



THE URGENCY OF ISLAMIC LAW AND MEDICAL CONSIDERATIONS IN DETERMINING THE LAW ON FEMALE CIRCUMCISION

Moch. Afif Rif'an Hidayat

Universitas Islam Negeri K.H. Abdurrahman Wahid Pekalongan, Indonesia

afifrifanhidayat@gmail.com

Musrofaini

Universitas Islam Negeri K.H. Abdurrahman Wahid Pekalongan, Indonesia

fmusrofaini@gmail.com

Salwa Zahra Ansori

Universitas Islam Negeri K.H. Abdurrahman Wahid Pekalongan, Indonesia

salwa.zahra.ansori24110@mhs.uingusdur.ac.id

Aisyi Arsanitya

Universitas Islam Negeri K.H. Abdurrahman Wahid Pekalongan, Indonesia

aisyi.arsanitya24081@mhs.uingusdur.ac.id

Fahmi Idris Assadi

Universitas Islam Negeri K.H. Abdurrahman Wahid Pekalongan, Indonesia

fahmi.idris.assaidi24085@mhs.uingusdur.ac.id

M. Agus Budi Harto

Universitas Islam Negeri K.H. Abdurrahman Wahid Pekalongan, Indonesia

m.agus.budi.harto24111@mhs.uingusdur.ac.id

ABSTRACT

This study aims to identify and explore the practice of female circumcision in Indonesia from the perspective of law and human rights, as well as the view of Islamic law according to Khalid Basalamah on female circumcision. This research uses a qualitative approach with primary data in the form of Khalid Basalamah's lecture content on female circumcision. Secondary data were obtained from various religious, medical, and human rights scientific literature to comprehensively examine the practice of female circumcision. The results of this study state that this study confirms that there are differences in views between culture, Islamic law, and global human rights principles. There is no strong Islamic legal basis to support the practice of female circumcision, which requires review in the current modern context. This study contributes to the importance of further research and in-depth contextual interviews on the impact of female" circumcision from a health perspective, both its positive and negative effects..

Keywords: *Female circumcision, Islamic law, Khalid Basalamah.*

A. Introduction

Strengthening the family economy is one indicator of community resilience and independence. However, various studies in Indonesia show that household financial management remains one of the weak points of Muslim families, especially those in the lower-middle class(Havens, 2019). This issue is not only caused by low income, but is more related to low financial literacy, poor cash flow management, and consumptive behaviour due to the pressures of modern lifestyles(Nur Khasanah & Huda, 2021).

Circumcision is usually done by men, what if women do the same thing. According to the Ministry of Health, female circumcision is the act of injuring, cutting, and mutilating the clitoris. according to the Ministry of Health, female circumcision has no medical benefits and violates human rights. Female circumcision according to WHO criteria is the act of scratching, cutting, and injuring the genitals so that it is painful and causes bleeding. Female circumcision can have negative health consequences. In the short term, female circumcision has the potential to cause complications, fever, wounds, bleeding, swelling of the genital tissue, infection, urinary disorders and openings in the tissue around the genital organs. Meanwhile, in the long term, female circumcision can also have an impact on tissue damage that requires further surgery, an increased risk of labor complications, and even death of newborn babies. The practice of female circumcision that still occurs in Indonesia today, both symbolic and causing wounding and cutting of the female genitalia, has a gender-based discriminatory rationale and approach.

Study by the National Commission on Women in Gorontalo in 2023, for example, noted that the reason for performing circumcision for girls is also to eliminate inherited sins that are inherent in women such as being promiscuous, cheating and resisting their husbands. From Komnas Perempuan's position statement on the Elimination of Female Circumcision in Government Regulation No. 28 of 2024 on Health, this is different from male circumcision which has positive reasons for health and sexual pleasure. In addition, the practice of female circumcision is carried out in a variety of ways without paying much attention to health aspects and mostly when the child is under two years of age so that the child cannot be asked about his willingness. Male circumcision, on the other hand, is performed with sterile instruments and on average is done when the child is over 10 years old when they can be asked about their willingness and readiness to be circumcised. FGM is a harmful and unacceptable practice from both a human rights and public health perspective. (Pettoello-Mantovani et al., 2024).

Female circumcision is a sensitive and complicated topic of discussion, as it can involve various views on religion, women's health, and human rights. While some scholars have differing opinions when it comes to female circumcision, others consider it to be part of the teachings of Islam, based on the traditions of the

Prophet Abraham. In terms of health, circumcision for women can carry serious risks, as has been exemplified by problems when giving birth, therefore according to some experts suggest circumcision for women which is arguably more alternative or safer, which is like simply cleaning the vital parts of women without cutting. This method can be used to respect the values in the law of female circumcision in health, religion and culture. Human rights are also an important concern in this issue, with many international organizations, such as the WHO, opposing the practice of female circumcision as they believe it violates the right of girls to be protected from harm. Therefore, it is important to raise awareness about the health and human rights impacts of female circumcision. Women's education and social mobilization are important tools that can act as powerful levers in changing attitudes about FGM. (Female Genital Mutilation) (Sabi Boun et al., 2023).

However, in the end, religious institutions in Indonesia such as MUI or Majelis Ulama Indonesia argue that circumcision is part of the symbol of Islam and as fitrah or holy, however, religious institutions need to consider also about human rights views and health views in their decision on female circumcision, and dialog between the three and public opinion is needed in this regard in order to find a very appropriate solution so as to protect the welfare of women. Circumcision, both for men and women, is part of the Shari'ah of Allah SWT and the Sunnah of the Prophet (SAW) which aims to maintain cleanliness and taharah (purification), maintain health by preventing infection and bad odor due to dirt or fluid retained in the genital organs, avoid hypersex and inflammation of the urinary tract, and bring beauty, straighten desire, elevate the syiar of worship, maintain customs, and fulfill social and legal obligations that accompany it. Circumcision, both for men and women, is part of the sharia of Allah SWT and the sunnah of the Prophet SAW which aims to maintain cleanliness and taharah (purification), maintain health by preventing infections and unpleasant odors due to dirt or fluids retained in the genitals, avoid hypersex and inflammation of the urinary tract, and bring beauty, straighten lust, elevate the syiar of worship, maintain customs, and fulfill social obligations and accompanying laws. (Ibrahim, 2022).

Responding to the many differences regarding the law of circumcision for women, in one of his studies Ustadz Khalid Basalamah said that there are some scholars who recommend that girls not be circumcised, but simply cleaned. This opinion is supported by the absence of evidence regarding the obligation of Khitan for a woman. However, there are also scholars who argue that girls should still be circumcised. Khitan itself is defined as the act of cutting something from the genitals, which for men is done at the tip of the genitals, while for women it is done in certain parts.

Brian D. Earp also argues that Professor Shweder and I agree that current Western law and policy on child genital cutting is riddled with cultural, religious,

and gender-based double standards. 'Legalizing' female childhood circumcision to parallel the treatment of male childhood circumcision is not an acceptable solution to the problem. Rather, all non-medically necessary genital cutting on persons who have not given consent should be morally and legally opposed and encouraged to be stopped by all appropriate means (Earp, 2022). FGM is a form of violence against girls and a fundamental violation of their rights; the custom is still practiced in a number of Arab countries, but not all Arab communities (Gerbaka et al., 2021).

In Islamic studies, the youtube video delivered by the preacher Dr. Khalid Basalamah, MA. on the law of female circumcision can be analyzed through normative and sociological approaches. From a normative approach, his lecture refers to the arguments in the hadith and the views of scholars, who give various responses, some think the law is sunnah, some think it only needs to be cleaned and does not need to be circumcised for women. Meanwhile, from a sociological approach, this lecture can be studied in the context of how different understandings of Islamic law can be interpreted and applied in a diverse society and modern health regulations. The different views in this lecture reflect the complexity of Islamic law and its relevance in modern healthcare. Some scholars consider it sunnah, while others do not and only need to be cleaned. This study can explore how the lectures of Dr. Khalid Basalamah, MA. Influenced society and how the public response to this issue evolved in modern Islamic discussions.

This study aims to analyze the content of Khalid Basalamah's lectures on YouTube videos that discuss the law of female circumcision. This study is categorized as qualitative research in video media observation. The content analysis approach is used in this study. Video lectures by Khalid Basalamah that discuss the law of female circumcision are used as primary data in this study, and various scientific literature that is correlative to the focus of the study as secondary data. The analysis was conducted by examining the structure of the argument, the reference to the argument, and the social context of the content of Khalid Basalamah's lectures on the law of female circumcision. Furthermore, the data of this study was collected by documentation, and the analysis technique was through reduction, presentation, and verification.

A number of previous studies have examined Ustadz Khalid Basalamah's thoughts from various thematic and methodological perspectives. Khairunnisa et al. through a study entitled "Ta'aruf Towards Marriage in the Perspective of Khalid Basalamah", used a qualitative approach with a literature study method. This study highlights the concept of ta'aruf as a means of getting to know potential partners in the corridor of Islamic law, which is different from the practice of promiscuity (Khairunnisa & Irsan, 2023). Muhammad Nizar (2024), in his research "Criteria for Choosing an Ideal Partner in Khalid Basalamah's View: Theological and Social Perspectives", also uses a qualitative approach. This study emphasizes the

importance of religious piety as the main criterion in choosing a partner, as well as its relevance in contemporary Muslim society (Nizar, 2024). Angger Bimantara's research (2022) entitled "Da'wah Strategy to the Family" explores Khalid Basalamah's da'wah methods in the family context, using a character study approach. The results show a distinctive and structured da'wah communication approach (Bimantara & Zuhriyah, 2022).

Zufrufin Saputro through "Female Sexuality in Ustadz Khalid Basalamah's Lectures", applies the Critical Discourse Analysis method with a systemic functional linguistic approach and the theory of Appraisal and decoding. This study reveals the representation of female sexuality in lectures and the construction of its meaning in the eyes of the audience (Saputro, 2023). Muftihaturrahmah Burhamzah (2021), in "A Critical Discourse Analysis of Ustadz Khalid Basalamah Lecture Fragment on YouTube About 'Durhaka to Parents because of Wife'", using Norman Fairclough's AWK model. This study examines the textual, discursive, and sociocultural dimensions of the lecture, which consistently emphasizes moral and religious messages (Burhamzah et al., 2021).

These various approaches show that Ustadz Khalid Basalamah's thoughts and da'wah have become the object of normative, theological, social, and linguistic multidisciplinary studies, reflecting the breadth of his influence in the lives of contemporary Muslims. Therefore, this research seeks to expand the scope by examining aspects that have not been widely studied before, in order to enrich the scientific treasury related to this da'wah figure.

The focus of this study is to identify the law of circumcision for women, both from religious teachings, and medically. This focus is an important object to study, so that it can provide a new perspective for modern society. The urgency of this study lies in its contribution in providing public understanding of women's rights and the legal application of the practice of circumcision. So that this research can increase social and legal awareness in the community.

B. Female Circumcision in the Perspective of Islamic Law and Health

Religious aspects can be viewed from various perspectives, both theological and sociological. This is because religious phenomena are not only related to individuals who adhere to a particular religion, but also concern communities (groups). Based on this, religious issues are not only theological, intellectual, or awareness issues, but are also closely related to structural issues in which the government or state functions to oversee the religious practices of its citizens. For example, in the context of religion in Indonesia, religious issues are greatly influenced by diversity in Indonesian society. Therefore, in the context of state life in Indonesia, the religious quality of its citizens has a significant impact on the progress of the development of a good society, nation, and state.

Female circumcision in the perspective of Islamic law, the scholars are divided into two, namely the opinions of classical scholars and contemporary scholars. Classical scholars argue that the law of circumcision for women is obligatory, sunnah, and some consider makrumah or honor for women who are circumcised. Meanwhile, contemporary scholars argue no longer about the recognition of mandatory, sunnah and makrumah laws, but rather on the statement of the law of mubah, makruh, and even haram. The opinion of contemporary scholars sees the legality of female circumcision as not having a clear and strong basic regulation of the evidence. Nevertheless, there are some contemporary scholars who hold firmly to the classical fiqh discourse that recognizes female circumcision as part of sharia and traditions that should be preserved (Suraiya, 2019).

Female circumcision is a custom-based practice practiced by many Indonesians. In fact, female circumcision was already known before the existence of Islam in ancient Egypt who inherited the tradition of the wives of Prophet Ibrahim AS., they considered that this was a ritual of purification of the soul (Eich & Bentlage, 2011).

Female genital mutilation (FGM) is an underreported procedure performed on women in developing countries; it involves cutting or altering the female genitalia. Health consequences of FGM include bacterial and viral infections, complications, and psychological problems (Klein et al., 2018).

From a health perspective, female circumcision has no health benefits at all. Instead, it carries a number of serious health risks, both in the short and long term. Common short-term risks of female circumcision include heavy bleeding, severe infection of all pelvic organs leading to sepsis, tetanus, gangrene, extreme headache resulting in shock, urinary retention due to swelling of the urethral obstruction. Meanwhile, the long-term risks in female circumcision are complications such as pain during sexual intercourse, sexual dysfunction (not reaching orgasmic climax during sexual intercourse), menstrual disorders due to the accumulation of menstrual blood in the reproductive organs, chronic urinary tract infections, urinary incontinence (unable to hold urine), the formation of abscesses, cysts, and keloids.

Female circumcision also increases the risk of obstetric complications such as obstructed labor, postpartum hemorrhage, and death. Although there is strong evidence linking female circumcision to various obstetric complications, some studies have shown that the available data are of limited quality and unable to provide fully accurate risk estimates. However, there is no evidence to support the benefits of female circumcision (Sulahyuningsih et al., 2021).

The practice of female circumcision is more of a tradition than a religious obligation, and it is potentially harmful to health and violates women's human rights. Female circumcision also causes injury or cutting to the clitoris, which is

against human rights. Female circumcision is practiced in 26 African countries, and it is estimated that at least 100 million women are circumcised. The mildest form is clitoridectomy and the more severe type is infibulation. Girls are usually circumcised between the ages of 4 and 10. As the operators are usually non-professionals with no surgical experience, complications are common: bleeding and severe pain that can even lead to shock and death. The most common long-term complication is the formation of dermoid cysts on the scar line (Toubia, 1994).

Kusumastuti (2018) also revealed that from a legal perspective, female circumcision has the potential to violate basic human rights. In addition, some researchers such as Abbas and Elisa (2018), and Rohkman and Hani (2018), stated that female circumcision is only part of the tradition or custom of the community, not a religious command, but only a cultural reason or hereditary custom. Salma (2016) also mentioned that female circumcision is a combination of tradition and religious rituals that have long been recognized in the community (Kurniati et al., 2022). It can be concluded from the theory explained above that female circumcision according to Islamic and health perspectives is different between the two, between understanding and implementation. According to the Islamic view, Islam does not prohibit women from performing circumcision. Because the actual circumcision of women carried out in accordance with Islamic Shari'a will not cause harmful effects for those who carry it out. If circumcision does not provide benefits or even damages women's organs, then according to fiqh rules, the practice should be abandoned because there are more mudharat than maslahat (Amin & Lendrawati, 2022). Female circumcision aims to make the process of urination easier to clean, because in worship, purity is an important requirement. On the contrary, according to the health perspective, female circumcision is considered impermissible, because according to health it can reduce the pleasure of the clitoris, which has an important role in the sexual experience in women (Ghazali, 2021). Therefore, we need to understand that in order to reach the truth, differences in thought should not be a tool to make a problem but rather, a tool to achieve perfection. By understanding these differences in female circumcision according to Islamic and health perspectives, there should be no prohibition against female circumcision. As long as it is done correctly according to Islamic Shari'ah and as long as it does not cause harm.

C. The Urgency of Circumcision in the View of Islam

Before discussing female circumcision, let us first understand the meaning of circumcision. Circumcision is the removal of part of the body tissue with scissors or a knife. In males, the foreskin (the skin covering the tip of the penis) is cut away leaving the head of the penis exposed. Female circumcision is often performed based on the understanding that the part needs to be cleaned because it is

considered unclean (Setiati et al., 2023). In women, only a little bit of the skin above the vagina, which looks like a cock's comb, is cut so that the area is also exposed. The necessity of female circumcision in Islam is not as clear as in men, so scholars differ in opinion. Some consider it sunnah or part of fitrah, while others consider it mubah (permissible) or just a custom. The goal is generally the same: maintaining cleanliness, purity, and honor. Therefore, its implementation needs to be seen from three aspects at once religious teachings, medical considerations, and local cultural context so that it is appropriate and does not cause harm (Amin, 2022).

The necessity of circumcision for men is more important than for women. This is proven by the existence of a strong sharia foundation in Islam. The Shaf'i and Hambali madhhabs consider male circumcision to be an obligation and according to some scholars as sunnah muakad (Sari et al., 2024). This practice is intended to maintain cleanliness and facilitate purification and reduce the risk of transmission of sexual diseases and urinary tract infections. Female circumcision is mostly considered sunnah and permissible according to the Shaf'i madhab, provided that it cuts the small tissue in the vagina, and according to medical provisions so as not to cause harm (Sari et al., 2024). Thus, the urgency of circumcision in Islam includes aspects of sharia, health and the welfare of the people. However, the level of urgency and implementation differs between women and men according to the fiqh context and medical considerations. However, some forms of female circumcision practices in certain cultural practices may fall under the category of female genital mutilation (FGM), which is considered medically and ethically dangerous because of the risk of causing long-term complications and is considered a violation of girls' rights (Pettoello-Mantovani et al., 2024).

Circumcision of infants or boys is obligatory. Therefore, it is obligatory for all Muslim males to be circumcised, while for infants or girls the ruling is still debated whether there is any evidence for female circumcision referring to the hadith. In fact, the Quran, the first source of Islamic law, makes no mention of male or female circumcision (Abu-Sahlieh, 1994). However, the jurists differed on the issue of female circumcision. Some say it is obligatory for both men and women and some say it is sunnah for both. Some are of the opinion that it is obligatory for men only, while for women it is neither obligatory nor sunnah, but only an honor (Masykur & Mubakkirah, 2022).

In general, the scholars are unanimous in saying that circumcision is a must for both men and women. However, they differ on the ruling. There are four madhhabs that mention differences regarding the obligatory and sunnah status of female circumcision, none of them are of the opinion that it is haram or makruh. The following are the views of classical fiqh scholars regarding female circumcision, as follows (Masykur & Mubakkirah, 2022). First, the Hanafiyah view that male circumcision is Sunnah and female circumcision is makrumah, because it

is seen as a good deed, so they agree that male and female circumcision is not obligatory, but it is permissible to circumcise. Second, the Maalikis are of the view that circumcision for males is obligatory and circumcision for females is Sunnah. Third, the Shafi'i school of thought considers circumcision to be obligatory for both men and women. Fourth, the Hanbalis regard circumcision as obligatory for men and sunnah for women, who are not obliged to do it. If an adult converts to Islam and fears that circumcision will harm his health and soul, then he is exempt from the obligation of circumcision. But if he believes in it, then he must do it.

From this it is clear that there is no single view from the scholars that states the prohibition of female circumcision. In fact there is a hadith, the Prophet Muhammad SAW. said "Do not cut severely because it is better for a woman and more desirable for a husband" This hadith was narrated by Al Hakim, Al Bayhaqy and Abu Dawud (Al-Awa, 2019). Later there was an attempt to neutralize the meaning of the word makrumah as merely permissible, which serves as irshad (guidance). In summary, however, no jurist has declared female circumcision haram or makruh, either tahrim or tanzih. This is evidence for the ordinance and permissibility of female circumcision.

D. Paradigm of Integration of Islamic and Medical Law in Khalid Basalamah's View of Female Circumcision Law

The practice of female circumcision remains controversial among scholars and medical personnel. Some argue that female circumcision is not compulsory due to health reasons and the absence of clear religious guidance (Januardi, 2022). This debate stems from different interpretations of religious texts and cultural traditions. While male circumcision is widely accepted as obligatory, the legal status of female circumcision is less clear in both religious and positive law.

Some scholars consider female circumcision obligatory or recommended, while others consider it unnecessary or harmful (Gusnanda & Wijaya, n.d.). Medical perspectives generally discourage this practice, citing potential health risks (Januardi, 2022). The main reason for this disagreement is that the issue of circumcision, for both women and men, is not clearly mentioned in the Qur'an (Dabbagh, 2022). The Minister of Agana, Nasaruddin Umar in one of his seminars said that he really hopes that female circumcision will be eliminated because it will have a negative impact on women's health (Propinsi, 2025). However, some argue that when done correctly, the practice can align with religious goals without causing harm (Gusnanda & Wijaya, n.d.). The ongoing debate reflects the complex interplay between religious interpretations, cultural practices and modern medical understanding.

With so many debates due to differing opinions on the practice of female circumcision, the practice needs to be critically reviewed from a religious and health perspective. The practice of female circumcision should not be maintained

for reasons of tradition or culture if it is proven to have a negative impact on women's health. In the context of Islam, which upholds the principle of benefit and protection of the human body, it should reject the practice of female circumcision that can cause harm, if there is no clear shar'i obligation. Even if this practice is only based on hereditary cultural traditions, it is questionable as to its relevance in the current era. We as religious people need to wisely distinguish between what is truly a religious commandment and what is a cultural tradition.

This view is in line with the results of research written by Feni Sulistyawati and Abdul Hakim (2022), which shows that the practice of female circumcision or Female Genital Mutilation (FGM) is still widespread in various parts of Indonesia and is carried out both by health workers and traditional actors. This practice is generally not based on strong religious arguments, but is influenced by cultural traditions. It is explained that female circumcision has significant negative impacts on women's reproductive health, including the risk of infection, psychological disorders, and violations of human rights. In fact, the WHO classifies the practice of female circumcision as a form of violence against women that has no medical benefit, and calls for its global abolition. Therefore, it is important for religious leaders, educators, and the government to reconstruct public understanding with a more scientific, contextual, and oriented approach to protecting women's rights and safety (Sulistyawati & Hakim, 2022).

Several regions in Indonesia have practiced female circumcision, including the Banjar community in Banjarmasin City. The implementation of female circumcision in the area is carried out when they are still toddlers. It is usually done at the age of 40 days after birth until the age of two years. Circumcision is done by cutting or scraping the baby's clitoris, which the Banjar people usually call klenthit. Cutting a little from the tip of the clitoris using scissors is usually done by a midwife. While scraping a little from the tip of the clitoris using a razor blade is usually done by a baby shaman or they call it dukun kampung. However, both are actually done the same, which is to cut the clitoris (Nurdiyana, 2010).

In addition to the city of Banjarmasin, the people of Pangonan Village, Gabus Subdistrict, Pati, Central Java also practice female circumcision. The circumcision itself is performed by midwives and traditional healers using tools such as sterilized clamps, red medicine, sterile gauze and warm water for compressing. As a result of the practice of female circumcision, the child cries because the circumcision process is carried out by cleaning the genitals by pinching the tip of the clitoris using sterile clamps and wiping it clean using sterile gauze (Ahlian & Muawanah, 2019).

In Islam, there is no explicit command in the Qur'an regarding the obligation of female circumcision. The hadith used is also considered weak or open to multiple interpretations(Sayyid Sabiq, *Fiqh al-Sunnah*). This makes the place of ijtihad that female circumcision leads more to cultural traditions rather than shar'i

obligations. The most famous Hadith where it is told that there was a woman named Om Atteya circumcised in Medina, then the prophet Muhammad SAW said "Do not cut too badly because it is better for a woman and preferred by a husband" H.R Al-Hakim, Al-Bayhaqy, and Abu Dawud (Al-Awa, 2019).

The sociological approach reveals that the practice of female circumcision in the community is more strongly held by local traditions than religious demands (Kusumastuti, 2018). This practice is often justified on the grounds of chastity or control over female sexuality. Where, women only become objects of sexuality by men. This view is in line with the patriarchal culture that is deeply embedded in the traditional culture in Indonesia from the past until today. However, with better health awareness, people are beginning to question the relevance and safety of this practice. The WHO World Health Organization asserts that female circumcision carries more risk of infection, psychological trauma, complications during childbirth, and sexual dysfunction, which is a strong reason to stop the practice. From the discussion of the paragraph above, it has been explained that there is no verse in the Qur'an that explicitly states that female circumcision is not mandatory. For example, in Q.S An-Nahl verse 123 juz 16, the verse cannot be used as a basis in the law of female circumcision. Because the scholars limit the phrase "following the religion of Abraham", which occurred in the circumcision of the Prophet Abraham. Because the scholars also understand that circumcision is a requirement in religion, and agree to the legitimacy of the law of circumcision in Islam. Unfortunately, this is not in line with the prevailing laws. Therefore, there are also many parties who prohibit female circumcision, because it can cause harm and violate women's reproductive rights (Rahmani & Zakiyah, 2023).

Some scholars are also opposed to female circumcision, due to the lack of authentic evidence to support its existence. There are various opinions according to classical fiqh literature about the legal position of female circumcision. Some argue that the law between male and female circumcision has the same legal status. Others see female circumcision as a practice rooted in respect for tradition or culture in the community. In Islamic Shari'ah law, male circumcision is accepted as valid and generally accepted with no controversy among scholars. This is not the case for female circumcision, which is still debated by some scholars (Mubarak et al., 2024). Female Genital Mutilation (FGM) or female circumcision, which is a harmful traditional practice that often occurs in Indonesia, has caused pros and cons among the public, although based on scientific research, female circumcision has been proven to have no health benefits. (Alifah et al., 2024).

This controversy became crowded when the Indonesian Ulema Council (MUI) through MUI fatwa No. 9A in 2008, firmly stated the prohibition of female circumcision. Meanwhile WHO or (World Health Organization) and what we usually call the world health agency. Conveying that the dangers of performing female circumcision, because it can risk long-term and short-term disturbances to

the physical, mental and especially in the sexual health of a woman said WHO on its website. (Azizah, 2020).

The findings of this study show that there is not a single view from the ulama that states the prohibition of female circumcision. This result is in line with the research conducted by Azizah. However, this study also found that, This study makes an important contribution in clarifying that the practice of female circumcision does not have a strong basis in the main sources of Islamic teachings, either the Quran or saheeh hadith, so it is more accurately understood as part of local cultural traditions rather than a shar'i obligation..

By examining the practice of female circumcision in several regions in Indonesia, such as in Banjarmasin and Pati, this study shows that the practice of circumcision is more influenced by patriarchal culture and local values than by religious injunctions. In addition, this study supports the international medical view, as expressed by WHO, regarding the negative impact of female circumcision on physical and psychological health (Azizah, 2020). With an approach based on the principle of benefit in Islamic law, this research emphasizes the importance of protecting women's rights and safety as a top priority. Finally, this research also offers strategic recommendations in the form of the need for reconstruction of public understanding through a scientific, contextual, and human rights protection-oriented approach. Thus, this research can contribute to a broader understanding of Islamic law on female circumcision. The Minister of Health issued a decree on July 8, 1996, stating that female circumcision is prohibited, and the court has concluded that Islamic law contains no clear evidence that makes female circumcision obligatory or prohibited. (Goma, 2013).

E. CONCLUSION

Referring to the subject matter of this study, it can be concluded that there is no strong legal basis to make the practice of female circumcision compulsory, so the practice is understood more as a cultural tradition than a shar'i obligation. This finding is reinforced by the absence of clear evidence in the Qur'an and sahih hadith, as well as the different views among classical and contemporary scholars, most of whom do not make it obligatory. Khalid Basalamah's views also indicate that female circumcision is sufficiently symbolic without cutting. In addition, the medical view confirms that female circumcision has no health benefits and instead poses serious physical and psychological risks.

This research confirms that there is no strong Islamic legal basis to support the practice of female circumcision, hence the need for a review in the modern context. The limitations of video and literature analysis may affect conclusions about the views of scholars and community members. Therefore, in-depth context interviews are needed to understand the impact of female circumcision on health and human rights.

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