

PROGRESSIVE ISLAM IN
PRACTICE



ISLAM & FEMALE GENITAL MUTILATION (FGM)

PART III

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FGM IN THE QUR'AN

In the Qur'an, there is no mention of FGM, although some verses exist that proponents of FGM use to justify their support for the practice. However, all of these verses refer exclusively to male circumcision. A number of verses in the Qur'an do exist that condemn the practice of FGM, as the verses condemn any act that will negatively impact the body or that manipulates a creation of Allah (SWT).



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“Allah is the One who made the Earth a habitat for you, and the sky as a structure, and Allah designed you, and has perfected your design.”

QUR'AN 40:64

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FGM IN HADITH

Some *Hadith* exist that supporters of FGM use to justify their support for FGM. However, a number of scholars and Islamic academic institutions have stated that all of the *Hadith* that claim the legality of FGM are not *sahih* (authentic). Furthermore, claims that FGM is *mubaah* (permissible) cannot be justified as FGM is in direct contraction with Qur'anic verses and *sahih Hadith* which condemn any harm to the human body.



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“Allah has cursed those who curve their teeth and those elongate their hair with additions and those who change God's creations.”

PROPHET MUHAMMAD (PBUH)

(An-Nawawi vol. 13 pg 102)

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FATWAS ON FGM

- In 2010, 34 Islamic Scholars signed a fatwa banning the practice of female genital mutilation.
- In 2018, a fatwa in Somaliland forbid female genital mutilation and provided compensation to victims of FGM.
- In 2018, an Imam in Dublin issued fatwa against FGM in all its forms.
- In Iraqi Kurdistan, the Kurdistan Islamic Scholars Union issued a fatwa stating that FGM was not an Islamic practice.
- A 2006 meeting of Islamic scholars from across the Muslim world resulted in a fatwa banning the practice of FGM.



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"Ahadith stating the legality of Female Genital Mutilation / Cutting are *dhaeef* (weak); none of them are *sahih* (authentic)."

SHEIKH SAYYID SABIQ

Fiqh As-Sunnah

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LEGISLATION ON FGM-I

- In 1996, following a presidential decree, the government of Burkina Faso passed a law prohibiting the practice of FGM.
- In Djibouti, the Penal Code was revised in 1995 outlawing FGM and establishing a punishment of 5 years in prison and a fine of 1 million francs (\$5,600).
- Egypt's Ministry of Health and Population banned all forms of FGM in 2007.
- The president of Gambia, Yahya Jammeh, banned FGM in 2015.
- In 2011, Kenya made FGM illegal nationwide.
- In Guinea, Article 265 of the Penal Code sentences the perpetrator of FGM to death if a girl dies within 40 days after the being subjected to FGM.
- In the US, 15 states have no laws prohibiting FGM.



LEGISLATION ON FGM-II

- In Somalia, Article 15 of the Consitution prohibited FGM stating that it is a "cruel and degrading practice, and is tantamount to torture".
- In Sudan, six out of eighteen states have laws against FGM.
- FGM is criminalized in Iran by the Islamic Penal Code of 2013.
- In 2011, a Kurdish law was passed in Iraqi Kurdistan criminalizing the practice but the law is not enforced.
- A 2001 law in Yemen banned the practice of FGM in private and public medical facilities but excluded homes from this law.
- A 1997 law in the US prohibited the practice on girls under 18 but it was struck down in 2018 by a federal court judge in Michigan.



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