from a religious perspective, and one worth preserving, Dr. Salma suggested that the practitioners had to find a way to provide a pain-free procedure. Despite the lack of a strong religious argument behind the practice, Dr. Salma suggested that many people found pleasure and satisfaction in practicing it as part of their religious belief. Therefore, any prohibition of female circumcision would not be a feasible option. A prohibition would be perceived as an act in which the government

would be destroying a tradition—deemed to be an inherited tradition and a religious teaching—of the Muslim community.

Actually, the practice is good to be preserved. But I think that the procedure must be changed. From the religious perspective, it is good... people who practice it find pleasure and satisfaction for implementing their religious teaching without considering whether it is obligatory or not... It is impossible to be banned because it is more about the religious ritual than the circumcision. If the government banned it, it would mean that they would kill a tradition of the Muslim community, which they perceive as a religious teaching (Interview with Dr Salma, 6/11/2013).

According to Dr Salma, female circumcision is an old tradition passed from generation to generation and deeply rooted in the society. Thus, it cannot be changed in an instant way. Instead, the effort needs a long process and the use of various approaches—for instance, the application of the medical perspective. However, she argued that this kind of intervention was unnecessary as long as the practice did not involve a painful procedure. She believed that female circumcision was neither a medical necessity nor a religious obligation. Therefore, she suggested that the providers be very careful in performing the procedure, since injuring the genitals would have a dangerous effect on female sexuality. In this regard, she did not perceive the practice as a violation against women's and children's rights:

I directly observe it [the practice], and it is not violence against woman. The girl will be reminded of her responsibility after she gets circumcised: to respect her parent and to pray, otherwise she will be sinful. That is a gentle reminder and not violence. If she cries, she will be taken back home and given advice that the benefit is this or that. Afterward, she will be taken back to the *dukun*... What violation do you mean? The parents have more rights to give their children religious education... (Interview with Dr Salma in Padang, 6/11/2013).

In Dr. Salma's opinion, coercing children in the context of religious education is not a problem, as long as it is done without any violence. For her, the process of education requires that the parents coerce their children to, in this case, help them understand the necessity of female circumcision. The problem, however, occurs when the practice is performed on babies and toddlers who are not able to have their say on something inflicted upon their bodies. Furthermore, in terms of religious education, there are many other better mediums to cultivate Islamic teaching for children that does not involve any risk to their

physical or psychological development. A more humane measure would be in accordance with the Islamic value to 'maintain that which is old and good, and embrace that which is new and better (*al-muhāfazat 'alā al-qadīm al-ṣāliḥ wa al-akhdh bi al-jadīd al-aṣlah*).

Nurani Perempuan (NP), a Padang-based women's crisis center, campaigns against violence toward women in West Sumatra. Its activities include raising the awareness that female circumcision is a traditional practice harmful to women. It argues that, as there is no medical benefits, the practice is an example of sexual violence and a violation of women's rights. In an interview for this study, NP recognized that, in West Sumatra, female circumcision had been practiced from generation to generation, with many religious leaders considering it as obligatory and as a requirement for admission into Islam—and, therefore, the practice has been accompanied by the recital of *shahādah*. NP suggested that people assumed that the practice was necessary to prevent the girls from being 'flirty' and to control their sexual desire, because it was generally believed that women were '99 per cent controlled by lust and 1 per cent by reason' (Interview with Nurani Perempuan in Padang, 5/11/2013). This assumption corresponds to the Ghazalian theory that linked women's virtue to the security of Muslim social order, requiring men to maintain control over women's bodies and sexuality in order to avoid social chaos (*fitnah*).

According to the head of NP, the procedure in West Sumatra typically involved cutting part of the clitoris and bleeding. However, she observed that younger parents these days tended to prefer a symbolic and non-bleeding procedure. Although the girls cried loudly and bled, NP said it had not yet received any report about the medical implications of the practice. Based on the center's experience, however, it understands that many rape victims have filed a report only after knowing about NP's advocacy against sexual violence—with rape being one of the issues highlighted by NP. Thus, NP assumed that the absence of a report was due to people's lack of knowledge about sexual and reproductive health matters, and a belief that any effects of the practice were normal. NP is convinced that its ongoing campaigns will help raise to a new level awareness about the dangers of the practice.

Female Circumcision in Lombok

In-depth interviews were conducted with medical and non-medical practitioners in Lombok, including a physician, midwife and *dukun*. The midwife said that she had never provided female circumcision and had told families demanding the procedure to be performed that it would not have any advantage. The *dukun* said that female circumcision in Lombok was merely a symbolic act to purify girls (*menyucikan*), performed without removing any part of the clitoris.

Twenty years ago, the *dukun* was provided with a toolkit to help in delivering babies—this included a pair of scissors as a replacement for sharpened bamboo to cut the umbilical cord. Currently, the *dukun* is no longer allowed to provide the services of circumcision, piercing and delivery of babies. The *dukun* explained that, in the previous practice of female circumcision, she would initially recite *bismillāh al-Rahmān al-Rahīm, allāhumma ṣalli ‘alā Muḥammad* and, afterward, use the scissors to touch the female genitals without cutting it. This was performed before the ritual of *Pedak Api* at home and usually a week or a month following the birth. The *dukun* considered female circumcision as a religious teaching but had never directly heard about it from a Muslim leader (*tuan guru*). She said that parents were supportive of it in the hope that a girl who was circumcised would ‘not become stubborn’.

Unlike male circumcision, the physician said that female circumcision was not known in medical science. Therefore, it was not practiced in his hospital in Lombok. According to his direct observation, the practice used to be performed by *dukun* at home and only involved wiping and touching the genitals with a betel leave. He likened this tradition with that of a thumbprint being used only as a symbol of purification. The midwife who was interviewed added weight to this view by saying that the practice, passed from generation to generation, would vanish along with generation change:

Previously, parents who actually did not want to circumcise their daughters did it because of the influence of the grandparents. Nowadays, the generation of parents has changed. Since the practice is a mere tradition and not religion, it will be gradually abandoned. If it is a religious [practice], it will last forever... As medical practitioners, we have never done it. We also continue raising awareness by conducting partnership activities with *dukun*, who seem to have started thinking about the positive and negative sides of such tradition. Later on, this tradition will be vanished... (Interview with midwife in Lombok, 9/11/2013).

Thus, female circumcision in Lombok is more about the preservation of tradition rather than the implementation of religion. Raden Rais, a traditional leader of Lombok, explained that the ritual was not referred to not as *khitān*, but *menyucikan* (to purify). Passed on through the generations, it was performed instead in a symbolic way. Rais said that *menyucikan* was performed to honor girls because boys had, too, been given huge traditional ceremonies. As with elsewhere in Indonesia, male circumcision in Lombok is hugely celebrated. The event involves folk art performances and the slaughtering of cows or buffalos. The fact that the ritual ceremony of *menyucikan* for girls is held secretly at an early age and only with the knowledge of the girl's mother, demonstrates the little significance that it is considered to have for the girl's life.

The process is very private, wherein a female traditional leader cuts a betel leave in the ritual. The female genital is not touched at all... She then whispers something in the girl's ears, which means that 'she must preserve her honor when she grows up as adult...' The second [ritual] is called *mosugi*, in which an old coin with a hole in the middle is used. In this process, the coin touches or scratches the female genitals... The point is that the girl must be able to preserve her honor (Interview with Raden Rais, 8/11/2013).

Rais referred the first and the second procession (*menyucikan* and *mosugi*) as part of the tradition, and said that circumcision is a different procession that is held in the religious framework. He explained that what was regarded as 'proper' and 'improper' in the tradition was equal to *ḥalāl* and *ḥarām* terms in religion. According to him, female circumcision is not obligatory—unlike male circumcision. Male circumcision is necessary for cultural and religious reasons. In this case, despite the symbolic nature of female circumcision—in which the female genitals are merely wiped or pinched with fingernails—the philosophy of 'preserving the girl's honor' is a clearly patriarchal bias against women. Rais correlated this tradition with religious considerations as follows:

The procession of *khitān* is also conducted upon the girls. The reason is this: if a woman is not circumcised, then her *wuḍu'* [ablution] cannot be used for two prayers [*ṣalaḥ*]. Thus, the third procession is [held] in a religious way... Usually, it is held on the seventh day [after the baby's birth]. In Lombok, the process is called *pedak api*, which includes a 'down-to-earth' ceremony. Sometimes the purification [*penyucian*] is held a day

before the process of giving a name [*pedak api*] and the ‘down-to-earth’ procession... (Interview with Raden Rais, 8/11/2013).

Rais said that, according to religion, the girls who had been purified could use their ablution for two prayers—for instance, *maghrib* and *‘ishā’*. An uncircumcised girl, however, must take ablution for each prayer. This stipulation is obviously not derived from the *fiqh*, which neither recognizes such symbolic circumcision for girls nor associates circumcision with the validity of ablution. As Rais perceived that female circumcision was recommended by religion and culture but was not obligatory, it was not a problem if girls were not circumcised. However, he said that those girls who did not undergo such a purification ceremony would bear a moral burden and become a subject of discussion in their community. The parents would also be considered as not appreciating their daughter. Thus, it can be concluded that the only advantage and disadvantage of this practice is related to socio-psychological effects—wherein it must be conducted due to social pressures.

An activist of child protection in Lombok also confirmed that the practice of female circumcision was symbolic and did not cause any infection or pain. *Dukun* only touch the baby’s genitals with the razor or needle without any bleeding or cutting to ‘purify’ the girl. This activist said he had his daughter circumcised because he lived in a community that respected the tradition, and believed he would feel uncomfortable for not doing so as people would talk about it. He explained that religious understanding was very influential in the practice, as it was seen as *sunmah* and, thus, as rewarded. He attended a religious gathering where the preacher said that, because women had nine lusts and men had only one, a woman’s lust must be decreased through female circumcision to preserve the balance (Interview 10/11/2013).

Endang, a female activist in Lombok, has also experienced this social pressure. Despite knowing that there was no strong religious justification for female circumcision, she had the procedure performed on her daughter. In the process, the *dukun* from the Sasak ethnic community recited prayers and wiped the turmeric upon the clitoris without any cutting. Being an ethnic Javanese, Endang ‘celebrated’ with red and white rice porridge (sweet and salty) and distributed it to her family. She also gave it to the *dukun*, along with offerings of rice and betel leaves. Endang said she disagreed with any circumcision that

involved cutting of the clitoris, which she considered as a violation of women's sexual rights.

Personally, I think it is not obligatory. But I'm afraid of not doing it and violating this rule, particularly as it is performed hereditarily since a long time ago.... Our parents did it, so and if we do not follow it I'm worried that our Islam is not complete and perfect... Female circumcision is considered sacred, a religious as well as a cultural ceremony, and a very sensitive issue—particularly in Lombok, which is known as a very religious region, and as a region with a thousand mosques... (Interview with Endang, 10/11/2013).

In terms of a religious perspective, Muslim jurists have, of course, different opinions concerning circumcision in their classical literature. Circumcision is recommended for males and females in the Hanafi and Maliki schools; it is obligatory for males and recommended for females in the Hanbali school; it is obligatory for both males and females in the Shafi'i school. Tuan Guru Haji Hasanain, a religious leader in Lombok, argued that this *sunnah* became obligatory because the practice was necessary to refine the obligation of prayer. Here, he compared this practice with the ablution (*wudu'*). No hadith says anything about the obligation of ablution, but ablution becomes mandatory to validate the prayer. Hasanain believed that circumcision was compulsory according to the legal principle: *what is necessary to fulfil an obligation becomes, in turn, mandatory*. Despite men and women having totally different reproductive organs, and therefore necessitating different treatments in terms of 'cleaning the dirt' (*najs*), he referred to the opinion of the Shafi'i school adhered to by a majority of Indonesian Muslims:

In the real social life, it is difficult to say that male and female circumcision is only a *sunnah*. [The legal principle] means that both male and female must be circumcised. Because people believe that someone's ablution, bathing and prayer are not valid if he or she is not circumcised. Thus, circumcision is obligatory for males and females (Interview with T. G. H. Hasanain, 9/11/2013).

Hasanain spoke about female circumcision in three different dimensions: in the legal dimension, the opinions of Muslim scholars were divided; in the social dimension, society tended to accommodate the opinion of one of the four Islamic schools (and, in the Indonesian case, Muslims preferred to follow the Shafi'i's perspective); in the practical dimension, female circumcision was practiced in many

different ways, and as according to social customs. In this regard, he explained that the religious perspective accepted the customary practices and traditions as long as they did not violate Islamic principles—*al-‘ādah al-muḥakkamah*. He argued that female circumcision was not prohibited because it was not harmful—unlike the African practice of a total cut that was excessive and prohibited by the Prophet. He cited a hadith—one he deemed as strong and valid—in which the Prophet had prohibited practitioners from causing excessively harm:

This hadith indicates that female circumcision is the tradition of Medina society (*a‘mal ahl Madīnah*) and that excessive cutting is prohibited. Since circumcision existed in the time of the Prophet, even previous prophets before him also did it. Thus, it is a prophetic tradition (*sunnah nabawīyah*)... (Interview with T. G. H. Hasanain, 9/11/2013).

It would be useful to again make a comparison with any other tradition practiced in that time which was not an Islamic practice or a prophetic tradition—such as slavery—but, at the same time, was not prohibited by the Prophet. In regard to the absence of example of female circumcision among family members of Prophet Muhammad, Hasanain argued that these female members were definitely circumcised since they were the first people who implemented his commands. He said that Muslims need not ask about the evidence showing this, just like they need not ask about the evidence showing the requirement for five daily prayers. On this point, he elevated the status of female circumcision from merely being the tradition of Medina society to being among the Prophet’s recommended acts (*sunnah*):

Yes, [the Prophet’s female relatives] were circumcised. The Prophet’s family members were the first people who implemented the Prophet’s command. If the Prophet commanded them to pray, his family would directly do that. We do not have to ask [about female circumcision]; we do not have to ask about the evidence that Prophet’s family prayed... Circumcision is obligatory for men and honor (*makrūmah*) for women... If the Prophet said that circumcision was an honor for women, it is impossible that women would leave circumcision (Interview with T. G. H. Hasanain, 9/11/2013).

Although Muslim scholars declared that the hadiths concerning female circumcision were weak—and, therefore, these scholars did not agree with each other concerning its legal status—Hasanain confirmed that the hadiths were strong and valid. He said that it was not important to investigate the validity of hadiths because, although people could

make a fake one or manipulate it, authentic hadiths existed. To him, the validity of hadiths was based on the writings of trusted scholars and not on contemporary scholars who conducted verification and falsification as their research method. However, this stance is problematic since many trusted *'ulamā'*, such as al-Bukhārī, al-Bayhaqī and Abū Dāwud, clearly indicated the weakness of the hadiths in their works of Hadiths compilations (as mentioned in the previous section on the religious dimension of the practice).

In the case of female circumcision, we have to hold onto the hadith books compiled by the trusted scholars. The history noted that the tradition was practiced in the times of Prophet in Medina, and continued in the times of the caliphates and then in times of the *'ulamā'* until now. This is enough as a justification for female circumcision having a strong status. We do not listen to people who say that the hadith is weak based on their made-up theories... In times of the Prophet, female circumcision was not to be debated but to be implemented. Prophet said that female circumcision is a *sunnah*, nobody fuss about it. (Interview with T. G. H. Hasanain, 9/11/2013).

He said that the Prophet's prohibition on the excessive cutting indicated a medical consideration, as it was understood that the clitoris was a very important organ in female sexuality. He argued that this understanding indicated the Prophet's acknowledgment of medical science. As a *sunnah nabawīyah* and, therefore, a religious affair, female circumcision's real practice, Hasanain argued, was a worldly affair subjected to choice. This becomes a problem because of the lack of a standardized practice and the associated high medical risks. In fact, the Prophet's prohibition of excessive practice can be interpreted as part of his gradual attempt to eliminate the harmful practice, just like God's penalty of freeing a slave for various violations (Qur'an [5]:89, [58]:3) can be interpreted as part of His gradual attempt to abolish slavery. In this regard, he says:

Although female circumcision is a *sunnah nabawīyah*, a religious matter, its real practice is a worldly matter, which is submitted to each of us: how much circumcision; by scratching or piercing; using nail or other tools; a week or a month after the birth; at home, at hospital or at a midwife's practice, *et cetera*. The validity of religion is not to be doubted. The science is wrong if it says that circumcision is not good for health... With scientific development, people start to debate about female circumcision and they consider it harmful on women. In fact, nothing will happen if it is conducted in accordance to the Prophet's guide... (Interview with T. G. H. Hasanain, 9/11/2013).

According to Hasanain, Muslims in the Middle East do not practice female circumcision because they adhere to the Hanbali school that considers it *sunnah*. Although conceding that it was fine not to practice it, he argued it was better to do so otherwise the element of worship (*ta'abbudi*) would disappear if this *sunnah* was not implemented. In Lombok, he said that the procedure only involved a little cut—he described it ‘as small as the tip of the beak of a newborn chick’—and that it was not painful and did not shed blood. He was not aware of any benefits as a result of female circumcision but argued that it must be practiced anyway in order for women to obtain reward from Allah. He compared it with the ritual of getting a haircut in the pilgrimage (*tahallul*). This must be performed even if it meant only putting a pair of scissors on the head of a bald person. To him, a symbolic practice without any cutting, as practiced in Lombok, was better than nothing at all.

As Muslims, we need to implement the Prophet's sayings. Despite the advantage of female circumcision being not known in the perspective of science, it does not mean it is unimportant. We don't have to know about the advantages of all Islamic rituals. Religion will not prescribe anything bad... We only have to implement the Prophet's tradition. Even if female circumcision is only a *sunnah*, it is better to practice it in order to obtain reward from Allah... First, we practice it to implement the Prophet's *sunnah* and to preserve the Islamic teaching. Second, we have to find out the best practice according to the Prophet's guide... Our task as Muslim is to maintain our faith, it does not matter whether other people would believe in it or not (Interview with T. G. H. Hasanain, 9/11/2013).

A more moderate stance concerning female circumcision comes from Tuan Guru Haji Shafwan Hakim, the head of the MUI and Dewan Da'wah Islamiyah Indonesia (DDII) in Lombok Barat. He explained that circumcision was Prophet Ibrahim's tradition that had been preserved by Islam. Aside from the Shafi'i School that obliges circumcision for males and females, the rest of the Islamic schools have viewed female circumcision as non-obligatory. According to Hakim, the countries whose Muslim populations largely adhere to the Shafi'i school, such as those in Indonesia, Malaysia, Thailand and Egypt, refer to the book *I'ānat al-ṭālibīn*. Based on hadith and narrated by Umm 'Aṭīyah, the book explained that female circumcision was ‘to cut what must be cut, and ideally by scratching a little bit’ (*memotong bagian yang harus dikhitan, diutamakan dengan cara menggores sedikit*

saja bagian yang harus dikhitan). A contradiction appeared as Hakim initially explained circumcision as 'a cut' but later preferred to use 'a scratch'.

In Lombok, female circumcision is performed at an early age—not by using a knife or scissors but by using a hand and fingernail. It is very much symbolic. But many local people do not practice it because they refer to opinion that allows them not to do it, such as Hanafi School... Here, male circumcision is usually performed by a special provider that has the skill for it. But there is no specific provider for female circumcision; anyone can do it because, as I said before, it is symbolic... Furthermore, the hadith that obligate the practice has no strong basis—unlike male circumcision that is obligatory based on very strong justifications. Male circumcision is usually hugely celebrated by slaughtering a goat or a cow, but female circumcision is very secretive (Interview with T. G. H. Shafwan Hakim, 9/11/2013).

Because the circumcision was attended only by female members of the family, Hakim did not know whether any injury or bleeding occurred. He also noted several differences between male and female circumcisions. In terms of the provider, he said male circumcisions were performed by professionals with the specific skill sets, while female circumcisions could be performed by anyone due to its symbolic nature. Hakim was not sure whether there were positive or negative effects of female circumcision because, he argued, even the medical experts differed in their opinion on this. Therefore, he suggested that further research be conducted on the advantages and disadvantages of female circumcision. However, he was aware that people had their own assumptions about the practice—from being an Islamic signifier to being a means for controlling women's sexuality:

For local people, it is for *makramah*—preserving honor. People believe that girls must be circumcised so that they will not grow up with a bad attitude known as *nanjong* in Sasak terms. It is intended that a woman will not be aggressive, bitchy, or have excessive libido. Therefore, she will preserve her honor... I often help people convert to Islam. Being a Muslim woman is enough; she does not have to be circumcised. Because there is a difference of opinions concerning female circumcision, some obligate it and others do not (Interview with T. G. H. Shafwan Hakim, 9/11/2013).

According to Hakim, an uncircumcised woman was already a perfect Muslim as long as she implemented the five pillars of Islam—*shahādah*, *ṣalah*, *zakāh*, *ṣawm* and *ḥajj*. And if she wanted to be circumcised, he suggested for her to do it symbolically. He said the division of opinion

among ulama concerning the practice was due to the absence of a definite text (*naṣ qat'ī*), and this difference must be tolerated because it fell into the category of *al-furū'* (branch of Islamic jurisprudence). He cited the basic Islamic principle of '*al-ittihād fi al-'aqīdah wa al-tasāmuh fi al-furū'*', meaning that the Muslim community must not differ in terms of the Islamic creed (*'aqīdah*), such as the belief in the oneness of God or in the obligation of fasting for Ramadhan. In terms of branches (*al-furū'*), in the Shafi'ī school's belief that female circumcision is obligatory, a Muslim may leave this view and follow other views that do not consider the practice obligatory. No Muslim can compel other Muslim to follow the Shafi'ī perspective on this matter, because it is not a fundamental thing in religion. In the name of tolerance, he also disagreed with any ban on female circumcision, considering such an approach as a violation of freedom of religion and belief.

The government must prove its negative or positive effects. I think it needs more serious and detailed research... If the government bans female circumcision because they consider it harmful, people who believe that the practice is obligatory will feel that their freedom in practicing this belief is restricted. The law clearly says that everyone is free to practice his/her religion and belief, as long as it is not harmful... If they just let them [do it], and give them awareness about the negative and positive effects from various aspects, people may change their mind and leave their previous belief (Interview with T. G. H. Shafwan Hakim, 9/11/2013).

As a head of MUI in Lombok Barat, Hakim dares not to prohibit female circumcision without a reason—especially because he saw that the practice in Lombok was totally different to male circumcision. To him, it is more important to keep the Muslim's community sense of unity and solidarity instead of fussing about trivial issue like female circumcision, which he considered as *khilāfīyah-ijtihādīyah* (debatable and open to individual reasoning). He believes the practice will disappear with the development of knowledge and, as a result, the shift in people's views. On the other hand, controversy and 'noise' will rise if the practice is being discussed and prohibited. He said:

[Female circumcision] will naturally vanish if we do not exaggerate and fuss about it, because people do not know its advantages. For me, frankly speaking, the most important thing is the unity and empowerment of the Muslim community (*ummah*), and how to educate Muslims and improve their economic situation. These are what we must talk about. It is fine if we exaggerate about these, but trivial issues like female circumcision do

not have to be blown up. I don't want to be trapped in the debate of such trivial things, because these are *khilāfiyah*—matters in which people have different opinions. If people's awareness is improved and they know about its advantages and disadvantages, they will think about it. It will disappear if it contains harms (Interview with T.G.H. Shafwan Hakim, 9/11/2013).

Aside from treating the practice as a non-principal and non-fundamental matter in Islam, Hakim believed that the practice will be naturally ended along with the increasing awareness among people. Thus, he rather perceived female circumcision as a matter of *khilāfiyah-ijtihādīyah*, and therefore let the *ummah* to individually consider its advantage and disadvantage rather than leading them to believe in his personal interpretation and to practice it accordingly. Such '*ulamā'*' would determine their legal *fatwā* based on the views given by scientists and scholars in other fields—in this case, the medical experts.

Conclusion

In Indonesia, female circumcision is commonly perceived as a traditional heritage to be respected and preserved, as well as a religious injunction to be followed and implemented. Upon closer observation in Padang, however, the Minangkabau literature only recognized circumcision ceremony for boys but not for the girls. This indicates that the current practice of female circumcision is mostly driven by religious factors. Indeed, it is attributed as '*sunat rasul*'—meaning it is the Prophet Muhamamad's tradition. The practice of female circumcision in Padang heavily symbolizes Islamic rituals, involving: reciting *nīyah* (an intention to circumcise a girl to convert her into Islam); *shahādah* (an official declaration in Islam that there is no God but Allah and Muhammad is His Messenger); *basmalah* (a declaration that the circumcision is being performed in the name of Allah); and reminding the girls of their Islamic obligations, such as prayer and fasting, that must be fulfilled after being circumcised. Despite a lack of religious arguments for female circumcision, the practice has served as a medium to Islamize, or re-Islamize, a girl and as a strong marker of her Islamic identity.

The Islamizing function of female circumcision has been apparently inserted, along with the integration of *sharī'ah*, into Minangkabau tradition. As any other cultural group within the archipelago, the Minangkabau *adat* was originally derived from animist and Hindu-

Buddhist beliefs and traditions. The Minangkabau tradition was transformed at the end of 18th century when the Islamist reformers, returning from Mecca, sought to impose Islamic Law in Sumatera and remove local customs they viewed as ‘un-Islamic’ (Dobbin, 2008). The Minangkabau cultural reform took place after the Padri War, with Muslim clerics, traditional leaders and intellectuals agreed on establishing a Minang cultural tradition based on *shari’ah*. This agreement is reflected in their proverb: *Adat basandi syara’, syara’ basandi kitabullah* (tradition is based on *shari’ah* and *shari’ah* is based on the book of Allah). This is the reason why *adat* and *shari’ah* are equally influential in Minang society. Thus, female circumcision in Padang reflects an Islamic influence—and, therefore, it involves real cutting (*khitān*).

In Lombok, female circumcision is closely associated with local traditions. The practice is referred to as *menyucikan* (purifying), and it involves a symbolic act of purification by wiping a betel leave or coin upon the female genitalia. As part of a cultural ceremonies, the practice is performed along with another process, called *pedak api*, in which the baby is allowed to step on earth for the first time. The practice is intended to purify and preserve the girl’s honor. This is a reflection of a patriarchal ideology that emphasizes the protection of female chastity. The construction of chastity has a serious impact upon Indonesian policewomen, as their ‘chastity’ determines their eligibility for the job.

If female circumcision was meant to preserve a tradition, then it has preserved a patriarchal one. Some informants reiterated that female circumcision functioned to control a woman’s sexuality, to decrease her sexual libido, to preserve her virginity, to purify her, to make her a perfect Muslim woman, and to prevent promiscuity *et cetera*. This belief has also been shared by other Muslim societies that view women as destructive subjects who must be subjugated in order to preserve social order (Mernissi, 1987: 32). Imam Al-Ghazali, for instance, associated women’s honor to the security of Muslim social order—therefore, women’s bodies and sexuality must be controlled in order to avoid social chaos (*fitnah*). In perceiving women as the source of trouble, restrictions placed on them, including the removal of the source of her sexual pleasure, are regarded as being justifiable.

The author concedes that this qualitative research is very limited and that, therefore, it is unable to provide evidence of the advantages

or disadvantages of the practice—including its effect on women's sexual and reproductive health rights. A more comprehensive study must be conducted to investigate the sexual, reproductive and psychological impacts of the practice. This study has, however, indicated the lack of informed consent involved—a clear violation of children's rights. The desire for sexual control and patriarchal pressures that are behind the practice are also violations of women's rights. Despite there being a lack of evidence concerning the positive or negative effects of female circumcision, the practice must be terminated based on the Islamic principle that says avoiding damage is preferable to any benefit that might come from the act (*dar al-mafāsīd muqaddam 'alá jalb al-maṣāliḥ*). In this way, the principle of a woman's self protection (*ḥifẓ al-naḥs*), as one of the important objectives of Islam (*maqāsīd shari'ah*), can be preserved.

Bibliography

- Abu-Sahlieh, Sami A. Aldeeb. 1995. "Islamic Law and the Issue of Male and Female Circumcision." *Third World Legal Studies* 13(Article 4).
- Budiharsana, Meiwita, Lila Amaliah, and Budi Utomo. 2003. *Female Circumcision in Indonesia: Extent, Implications and Possible Interventions to Uphold Women's Health Rights*. Jakarta: Population Council and USAID.
- Darwin, Muhadjir et al. 2002. *Male and Female Genital Cutting among Yogyakartaans and Madurans*. Center for Population and Policy Studies (CPPS) – Gadjah Mada University.
- Dobbin, Christine. 2008. *Gejolak Ekonomi, Kebangkitan Islam Dan Perang Padri*. Jakarta: Komunitas Bambu.
- Feillard, Andr e, and Marcoes Lies. 1998. "Female Circumcision in Indonesia: To 'Islamize' in Ceremony or Secrecy." *Archipel* 56: 337–67.
- "Female Circumcision & Islam." <http://en.islamtoday.net/artshow-390-3368.htm>.
- Indonesia, Majelis Ulama. 2008. *Keputusan Fatwa MUI No. 9A Tahun 2008 Tentang Hukum Pelarangan Khitan Terhadap Perempuan*.
- "Indonesia: 'Virginity Tests' for Female Police." <http://www.hrw.org/news/2014/11/17/indonesia-virginity-tests-female-police>.
- Kaptein, Nico. 1995. "Circumcision in Indonesia: Muslim or Not?" In *Pluralism and Identity: Studies in Ritual Behaviour*, eds. Jan Platvoet and Karel van der Toorn. Leiden, New York, Koln: E.J. Brill.
- Menteri Kesehatan RI. 2010. *Peraturan Menteri Kesehatan Republik Indonesia No 1636/MENKES/PER/XI/2010 Tentang Sunat Perempuan*.
- Mernissi, Fatema. 1985. *Beyond the Veil: Male-Female Dynamics in a Muslim Society*. London: Saqi Books.
- "Munas Tarjih Muhammadiyah Hasilkan Fatwa Bunga Bank Termasuk Haram." <http://muhammadiyahmalang.blogspot.com/2010/04/munas-tarjih-muhammadiyah-hasilkan.html>.
- "NU Tidak Larang Khitan Perempuan." <http://www.nu.or.id/a,public-m,dinamics,detail-ids,44-id,42006-lang,id-c,nasional-t,NU+Tidak+Larang+Khitan+Perempuan-.phpx>.
- Nurdiyana, Tutung. 2010. "Sunat Perempuan Pada Masyarakat Banjar Di Kota Banjarmasin." *Jurnal Komunitas* 2(2).
- "Permenkes Tentang Sunat Perempuan Dicabut." <http://www.bkkbn.go.id/ViewBerita.aspx?BeritaID=1000>.
- Putranti, Basilica Dyah. 2003. *Sunat Perempuan: Cermin Bangunan Sosial*

Seksualitas Masyarakat Yogyakarta Dan Madura. Centre for Population and Policy Studies.

Ragab, Ahmed Raga A., and Gamal Serour. 2013. "Can Facts about Genetic Research Play a Role in Moral Reasoning?" *Currents of Encounter* 48.

Salma. 2012. *Khitan Terhadap Kaum Perempuan Di Kecamatan Lampasi Tigo Nagari: Antara Tradisi Dan Syariat*. Padang: Pusat Penelitian IAIN Imam Bonjol.

"Tafsir Edisi 27: Khitan Perempuan." http://www.rahima.or.id/index.php?option=com_content&view=article&id=454:tafsir-.

Uddin, Jurnal. 2010. *Khitan Perempuan: Dari Sudut Pandang Sosial, Budaya, Kesehatan Dan Agama*. Jakarta: Universitas Yarsi Press.

Zamroni, Imam. 2011. "Sunat Perempuan Madura: Belunggu Adat, Normativitas Agama, Dan Hak Asasi Manusia." *Karsa* 19(2).

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2. Booth, Anne. 1988. "Living Standards and the Distribution of Income in Colonial Indonesia: A Review of the Evidence." *Journal of Southeast Asian Studies* 19(2): 310–34.
3. Feener, Michael R., and Mark E. Cammack, eds. 2007. *Islamic Law in Contemporary Indonesia: Ideas and Institutions*. Cambridge: Islamic Legal Studies Program.
4. Wahid, Din, 2014. *Nurturing Salafi Manhaj: A Study of Salafi Pesantrens in Contemporary Indonesia*. PhD dissertation. Utrecht University.
5. Utriza, Ayang, 2008. "Mencari Model Kerukunan Antaragama." *Kompas*. March 19: 59.
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Editorial Office:
STUDIA ISLAMIKA, Gedung Pusat Pengkajian
Islam dan Masyarakat (PPIM) UIN Jakarta,
Jl. Kertamukti No. 5, Pisangan Barat, Cirendeu,
Ciputat 15419, Jakarta, Indonesia.
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السنة الحادي والعشرين، العدد ٣، ٢٠١٤

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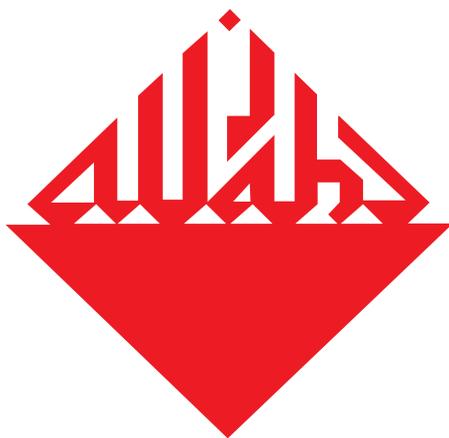
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