

Indonesian Muslim Feminism's Criticism of the Practice of Cutting Female Genitalia from a Human Rights Perspective

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Abstract: This article analyzes the Indonesian feminist critique represented by the Indonesian Women Ulama group, this critique is related to the discrimination of women in the context of female circumcision. The purpose of this article is to analyze the reasons why Indonesian Muslim feminist critics attack female circumcision, and how female circumcision is viewed from a human rights perspective. This article uses a qualitative method, the type of article library research / literature study that examines the reasons for Indonesian Muslim feminists who prohibit circumcision for women, data collection techniques through extracting literature related to the prohibition of female circumcision, the theory used is the theory of human rights. The results show that the criticism of Indonesian Muslim feminists who prohibit circumcision for women is that female circumcision causes *kemadhorotan* (damage), circumcision for women is contrary to women's human rights, this refers to the International Convention on women. The contribution of this article is shown for the legislative government to make a policy to prohibit the act of P2GP / female circumcision.

Keywords: Indonesian Muslim Feminism, Female Circumcision, Human Rights

Abstrak: Artikel ini menganalisis kritik kaum feminis Indonesia yang direpresentasikan oleh golongan Ulama Perempuan Indonesia, kritik ini terkait dengan diskriminasi perempuan dalam konteks khitan perempuan. Tujuan artikel ini adalah menganalisis apa alasan kritik feminisme muslim Indonesia melarang khitan bagi perempuan, kemudian bagaimana khitan perempuan dalam perspektif hak asasi manusia. Artikel ini menggunakan metode kualitatif, jenis artikel *library research*/studi kepustakaan yang mengkaji alasan feminisme muslim Indonesia yang melarang khitan bagi perempuan, tehnik pengumpulan data melalui penggalan literatur naskah terkait larangan khitan perempuan, teori yang digunakan menggunakan adalah teori hak asasi manusia. Hasil menunjukkan bahwa kritik feminis muslim Indonesia yang melarang khitan bagi perempuan adalah khitan perempuan menimbulkan *kemadhorotan* (kerusakan), khitan bagi perempuan bertentangan dengan hak asasi perempuan, hal ini merujuk pada Konvensi Internasional tentang perempuan. Kontibusi artikel ini ditunjukkan untuk pemerintah legislatif untuk membuat kebijakan larangan tindakan P2GP/khitan perempuan.

Keywords: Feminisme Muslim Indonesia, Khitan Perempuan, Hak Asasi Manusia

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Introduction

Islam was revealed on earth to liberate all humanity from all forms of discrimination and oppression, especially against women (Shihab, 2004). From this concept, it is also very clear that Islam respects and upholds human rights. This means that anyone who commits acts of injustice, discrimination or restrictions only because of gender differences, then this is a violation and contradicts the importance of the glory of human rights in Islam (Ghozali, 2015).

However, the fact is that women still experience negative stigma and injustice. This is related to the tradition of the practice of circumcision for women, in the modern world female circumcision is referred to as Female Genitalia Cutting (P2GP). This stigma is related to the fact that if women are not circumcised, it will be dangerous, because women have high lust compared to men, and circumcision is an order to glorify women in the name of religion and to stem women's lust. Khitan for women in sociological reality is still widely practiced in countries around the world including Indonesia or areas with a Muslim majority population. In Indonesia, the practice of female infant circumcision is not only based on Sharia law but also on customs and culture that have been passed down from generation to generation. In Indonesia, female circumcision is carried out as a tradition or traditional ceremony, which sometimes forces a large-scale party that leads to isyraf or exaggeration, even though sometimes the costs of fulfilling the traditional ceremony go into debt in order to maintain dignity (Suraiya, 2019a). Like the ancient Javanese concept, the female circumcision ceremony is intended to show the transition from childhood to adolescence, which is marked by being allowed to wear traditional clothing, namely dressed with jarit or long batik cloth with a wolo belt model, which is a model of kebaya clothing for teenagers. In fact, because of the strong nuances of ancient Javanese customs, if there are girls who have not been circumcised, they are given ridicule that leads to discrimination.

The view of female circumcision needs to be recontextualized, because female circumcision creates a negative stigma, what's more the basis used about female circumcision is basically a matter of cultural construction, so this view weakens the status of women. This article examines in depth the criticism of Indonesian Muslim feminism, in this case represented by a group of female scholars in Indonesia, this group of female scholars is called the Indonesian Women's Ulama Congress (KUPI), through a congress held in 2022 on the prohibition of female circumcision (Anshor, 2018). The study of female circumcision is important to be studied in depth, for the reason that there is a public understanding of the stigma that has been hereditary in Indonesia regarding the benefits of circumcision for women.

The analysis of this article complements the results of other similar studies, some previous studies were conducted by (J. Farida et al., 2018) Farida found that the implementation of female circumcision in the Demak Regency community generally coincides with Javanese traditional ceremonies for infants/children. The purpose of female circumcision for the community in Demak Regency is so that the girl becomes a pious child and can control her lust so as not to "ngintil kakung" (hypersex). Further (Azizah, 2022) explained that the context of male and female circumcision is very different. The practice of male circumcision is recommended for better health reasons, while the practice of female circumcision does not have any benefits, it can even damage health and leave psychological trauma for some women. Research on Khitan was also conducted by (Suraiya, 2019a) This research is related to female circumcision in the perspective of history, medical and Islamic law, the results of Ratna's research explain that female circumcision is part of the sharia order. Another research by (Sholeh, 2012) This study examines the substance and dictum of the fatwa on female circumcision, the argumentation for the stipulation of the fatwa on female circumcision, and the protection of women's rights.

The similarity of this article with the research as above is that it analyzes the Khitan for women both historically and on the basis of shari'a, but the *Gap analysis* of this article is different from previous studies, the study of this article is about criticism of Indonesian Muslim feminism, in this case represented by a group of female scholars in Indonesia, this group of female scholars is called the Indonesian Women's Ulama Congress (KUPI), criticism related to the prohibition of khitan for women, then analyzed from a human rights perspective. *Novelty* in the analysis of this article is Indonesian Muslim feminism in fighting for human rights. The questions to be answered in this article are what are the reasons for the criticism of Indonesian Muslim feminism against female circumcision, then how is female circumcision in the perspective of human rights?

Methods

The method used is qualitative, with the aim of exploring the reasons for criticism of Indonesian Muslim feminism related to the prohibition of circumcision for women. The approach used uses a philosophical sociological approach, which is to find the philosophical meaning of what khitan is for, while the sociological approach aims to explore the provisions of the verse on Khitan for women, the author reveals sociologically both social conditions in the classical era at that time and social in the modern era today, seeing the provision of female circumcision is due to cultural factors of *patriarchalism*, but at the time of the current modern situation it turns out that female circumcision also reaps the pros and cons related to women's health. This article is the result of *library research*, which explores the literature on Khitan for women, both historically, Islamic law and the results of the congress of Indonesian Muslim feminism in this case, KUPI.

The sources of data for this article are literature sources on female circumcision and documents from the Indonesian Muslim Feminist Congress in 2022 on the prohibition of female circumcision. Data analysis techniques use an inductive framework. Inductive is a way of thinking that starts by looking at specific things then drawing a new, more general conclusion. Through this inductive framework, general conclusions are drawn by looking at concrete facts that are specific in nature. Special things, namely conditions and views related to the stigma of women having to be circumcised, from this special fact are then analyzed which are general in nature, namely theories and norms about women's human rights. Special facts are analyzed qualitatively using the theory of human rights justice. The concept of this theory is clearly stated in the Qur'an and Hadith, and is contained in several Indonesian national legal regulations.

Results

Islam Provides Protection of Women's Human Rights

The first stone of the concept of human rights has been laid by Islam since its birth, in the 6th century AD. While the United States of America only developed it in the 18th century, since the 6th century Islam has tried to abolish slavery and foster the joints of human rights. (Arianto, 2003). Islamic human rights either when the Prophet Muhammad SAW was alive (*in his time*) or when the Prophet Muhammad SAW died (*today*), can be divided into two periods, the classical period and the modern period, in the classical period we take the discussion in the Medina Charter while in the modern period we take the Cairo Declaration (Alim, 2001). The condition of society at that time (6th century) describes the condition of society where there is no order, no security when people are still evil, when murder and robbery become daily activities and women are considered as property. In this condition Allah SWT sent Prophet Muhammad SAW as a Prophet and Rosul for His people and will free their

country from such conditions, as well as Prophet Muhammad SAW changed such a society by developing the concept of human rights (Nasution, 1959).

Human rights in Islam through the Medina Charter, is a real and concrete evidence to show all the slants carried out by the West against the Islamic world on the issue of the concept of human rights, because what we often hear is that in every part of the third world including Islamic countries or the majority of the population is Muslim society is very low in upholding and protecting human rights, and they consider their own people who first introduced the concept of human rights in this world. (Sudjana, 2002).

The noble mission of the Prophet Muhammad SAW as above, means that Islam contains a universal fundamental mission, namely the protection of human rights. As the message of the Prophet SAW,

"O people, spread peace, strengthen the bonds of brotherhood, feed the hungry, pray when most people are asleep at night, and you will enter Paradise prosperous" (H.R. Bukhari and Muslim).

The Hadith message teaches that the concept of Islamic religious teachings contains very noble teachings, because its norms have the mission of glorifying or dignifying humans (human rights). Violence should not be proposed as an option to realize (*ideological*) ideals, beliefs, beliefs and religious "*interpretations*" (*interpretations*). The concept of Islamic teachings is to spread global peace, life between fellow human beings and between nations on earth with the promise of universal brotherhood (human rights). (Wahid, 2004). Even the Qur'an, which was revealed approximately 14 centuries ago, contains and guarantees all human rights. The concept of human rights originates from the Creator and it remains upright and implemented, not like the conceptions made by humans. (Dalizar, 1987).

The philosophical meaning of human rights in Islam is interpreted as God's gift to humans as caliphs on earth, this right shows the supremacy of humans above other creatures, this freedom of human rights is given so that humans can carry out their caliphate function. Without understanding these rights, it is impossible for humans to carry out all their duties and obligations as caliphs (Kosasih, 2003).

Conditions during the jahiliyah period were full of violence, injustice and discrimination. The pattern of life, which was dominated by the tribal system, in turn made society prone to conflict and division. So it became a common sight, where the strong oppressed the weak. Even women, slaves and children are weak groups of people who are always defeated in social life. Islam came to improve the above order, treating humans - men and women with the spirit of justice, liberation, anti-oppression, and anti-discrimination. Prophet Muhammad SAW as the bearer of Islamic Shari'a is a role model for his people. He is a husband, father, and male figure who upholds the principles of justice and anti-violence. Based on the narrative of his wives, the Prophet throughout his life never hit his family, either his wife, children, or servants. The Prophet also never said harsh words that hurt his wife's heart. If he was not pleased, he chose to be silent and alone. The Prophet also did not approve of discriminatory practices between men and women.

The Prophet Muhammad's attention to women in turn made women free to express what was in their minds. At the time of the Prophet, there was a kind of community that voiced the aspirations of women with the spokesperson Asma' bin Yazid. Thus it becomes clear that Islam places women in an honorable position, not marginalized and discriminated against. (Fayumi, 2002).

In constructing Islamic society, Rasulullah made efforts to elevate the dignity of women through revisions to Jahiliyah traditions. This is the process of establishing the concept of gender equality and justice in Islamic law, namely (Ch, 2006):

1. Protection of women's rights through law, women cannot be treated arbitrarily by anyone because they are viewed equally before the law and applicable legislation that is different from the Jahiliyah period.
2. Improving family law, women get the right to determine a mate, get a dowry, inheritance rights, limit and regulate polygamy, file a talaq gugat, regulate the balanced rights of husband and wife, and childcare rights.
3. Women were allowed access to public roles, attending the mosque, receiving the right to education, participating in wars, migrating with the Prophet, performing bai'at in the presence of Rasullullah, and decision-making roles.
4. Women have the right to life by obtaining rules prohibiting the killing of girls which is a tradition of the Jahiliyah Arabs.

Islam's mission to descend on earth proclaims the humanity of women as complete human beings. Women are human beings who have equal dignity and honor with men. Al-Quran Surah An-Nisa' verse 1 confirms that both (women and men) were created from one element (*nafs wahidah*). In addition, Islam firmly places women as equal partners with men as stated in the Qur'an Surah At-Taubah Verse 71. It can be concluded that, Islam very firmly carries the principle of human equality, including the equality of women and men. Therefore, Islam rejects all forms of inequality and injustice, especially in gender relations. However, when the ideal and sacred teachings descend to earth, as found above, interacting with various Indonesian human cultures, it is not impossible for distortions to occur in their interpretation and application. A wrong understanding of women's existence has fatal implications for women's rights.

The History of Female Circumcision Between Religion and Culture

The term female circumcision is a translation from Arabic, namely *Khitan al-untsa* or *Khitan al-banat*, it is also said that *khafdh al-banat* reduces the sensitivity of the genitals of girls, because by circumcising girls, it means that the sensitivity of the genitals is not too high, so that libido (sexual power) in adolescence can be controlled. (Hermanto, 2016). Circumcision in Javanese society in Indonesia is referred to as *circumcision*, while in Sundanese it is called *Sudat*, indeed the Sundanese language easily adds the letters nun or mim, easily transferring the meaning of the origin of the word, hence the term child *circumcision* and *disundatan*. The subtle language is *disepitan*, derived from *sebitan*, the best term is cleaned. *Sesebitan* are small pieces of cloth left over from cutting clothes. (Mustapa, 2010).

Historically, female circumcision was first performed in Egypt as part of a traditional ceremony reserved for women who had reached adulthood. The tradition of female circumcision in Egypt is a cultural acculturation between the Egyptian population and the Romans who lived in Egypt at that time (Hendra Geptha & Panjaitan, 2022). Female circumcision in Africa is known as *Khitan firauni* (*Khitan ala Fir'aun*), which is still going on today. Because many of the perpetrators are now Muslims, certain parties understand that this is the teaching of Islam in terms of female circumcision, even though it is not only Muslim women who perform *Khitan Firauni*. It is very sadistic and against the teachings of Islam. There are several types of *Khitan pharaohs*: 1. the clitoris is trimmed; 2. there is also a partially cut lip in the vagina; 3. there is also a partially sewn hole where menstruation comes out (Cholidi, 2022).

Circumcision, which is often called "Circumcision", is a well-known practice in society that has been recognized by the religions of the world. Circumcision is not only applied to men, but also to women. In many cultures, it is often seen as a sacred event like marriage. Its sacredness appears in the things that are done (organized) for it. However, the phenomenon

of sacredness with the ceremony does seem to apply only to the circumcision of boys. For Khitan of girls, the sacred nuance is rarely seen. (Husein Muhammad, 2007).

The practice of male circumcision is almost the same in every place, which is by cutting off part of the skin covering the head of the penis kasyafah. (Al-Atsqalani, 1993). Whereas Khitan perempuan is different in every place. Some are done only symbolically or remove part of the clitoris (*clitoris*) and some cut the lips of the vagina/labia minora. (Elga Sarapung, n.d.). Some are done by cutting the uppermost skin on the genitals which is shaped like a grain, or like a rooster's comb. And what is obligatory is to cut the skin of the upper part of the tool by not releasing the cut. (Makhluf, 1971). According to Shaykh Zainuddin, female circumcision involves cutting off a small amount of flesh above the urethra, which is shaped like a rooster's comb and is called the bizhir (clitoris). (Al-Maribari, 1993). According to the explanation of Shaykh Sayyid Sabiq, Khitan for women is to cut the top part of *her faraj*. According to him, Khitan is an ancient tradition (*sunnah qadimah*). (Sayyid Sabiq, 2006).

The concept of female circumcision emerged centuries ago and until now, especially in Indonesia, some groups of people still apply female circumcision. However, the tradition of female circumcision has also drawn pros and cons from several groups and organizations. The opinion of WHO (*World Health Organization*), states that female circumcision is a form of violence against women and must be ended, because female circumcision always causes excruciating pain, both during and after circumcision. (Sauki, 2010).

The reason some groups of people still maintain the practice of female circumcision is based on two reasons, namely for religious reasons and preserving cultural traditions. From the Islamic community who apply the tradition of Khitan for women based on the Hadith of the Prophet SAW, although when reviewed the Hadith is weak in terms of the quality of the *Sanad* and *Perawinya*. Some of these scholars include Ibn Qudamah, who said that Khitan for women is not mandatory, with the opinion that it is not mandatory, meaning that female Khitan is allowed. This is based on the words of the Prophet Muhammad SAW:

Umm 'Atiyah, a female circumciser from the Ansar in Madinah, said. "Circumcise a little and do not overdo it, for it will brighten the face and please the husband" (Narrated by Abu Dawud and Baihaqi).

One study judged the Hadith to be a dhaif Hadith, because one of the narrators was Muhammad ibn Said who died on the cross because he was a *zindiq* and he had fabricated 4,000 Hadith. (Suraiya, 2019b). Umm 'Atiyah still reported a Hadith whose source was Dhaha' Qais:

Dhaha' Qais reported: "There was a woman in Madinah who performed female circumcision named Ummu 'Atiyah, and the Prophet said to her: 'O Ummu 'Atiyah, circumcise a little and do not overdo it, for that will brighten the face and please the husband'" (narrated by Baihaqi and Thabrani).

It does not reach the level of sahih because one of its narrators, A'la ibn Hilal ar-Raqiy, was a mistrustful person who used to distort the chain of transmission, and there was also a narrator whose name is unknown. There is a very popular Hadith, sourced from Uthamah, that the Prophet Muhammad said:

Circumcision is a Sunnah for men and a glory for women (narrated by Imam Ahmad, Baihaqi, Thabrani).

This hadith is used as an excuse to circumcise girls, and they view the ruling as mandub (sunnah). According to Rofiq, the position of this hadith is *mauquf*, which is attributed to a companion and a chain of narrators named Hajja ibn Arthah who is *mudallis* (hiding hadith defects) reluctant to use the "symbol" *akhbarana* (has been told to me). (Rofiq, A., Wahyuni, B., Limbeng, J., Nurwati Hodijah, S., & Biantoro, 2019). Through the Hadith, it can be

explained the definition that the term Khitan for boys is cut while for girls is *khifadh*, so logically the word Khitan in the Hadith is not for women.

Normatively, the main source of Islamic law, the Qur'an, does not have a single verse that mentions female circumcision explicitly (*lughawi*) or implicitly (*ma'nawi*). Likewise, in the hadith, there is not a single sahih hadith that mentions the law of female circumcision explicitly and explicitly, so that the existing texts give birth to various views of scholars with their respective arguments according to their knowledge and perspectives. The Qur'an as the main source of Islamic law, there is not a single verse either explicitly or implicitly explaining female circumcision. (El-Dirani et al., 2022). Female circumcision in Muslim societies is thought to originate from past traditions that were practiced before Islam was revealed, even being a tradition practiced almost 2000 years before Islam (Nuruzzaman, 2005). (Nuruzzaman, 2005).

Although the Hadiths as above are *mauquf* and weak in quality. However, the practice of female circumcision is still carried out by some groups of people, all done solely in the name of religion, namely circumcision for glory, meaning that it is based on the reason for carrying out religious rules. Generally, Muslims who perform female circumcision cite religious reasons. They believe that circumcision is an obligation in Islam, although historically it was not introduced by Islam because it was practiced long before the arrival of Islam. Meanwhile, female circumcision is maintained on the grounds that it is an effort to maintain the continuity of cultural identity. There is an assumption in the community that performing the traditional or cultural ritual of Khitan is an important initiation stage for a woman to enter the stage of maturity and become an official part of a community group. In addition, in the pre-Islamic era, the culture of the community's assessment of women was very discriminatory, women were always used as a source of disaster, women were a source of slander and so on. Thus, female circumcision was culturally intended to protect and control women's sexuality and reproductive functions. The community believes that circumcision allows women's sexual desire to be controlled. Women were forbidden to have passionate sexual desires because it would endanger society. This is because if women cannot restrain their sexual stimulation, they will fall into the practice of sex outside of marriage. Furthermore, a woman who is not circumcised will be very doubtful about her loyalty to her partner or husband. Women should be circumcised so that they will not be tempted to become prostitutes or sex peddlers. Women are not meant to enjoy sexual gratification, but are created to give sexual gratification to men. This is the gender-biased view that is widespread in traditional Indonesian society as a *Patriarchal* culture.

Indonesian Muslim Feminism

Indonesian Muslim feminism is a group of Indonesian scholars from both female and male scholars. Indonesian Muslim feminism was born out of concern for the condition of women around the world, especially in Indonesia, Indonesian Muslim feminism then created a forum to carry out humanitarian programs. The forum in question is called the Congress. So that Indonesian Muslim feminists are called the Indonesian Women's Ulama Congress, which is abbreviated as KUPI. KUPI organizes a network of women scholars in Indonesia which was declared in 2017. (Zalikhho Su'ada, 2023). Women scholars are all scholars, both men and women, who have and practice a gender justice perspective (Source: KUPI I Document, 2017). Women scholars work intellectually and practically to integrate gender justice perspectives with Islamic sources in responding to the realities of life in order to uphold a just and civilized humanity. Through KUPI, these women scholars gather and meet from various backgrounds, both internally to consolidate themselves, and also externally to respond to current issues.

KUPI's goal is to present the figure of women as active subjects of Islamic scientific authority, by getting a symmetrical position with men. KUPI is present as a form of affirmative movement to present ulama from among women, who have been co-opted by male ulama (Ma'ruf et al., 2021).

The implementation of KUPI is an affirmative step to build a network between scholars (especially women) in Indonesia and from outside Indonesia with a concentration on updating Islamic law in gender discourse. With the scientific capabilities of pesantren, the KUPI initiation was built on the knowledge of classical Islamic scientific literacy combined with contemporary scientific approaches. KUPI does not intend to get rid of the character of male ulama as a counterpoint, rather women want to get symmetrical partners and recognition with male ulama. (Rengkaningtias, 2018). So that the power of male ulama as a source of *power and authority* in life in the social environment and pesantren can be negotiated. Women have the right to emerge as Islamic authorities, not only as *second leaders* as marginalized voices in society.

The KUPI Religious Deliberation is a series of Congress activities in the form of a religious forum specifically formed to discuss crucial issues submitted by the community in order to obtain answers as the religious attitudes and views of women ulama (Source: KUPI I Documents, 2017). The crucial issues in question are issues that are troubling because they relate to various forms of injustice that are sustainable and have an impact on women in personal and social life at large. These attitudes and decisions are important to issue because of the inherent religious understanding that preserves injustice and inequality in the midst of society, whereas the mission of Islam is precisely to transform human life from inequality to justice and from injustice to benefit (Source: KUPI I Document, 2017).

As an effort to respond to crucial issues and inequality against women, KUPI organized the first KUPI, the first Congress was held in 2017 at the Kebon Jambu al-Islamy Islamic Boarding School, Cirebon. Then the second KUPI was held in 2022 at the Hasyim Asy'ari Islamic Boarding School, Bangsri, Jepara, Central Java.

Discussion

Indonesian Muslim Feminism's Critique of Female Circumcision Practices

The criticism issued by Indonesian Muslim feminism through the KUPI Congress in 2022 strongly criticized that Khitan or circumcision of baby girls or better known as Female Genitalia Cutting or Injury / P2GP is not recommended or can be prohibited due to several fundamental reasons outlined in the Congress results, namely as follows (Anshor, 2018):

- a. Female Genitalia Cutting or Injury (P2GP) or female circumcision is a form of violation of the right to life free from violence affecting 51% of girls under the age of eleven. (MOH RI 2013)
- b. Cutting or damaging healthy genital tissue is proven to have no health benefits and is done for cultural or other reasons other than medical indications or treatment (Ministry of Women's Empowerment and Child Protection (KPPA), 2018).
- c. P2GP is a painful and traumatizing procedure that disrupts the body's natural functions.
- d. P2GP has short, medium and long-term health consequences such as infection, bleeding, depression, childbirth complications and infertility.
- e. Female circumcision is basically not practiced by the majority of Muslims around the world. So it can be ascertained that female circumcision is not a compulsory Shari'ah as is done for male circumcision. (U. Farida et al., 2022)..
- f. The practice of female circumcision is carried out precisely because of the negative stigma against women in a patriarchal culture that assumes that women are seducers who have

great desires, so female circumcision is considered a way to control sexual desire. (Affifah, 2017).

- g. In terms of health, P2GP (Khitan) or female circumcision has no benefit except to injure the clitoris and damage a number of septic nerves at the tip of the clitoris, which is at risk of urinary tract infections, and dangerous bleeding even to death. (Eka Handayani, 2022).

The criticism issued by Indonesian Muslim feminists who prohibit female circumcision is also because female circumcision is seen as a form of violence against women that will have an impact on women's reproductive health. (Njue et al., 2019).. Considering the negative impact of female circumcision medically, the practice of female circumcision has not been found to be medically beneficial, even in several countries in Africa, female circumcision which is carried out by cutting off the clitoris by a circumcision healer is very dangerous for women's lives. Whereas in the framework of *hifz al-nafs*, everyone has the right to stop all physical, psychological, and social dangers that can threaten his life, including maintaining the dignity and human dignity inherent in him. (Syahbandir et al., 2021).

The reason for Indonesian Muslim feminist criticism of the prohibition of female circumcision is due to aspects of society's negative views and stigma, which label women as temptresses. In the history of *patriarchal* culture, the practice of female circumcision was carried out precisely because of the negative stigma against women, which assumes that women are temptresses who have great desire, so female circumcision is considered as a way to control this sexual desire. In traditional customary societies, there is also the idea that women should not have organs that are easily stimulated so that they are not easily tainted and slipped into disgrace that damages their chastity. As a wife, she should also be ready to serve her husband's sexual needs whenever he asks for it, while she herself is discouraged from asking her husband if she demands maximum sexual satisfaction from him. To this end, every cultural component must condition women to be ready to accept the above conditions, including by supporting the practice of female circumcision which will lead to sexual passivity, and thus women get the title of "glory" from a community of traditions and culture.

Indonesian Muslim feminism urges against female circumcision or female genitalia cutting and wounding (P2GP) without medical reasons, as it is haram. This criticism is based on the fact that female circumcision in Indonesian society is still very high, up to 70%, and is understood as something that must be fulfilled by all parties (Source: 2nd KUPI No. 08/MK-KUPI-2/XI/2022 P2GP).

Quoting Husein Muhammad's view, the use of the word Khitan for women creates a narrative of injustice. Khitan means 'to cut'. The use of the word Khitan, which means cutting for women, for Husein Muhammad is a forced definition of women with terms that are actually intended for men. Women seem to have to participate in the sacrifices made by men, participating in the obligations imposed on men, even though women have different biological, reproductive conditions that cannot be equated with men. So the use of the word Khitan for women is actually inappropriate (Mubadalah.id, 2021).

Furthermore, Husein Muhammad took Syaltut's view, which states that if it is based on the universal principle of Shara', namely "It is not allowed to cut parts of the human body unless there is a great benefit to be obtained", then the original law of female circumcision is Haram. Medically, female circumcision does not reap benefits and will actually cause harm to women, therefore Syaltut uses considerations of benefit to become the basis of the law regarding female circumcision. If it is clear that there are many *mafsadah* that will be obtained by women if circumcised, while the benefits are not found, then the practice of circumcision should not be done. (Syaltut, 1996). According to Susanti, what needs to be understood is that female circumcision is not a natural thing, nor is it a religious decision that must be

implemented and imposed on women. The practice is as much the result of a particular society's gender construction of what and how men are, and what and how women are, and this can differ and change within a time or place. (Susanti, 2014).

The Practice of Female Circumcision from a Human Rights Perspective

Male circumcision is medically beneficial for biological benefits and avoidance of disease, so male circumcision is recommended because it is seen as good from a medical perspective. So the ruling on male circumcision, whether it is obligatory or sunnah mu'akkad, is certainly the appropriate view. However, in the issue of female circumcision, the legal basis is not strong, while medically if women are circumcised by removing part of their genital organs, it will have a negative impact on women both physically and psychologically.

So what is the difference between female and male circumcision? Male circumcision is done by removing part of the skin of the penis without damaging sexual function, whereas female circumcision is done by damaging sexual function by cutting part or all of the clitoris with the aim of eliminating the sexual desire of young women and maintaining fidelity in marriage in the future. Thus, it seems very unfair to equate female and male circumcision because the consequences are not equal with different purposes. Female fidelity cannot be measured by the practice of female circumcision.

Female circumcision, if done, will reduce women's pleasure during intercourse, of course, must be abandoned. Sexual satisfaction should be enjoyed by both husband and wife, not just one of them. Because sexual satisfaction is the right and responsibility of husband and wife, this is clear there is a legal basis in the Qur'an in al Baqarah (2): 187 which shows that women and men have the same position in sexual satisfaction." (Hikmalisa Hikmalisa, 2022).

Looking at Hikmalisa's opinion, it can be seen that there are a lot of irrational reasons or myths that accompany female circumcision, which try to scare women into being circumcised, such as 'so as not to be bad' to become a pure woman, and so on. These reasons are perpetuated seamlessly as if they are facts that are believed to be true, when in fact they are the weakening and abuse of women. Many perform female circumcision to reduce women's sexual desire. As if women are only sexual objects and should not have their own desires. The negative stigma that if women are not circumcised, they will become "binal" or have uncontrollable lust is a cruel stigma, discrediting women and this is contrary to the true justice in Islam.

If circumcision for men aims for health and sexual pleasure, then for women what is seen is their health and sexual pleasure as well. It does not mean that if men are circumcised then women are also obliged to be circumcised, what is seen is not the normative text but the meaning and purpose of the text. What becomes the focus is the *mashlahatannya* or the purpose of Khitan itself, if men are circumcised it is indeed good for health, but on the contrary if women are circumcised it will actually have a bad impact on women.

The World Health Organization (WHO) as an international organization responsible for health expressed its view on the issue of female circumcision has a negative impact both physically and psychologically, female circumcision is a form of human rights violation against women and girls without medical benefits. In line with the WHO's voice, the *Convention on the Elimination of All Forms of Discrimination Against Woman* (CEDAW) rejects the practice of female circumcision as detailed in article 5A which states that every country must make regulations to change the mindset or habits of the community that show the superiority of one sex. In an effort to address the issue of female circumcision, law and politics are two elements that form the basis of support in making policies to ban the practice.

Based on the above, it is clear that the practice of female circumcision is a human rights violation against women where they do not have the right to control their own bodies and

have to bear the consequences of something they do not want. The WHO has loudly explained that the practice of female circumcision has no medical benefits. So in order to strive for healthier women, it is necessary to change the law to prohibit the practice of female circumcision and strive for a change in mindset in society.

Conclusion

The reasons for criticism of Indonesian Muslim feminism regarding the prohibition of P2GP / circumcision are: *First*, because there is not a single legal proof from either the Qur'an or hadith as the legal basis for the law of female circumcision. The legal label of female circumcision is basically purely the result of scholarly ijtihad and not a direct religious command or guidance. *Secondly*, the harmful P2GP action without medical reasons is contrary to the mandate of the Indonesian State Constitution related to the right of every person to live and defend his life. The assumption that women need to be circumcised with the aim of reducing women's sexual desire, so that women are not "binal" or so that women's lust is controlled, is an incorrect view, contrary to women's justice, as if women are only sexual objects and should not have their own desires. Female circumcision results in enormous negative impacts, both physically and psychologically. Physical impacts include excessive bleeding, swelling of the genital tissue, fever, urinary infections, increased risk of labor complications, and sexual problems. Likewise, there are psychological impacts that affect the mentality such as depression, anxiety disorders, stress, and others. Female circumcision is a form of human rights violation against women and girls without any medical benefit.

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