

Clarification of My Position on Female Circumcision

بيان موقفي من ختان الإناث

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Main Points:

I have always condemned Female Genital Mutilation, or FGM. Moreover, I have unequivocally voiced both orally and in written form the condemnation of all harmful forms of Female Genital Cutting FGC, justifiably known as FGM. Furthermore, I have taught that nothing in Islamic Law and religious texts supports such a heinous crime. In fact, it is repugnant to Islamic principles and values to inflict such trauma and suffering on any female. The severest forms of this practice are akin to killing in Islamic Law. [What is Stopping the World from Stopping FGM?](#) The statements I have made, that have now being unfairly distorted against me, are those regarding a subtype of Female Genital Cutting FGC, a harmless procedure called the ritual nick. This subtype doesn't involve any form of clitorrectomy. It is merely an incision (or a minimal excision, as explained in the details below) of part of the clitoral hood, the counterpart to the foreskin in males, and does not remove any part of the clitoris. This opinion is scientifically irrefutable and shared by many American non-Muslim pediatricians. It is the position expressed by the Committee on Bioethics of the American Academy of Pediatrics. [\[Pediatrics Vol. 125 No. 5 May 1, 2010 pp. 1088 -1093.\]](#), which noted: "This [the ritual nick] is no more of an alteration than ear piercing. A legitimate concern is that parents who are denied the cooperation of a physician will send their girls back to their home country for a much more severe and dangerous procedure or use the services of a non-medically trained person in North America." "However, the ritual nick suggested by some pediatricians is not physically harmful and is much less extensive than routine newborn male genital cutting. There is reason to believe that offering such a compromise may build trust between hospitals and immigrant communities, save some girls from undergoing disfiguring and life-threatening procedures in their native countries..." As for the usage of "*makrumah*" (translated by some as "honorable" or "virtuous") in the context of female circumcision, I was quoting the various opinions of religious scholars of the past regarding this minimal form of female genital cutting FGC, which is not considered mutilation as explained in the policy statement by the Committee on Bioethics of the American Academy of Pediatrics. [\[Pediatrics Vol. 125 No. 5 May 1, 2010 pp. 1088 -1093.\]](#) A better translation of the word "*makrumah*" may be "advantageous" since the word infers that the procedure is of benefit for the person undertaking it. The claim that I said, "Female genital mutilation is an honor" is so repugnant. The statement sounds to me like an intractable conflict. However, my opponents have used against me every other logical fallacy in their campaign, such as generalization, poisoning the well, straw man, etc. Therefore, it does not surprise me that they ascribed such statement to me. Despite my acknowledgment of the harmlessness of the ritual nick, I have unwaveringly discouraged all people from having it done because of its illegality in the US. I have never advised, suggested or encouraged any of my patients or their families to undertake any type of female circumcision, including the ritual nick. Whenever I have addressed the topic as a speaker or writer, I have warned that although studies show its harmlessness, the ritual nick is a criminal offense in the U.S. and other Western countries and should not be performed. Beyond that, as a

Sharia Law professor, I have taught that FGM is an immoral practice and a grave offense against Islamic principles and values. Some people may wonder why I should defend the harmlessness of an illegal procedure. The answer to this is because it is harmless, and it is not illegal for an eighteen year old to have it if she desired to do so, and lastly, because I am entitled to defending the teachings of my religion and clearing any misconceptions about them, even if they are controversial and the clarification is inconsequential. The smear campaigns against me are unfounded in that they are based on religious bias, ignorance and misconceptions of my real positions and actions on the issues at hand. These defamers have misquoted me, taken excerpted words out of context, distorted my position and plainly fabricated lies against me in order to vilify me as some type of evil, backward extremist physician. I am none of these things. Quite the contrary, I give medical care to my young female patients, as I would my own daughters. I am so saddened to see that through distortions and repeating of “big lies” exploiting peoples’ fears, stereotypes and ignorance, these hate mongers have intimidated such as a fine leading medical institution such as the Mayo Clinic. While these hate mongers have tried to destroy my reputation and integrity, they have also in the process shamefully whipped up hateful, bigoted and false caricatures of all Muslims. Succumbing to such mobster techniques is the greatest threat to the virtues of fairness, open-mindedness, tolerance, and reason which are of the most beautiful human values shared by the majority of the American people. Finally, as an American, a Muslim, and a human being I am saddened to see the fine values amassed over centuries by enlightened people be deconstructed over a few decades by mobs who have substituted their axes for pens and keyboards. I hope and pray that all right thinking people will reject these detestable tactics, and support me in trying to right these wrongs.

Details:

Some websites known for their Islamophobia have been waging a campaign against me because of statements I made regarding female circumcision, known as female genital cutting. Many of them unjustifiably insist on calling all of its forms, female genital mutilation.^[1] - [The War of Terminology and Female Genital Cutting](#) Some of those individuals behind the campaign may themselves be victims of an atmosphere of conflict and mistrust that has been created and promoted by people who have an interest in its existence. They may be feeling threatened, because they were told that the six million Muslims in America (Pew says 2.6) are here to destroy America from within and change their way of life forever. It is hard to imagine how six million people of diverse ideological orientations, many of whom are recent emigrants working hard to make a living, can force their way of life on more than three hundred million people with all the power in their hands. It is also hard to imagine how vicious human beings can become against someone they have never had any contact with, because of his position regarding a subtype of a medical procedure or an ethnic practice. I feel it is necessary to explain my position to the public.

Background and chronology:

About seven years ago I worked on my PhD thesis in Islamic law entitled '*The Impact of Medical Advancements on Religious Edicts and Judgeship.*' One of the issues to be discussed in my thesis was female circumcision. Around that time, there was a concerted campaign to condemn, criminalize and demonize all forms of female genital cutting, by generalizing that all subtypes of the practice are also called female genital mutilation. I had known that the permissibility of some form of this practice was agreed upon within Islamic orthodoxy of the past, so this made me set out to research the form that is sanctioned and the science behind this campaign. I didn't find a shred of evidence that the form sanctioned by Islam, which I will call here 'ritual nick,' was proven by any science to be harmful. Around the same time, I received several questions from concerned Muslims about this practice and its position in our religion. It was expected that I would answer them with my convictions about the matter from the Islamic and scientific angles. However, I didn't stop there. Knowing that the practice is illegal in America and other Western countries, I discouraged the enquirers and audience every time I spoke about the issue from having it done. After all, the practice is not obligatory according to the vast majority of Muslim scholars, and nowhere is it emphasized like male circumcision. Also, it is not practiced in many conservative Muslim countries such as Saudi-Arabia. I couldn't stay out of this discourse, being a medical doctor with a PhD in Shari'a (Islamic law), who is aware of the issue from its theological and medical angles. I felt obliged to make the truth known, and to clear the name of my religion.

My position:

As detailed in my PhD thesis, and the paper on the Arabic page of my website, was:

1. To affirm that the only type of female genital cutting permitted in Islam is the ritual nick. In this procedure, there is no excision of any part of the clitoris. What is cut is the clitoral hood, which is the counter part of the male foreskin and much less in size.
2. To denounce other forms of female genital cutting, and to call upon the Muslim scholars (clergy) to be on the forefront of the campaign against it, and to condemn silence in the face of these harmful practices.
3. To explain that excessiveness in female genital cutting is a crime in Islam, and in some of its forms, it is comparable to killing.
4. To denounce the performance of the above procedure, where it is legal, by anyone other than a licensed medical practitioner.
5. To call upon Muslims in the West, or wherever the procedure is illegal to refrain from it, particularly because it is not obligatory according to the vast majority of Muslim scholars.
6. To affirm that there is no science whatsoever that proves the one form of Islamically permitted circumcision "Sunni circumcision" to be harmful.

(1, 2, 3, 4 & 5 are not included in the "excerpted translation" on those radical sites.) **Now, addressing the above from five angles: scientific, theological, ethical, professional, and legal:**

- Scientifically, the one form of circumcision that is sanctioned in Islam, according to the position of the vast majority, as detailed in my thesis, has never been proven to be harmful. The part that is cut in this form is the counterpart of the male foreskin, and the procedure is comparable to it though less extensive. [2] To spare you the details of the scientific discussion, I will say that there was not a single study that meets any scientific standard, which looked separately at this type of circumcision, let alone proved its harm. - [The WHO Study on Female Genital Mutilation](#) The harm is also not conceivable, and there have been some potential benefits mentioned by some physicians [3] and sexologists. However, as I indicated in my thesis, their claims are not supported by studies that meet the scientific standards of today, so I wouldn't count on them. Nonetheless, the irrefutable fact is that no harm can be ascribed to this form of circumcision, to the extent that the Committee on Bioethics of the American Academy of Pediatrics said that the ritual nick is "no more of an alteration than ear piercing." [4] They also clearly said, "Most forms of FGC are decidedly harmful, and pediatricians should decline to perform them, even in the absence of any legal constraints. However, the ritual nick suggested by some pediatricians is not physically harmful and is much less extensive than routine newborn male genital cutting." [5] I had also indicated that a minimal excision of part of the hood has never been proven harmful. I challenge the opponents to prove the contrary with credible studies that examined this sub-type separately. I even explained the quoted hadeeth to mean, "Make the slightest cut possible." In the video recording from 4/2010, I explained that the word used in the hadeeth comes from the root "*shamma*" (smelled), which indicated that the cutting was likened to smelling, since it shouldn't reduce the mass of what is cut in any significant way, just like smelling wouldn't reduce the mass of what is smelled.
- Theologically, the position I chose is that of the vast majority who expressly indicated the permissibility of the procedure, and that it is to an extent, recommended as well. The permissibility is an irrefutable consensus. - [The Greatness of Sharia and Female Circumcision](#)
- Ethically, I must begin by saying that ethics are to be seen within certain frames or contexts, including cultural ones. According to the Committee on Bioethics of the American Academy of Pediatrics, "The American Academy of Pediatrics policy statement on newborn male circumcision expresses respect for parental decision-making and acknowledges the legitimacy of including cultural, religious, and ethnic traditions when making the choice of whether to surgically alter a male infant's genitals." [6] It is noteworthy that for the Chinese, male circumcision, which they don't practice, may also be called male genital mutilation. Will those who practice it in the West approve of this characterization? I think that when there is no medical harm, people of various cultures may decide what to do to their bodies.

- Professionally, as a physician of Mayo Clinic Health System in Albert Lea, I was always careful to distance my employer and professional caliber from this discourse, and in my answers I never mentioned the name of Mayo Clinic Health System. I never even inferred that my positions have anything to do with my job. I never discussed the matter with co-workers or patients at my hospital, and never used the hospital's tools or resources to recommend, justify or promote my position on this matter, which is, in the first place, a philosophical and not a practical one.

- Legally, I believe that I didn't need to discourage people from the practice, as long as I didn't encourage it. However, due to my concern for the safety of those who listen to me or read my answers, I did discourage them from this practice in every communication with them, verbal or written. As for myself, I have never performed that procedure. Moreover, I have never seen it done on any patient inside or outside the United States.

Finally, I am willing to endure all the consequences of my positions. I believe they were well thought out, backed by science, theologically valid, and legally safe. These vicious attacks attempt to undermine our confidence and debilitate our energy to stop defending our religion against unjustifiable assaults on its teachings. History says that mobs have frequently controlled the discourse and decided the conclusions. I will at least refrain from being a contributor to that trend by silence. For more details, you can see these articles: - [Loon Victory: Muslim Doctor Ousted for FGM Thought Crime](#) - [Muslim Opponent of FGM Ousted from Mayo Clinic](#)

[1] "The commonly used "female genital mutilation" is also problematic. Some forms of FGC are less extensive than the newborn male circumcision commonly performed in the West." Pediatrics Vol. 125 No. 5 May 1, 2010 pp. 1088 -1093. [2] The fact they are comparable may be found here: Fact Sheet No.23, Harmful Traditional Practices Affecting the Health of Women and Children [Online]/auth. The Office of the United Nations High Commissioner for Human Rights (OHCHR). [3] For example, W. G. Rathmann, M.D, who graduated from the University of Nebraska, completed internships and residency training at U.S. Marine hospitals in Chicago, Seattle and Fort Stanton, N.M, and was a member of the senior surgical staff of Centinella Hospital, Inglewood. He said, "Redundancy or phimosis of the female prepuce can prevent proper enjoyment of sexual relations... Properly carried out, circumcision should bring improvement to 85 to 90 per cent of cases – with resulting cure of psychosomatic illness and prevention of divorces." [4] Pediatrics Vol. 125 No. 5 May 1, 2010 pp. 1088 -1093. Although the Committee on Bioethics of the American Academy of Pediatrics reviewed their policy statement that was understood to be calling for legalization of some forms of FGC, the data they quoted and science used in their original article is not retractable without belying themselves or proof of the opposite. [5] Ibid. [6] Ibid.