



## **UNDERSTANDING HADITH ABOUT FEMALE CIRCUMCISION: An Attempt to Reconstruct the Practice of Female Circumcision in Indonesia**

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### **Abstract**

This article describes the problems of female circumcision or known as Female Genital Cutting/Mutilation (FGC/M). Pros and cons have sprung up regarding the legality of the practice of female circumcision in Indonesia, the pros are based on tradition, culture, and religious narratives, such as the hadith narrated by Abu Dawud. The contra group indicated negative effects on women from a health perspective, such as genital ulceration, injuries to nearby tissues, septicemia and even death due to bleeding. Therefore, this research actualizes the understanding regarding female circumcision by looking at various aspects. This research is a qualitative type of library research using a descriptive-analytical method. The approach used is *ma'anil hadis* to see the explanation, description of female circumcision, then actualized in the current context in Indonesia. The results of this study are first, the hadith of female circumcision contained in Sunan Abu Daud is *dhaif*, *munkar*, even *ma'lul*/problematic. Second, female circumcision does not need to be carried out on the grounds that WHO has disclosed the complications caused by circumcision. Strengthened by regulations from the Indonesian Ministry of Health, Islamic mass organizations, as well as other figures such as Husein Muhammad.

**Keywords:** female circumcision hadith, *ma'anil hadis*,

circumcision practice, re-actualization

### Abstrak

Artikel ini menjelaskan problematika khitan perempuan atau disebut sebagai *Female Genital Cutting/Mutilation* (FGC/M). Pro kontra bermunculan mengenai legalitas praktek khitan perempuan di Indonesia, kalangan pro berasaskan pada tradisi, budaya, serta narasi-narasi agama. Kelompok kontra mengindikasikan adanya efek negatif terhadap perempuan dari segi Kesehatan seperti *ulserasi* alat kelamin, luka pada jaringan terdekat, *septikemia* bahkan kematian akibat pendarahan. Sebagaimana hadis yang diriwayatkan oleh Abu Dawud. Hadis ini dinilai *da'if* karena ada sanad bernama Muhammad bin Hassan berstatus *Majhul*. Namun, pada praktiknya masih saja diamalkan oleh masyarakat Indonesia. Oleh karena itu, penelitian ini berupaya merekonstruksi pemahaman terkait khitan perempuan dengan melihat berbagai aspek. Penelitian ini kualitatif yang berjenis *library research* dengan menggunakan metode deskripsi-analitis. Pendekatan yang digunakan adalah *ma'anil hadis* untuk melihat penjelasan, gambaran tentang khitan perempuan, kemudian diaktualisasikan pada konteks saat ini di Indonesia. Hasil penelitian ini adalah *pertama*, hadis khitan perempuan yang terkandung dalam Sunan Abu Daud bernilai *dhaif*, *munkar*, bahkan *ma'lul*/bermasalah. *Kedua*, khitan perempuan tidak perlu dilaksanakan dengan alasan WHO telah mengungkapkan komplikasi yang ditimbulkan oleh khitan. Diperkuat dengan peraturan Kementerian Kesehatan RI, ormas-ormas Islam, serta tokoh lain seperti Husein Muhammad.

**Kata kunci:** hadis khitan perempuan, *ma'anil hadis*, praktik khitan, reaktualisasi

### Introduction

The practice of female circumcision, also known as Female Genital Cutting/Mutilation (FGC/M), leads to complications of diseases in the female sexual organs. The World Health Organization (WHO)

outlines some of the many diseases that result from female circumcision as extreme pain, shock, urinary retention, genital ulceration and injury to adjacent tissues. Other complications include septicemia (blood poisoning), infertility and obstructed labor. Fatally, it can result in death due to bleeding and infection (Ida, 2022, p. 61; UNICEF, 2005, p. 1). The pro-circumcision group argues that the cutting of the skin (labia minora) or the clitoris (praeputium clitoridis) at the top of the *farji* does not exceed the limit of circumcision (Umar, n.d., p. 95). The embedding traditions and narratives of religious dogma punish the legalization of female circumcision as a basis for staying alive and running (Althaus-Reid, 2002, pp. 11–12; Romziana, 2020, p. 11; Rosyid, 2020, p. 32; TEMPO Publishing, 2020, pp. 80–81). One of them is from the Prophet Muhammad's hadith specifically discussing female circumcision, Sunan Abu Daud, juz 3 chapter *al-Adab*, Hadith No. 5271 and there is no detailed Qur'anic evidence. Likewise, the Indonesian Ulama Council (MUI) legitimized female circumcision as sunnah muakkadah/recommended worship (TEMPO Publishing, 2020, p. 83). From this explanation, there appears to be a contradiction between God's legal order and the medical.

The Indonesian context regarding the practice of female circumcision varies, with some regions implementing it and others not. Schrieke's research in 1921, as quoted from Basilica Dyah Putranti, outlines the tradition of female circumcision in most of Java, regional parts of Sulawesi (Makassar, Gorontalo), Kalimantan (Pontianak, Banjarmasin), Sumatra (Lampung, Riau, Padang, Aceh), Pulau Kei in Ambon, Lor Island, and Sasak Tribe in Lombok (Putranti, 2005, p. 82). The arguments for female circumcision, one of which is in Madura, are, first, included in the category of Islamic law that must be carried out and if not practiced, it is sinful. Second, female circumcision is rooted in a strong inherited tradition. Third, the implementation of female circumcision is related to the sexual needs of husband and wife (Ida,

2022, p. 64). It also shows that the depiction of female circumcision has an impact on the harmony of married couples.

Research on female circumcision that has been conducted by researchers can be classified into three types, namely; textual studies of hadiths (Romziana, 2020; Rosyid, 2020; Sa'dan, 2016), gender equality and sexual violence (Purwosusanto, 2020), and the study of figures' perspectives (Hikmalisa & Iballa, 2022). Purwosusanto (2020) in his article analyzes that the practice of female circumcision is a form of sexual violence, because Islam came to reduce the excess of female circumcision (Purwosusanto, 2020, p. 128). Husein Muhammad's insight on female circumcision as researched by Hikamlisa and Iballa (2022) reveals Husein Muhammad's criticism of the meaning of khitan as "cutting", according to him this understanding is a form of coercion against women. This is because basically the definition is proposed to men (Hikmalisa & Iballa, 2022, p. 103). Romziana's study (2020) explores the study of hadith both sanad and matan. This article has similarities with the study of this article, but has a different approach, namely analyzing ma'anil hadith and interconnecting with various sciences such as household harmony and medical. Therefore, this paper tends to examine the ma'anil hadith in the narration of the hadith about female circumcision in Sunan Abu Daud. With several problem formulations, namely: How is the Hadith analysis of the Hadith text in Sunan Abu Daud about female circumcision and how is the understanding of female circumcision reconstructed in Indonesia.

This type of research is a descriptive-analytical qualitative research (Rukin, 2019). Based on the data used in this type of research, this research falls into the category of library research, namely theoretical studies, references and other scientific literature that have to do with the culture, values and norms that develop in the social context of the object of research (Sari & Asmendri, 2020). The material object of this research

is the hadith about female circumcision contained in Sunan Abu Daud, volume 5 chapter *al-Adab*, Hadith No. 5229.

The primary source of this article is the hadith about female circumcision found in Sunan Abu Daud and other hadith books and their commentaries. The secondary sources of this research are journals, books, magazines, newspapers and others that have similar themes. This research method is descriptive-analytical by presenting the hadith about circumcision, then analyzing the paradigm of *ma'anil hadis* perspective. This research uses a *ma'anil hadis* study approach. According to Abdul Mustaqim, *ma'anil hadis* perspective It is the study of how to understand the hadith of the Prophet Muhammad by considering various aspects, ranging from the semantic and structural context of the hadith text, *asbabul hadis* (micro and macro), the status of the prophet when delivering the hadith, and connecting it with various knowledge disciplines (Mustaqim, 2016, p. 4).

## The Authenticity of Female Circumcision in Sunan Abu Daud

### *Text of Hadis Female Circumcision*

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*Have told Sulaiman bin 'Abdurrahman Ad-Dimasyqi and 'Abdul Wahhab bin 'Abdurrahim Al-Asyja'i says that have told Marwan have told Muhammad bin Hassan, said 'Abdul Wahhab Al-Kufi from 'Abdul Malik bin 'Amir from Ummi Atiyyah He said that a woman was circumcised in Madinah, and the Prophet (peace and blessings of Allah be upon him) said to her: "Do not overdo*

*it, for it will be more enjoyable for the woman and more pleasing to her husband.” (H.R Abu Daud )(Sulaiman, 1998, pp. 456–457)*

The hadith above is the primary hadith data of this study. However, the researcher also did not fail to trace the same hadith in other books using the takhrij hadis method by looking at the mu’jam books. In the book Miftah Kunuz As-Sunnah, an index book of hadith, states that the hadith on the theme of circumcision besides the above hadith is found in various books, namely: Firstly, the theme of circumcision as human nature is mentioned in Bukhari, Muslim, Abu Daud, Tirmizi, Nasa’I. Secondly, the timing of circumcision is mentioned. Second, regarding the time of circumcision is found in Bukhari, Abu Daud. Third, the expression of the law of female circumcision is makrooh which is contained in the hadith narrated by Imam Ahmad from Usama r.a (Vinsink, 1978, p. 174).

A.J. Wensinck in his book has mapped this hadith with various metamorphoses of the derivation of the word khitan. The word *kha-ta-na* is found in Sunan Abu Daud (kitab adab bab. 167), Sahih Bukhari (kitab istisdan bab. 51), Musnad Ahmad ibn Hanbal (vol. 1, page. 257 and 287), Sahih Bukhari (kitab buyu’ bab. 50). The word *Ikh-ta-ta-na* is found in Sahih Bukhari (kitab anbiyai bab. 8), Sahih} Muslim (kitab fadail bab. 151), Musnad Ahmad ibn Hanbal (vol. 6, page. 418, 465, and 222), Muwata Imam Malik (kitab Sifatun Nabi no. 4), Sahih Bukhari (kitab badaal wahyu ch. 6), Sunan Abu Daud (kitab taharah bab. 129), Musnad Ahmad ibn Hanbal (vol. 3, p. 415), Sahih Muslim (kitab taharah bab. 5), Sunan Nasa’I (kitab taharah bab. 8), Sunan Ibn Majah (kitab taharah bab. 8), Muwata Imam Malik (kitab Sifatun Nabi no. 3), Musnad Ahmad ibn Hanbal (vol. 4, p. 264). The Word *kha-ta-nun* is spreaded in Sahih Bukhari (kitab washaya bab. 1), Musnad Ahmad ibn Hanbal (vol. 3, p. 369), Sahih Bukhari (kitab tafsir surah bab. 2 no.30), Musnad Ahmad ibn Hanbal (vol. 5, p. 204), Musnad Ahmad ibn Hanbal (vol. 1, p. 381, 408, 426, 442, 443). Kemudian kata *khitanun* berada pada Musnad Ahmad

ibn Hanbal (vol. 5, p. 75), Sahih} Bukhari (kitab libas bab. 63 and 64), Sahih Muslim (kitab taharah bab. 49), Sunan Abu Daud (kitab taharah bab. 29 and kitab tarjal bab. 16), Sunan Tirmizi (kitab adab bab. 51), Sunan Nasa'i (kitab taharah bab. 9 and 10. kitab zinah bab. 1 and 55), Sunan Ibn Majah (kitab taharah bab. 8), Musnad Ahmad ibn Hanbal (vol. 2, p. 229, 239, 283, 410, and 489), Sahih} Muslim (kitab haid} bab. 88), Sahih Bukhari (kitab ghasl bab. 28), Sunan Abu Daud (kitab taharah bab. 83), Sunan Tirmizi (kitab taharah bab. 80), Sunan Nasa'i (kitab taharah bab. 128), Sunan Ibn Majah (kitab taharah bab. 111), Musnad Ahmad ibn Hanbal (vol. 2, p. 5, 178, 115 and vol. 6 p. 47, 97, 112, 123, 135, 161, 227, 239, 265, also vol. 4 p. 217) (Wensinck, 1936, pp. 10–11).

The view of Ibn Hajar quoted by Hussein Muhammad legitimizing the sanad lines of Hakim, Baihaqi, Thabrani, Abu Na'im, and Al-Bazzar is problematic (Ma'lul), weak (dha'if), and even munkar. Ibn al-Mundzir asserts that "there is no hadith evidence that can be used as a shar'i proof regarding circumcision, and none of its sanads are reliable" (Muhammad, 2019, pp. 109–110).

To check the authenticity of a hadith, the hadith rule says that the first thing to be scrutinized is its sanad. If the sanad is declared sahih, then the matan can be considered if not, then the matan is considered not sahih. In order to examine the validity of the sanad of the above hadith, the identity of its narrators will be traced. The following sanad path is examined: *prophet Muhammad SAW - Ummi Atiyyah - 'Abdul Malik bin 'Amir - 'Abdul Wahhab Al-Kufi - Muhammad bin Hassan - Marwan - 'Abdul Wahhab bin 'Abdurrahim Al-Asyja'i - Sulaiman bin 'Abdurrahman Ad-Dimasyqi - Abu Daud.*

#### 1. Ummi Atiyyah

Known as Ummi Atiyyah Al-Anshariyyah. His original name was Nasyiyyah bintu Ka'ab from generation of Shahabah and descendants

from Al-Ansariyyah, Al-Madani. Some ulama give their views on Ummi At}iyyah there are; Abu Hatim bin Hibban Al-Yasti comment on Ummi Atiyyah as *zakaraha fi As-Siqat*, Ibn Hajar Al-'Asqalani said *Sahabiyyah Masyhurah*, Az-Zahabi view on her as *min kubbari nisa As-Sahabah* dan *akhaza 'anha 'ulama al-basrah*, also Al-Mazi labeling as *laha sahabah* (Application of Jawamiul Kalim, version 4.5).

The teachers of Ummi Atiyyah that are **Rasulullah SAW**, 'Umar bin al-Khattab.

The student of her that are **'Abdul Malik bin 'Umair Al-Lakhmi**, Muhammad bin Sayyir bin Al-Ansari, 'Asam bin Syarib Az-Zubaidi (Application of Jawamiul Kalim, version 4.5).

## 2. 'Abdul Malik bin 'Umair

The full name is 'Abdul Malik bin 'Umair bin Sawid bin Harisah bin Amlas bin Saif bin 'Abd Syamsi bin Sa'id bin Al-Wasi' bin Al-Haris. His kunyah are Abu 'Umar, Abu Amru. Laqobnya Al-Qiti. Al-Lakhmi, Al-Qiti, and Al-Kufi is his nasab. He was born in 136 AH and died at the age of 33. Various ulama have commented *jarh wat ta'dil* among them are Abul Farji Ibnu Al-Jauzi said *zakarahu fi kasyfi an-Niqab*, Abu Hatim ar-Razi commend *salih al-Hadis*, Muhammad bin 'Abdullah bin Namir views *siqqah sabit*.

His teachers are **Ummi Atiyyah bintu Al-Haris al-Ansariyyah**, Anas bin Malik al-Ansariyyah, Abu Hurairah Ad-Dusi, 'Amir Asy-Syu'bi, Muh}ammad bin 'Abdurrahman As-Saqafi, Yazid bin Safwan, 'Urwah bin Mas'ud As-Saqafi, Tariq bin Syarik.

His students are **'Abdul Wahhab bin Yahya Al-Farsyi**, 'Umar bin Rasyid Al-Yamati, 'Ubaidah bin Hamid Al-Lais, Hisyam bin 'Abdul Malik Al-Bahali, Harim bin Sufyan Al-Bajli, Muhammad bin 'Abdullah As-Saqafi, Muhammad bin 'Ajlan Al-Farsyi.



### 3. Muhammad bin Hassan

His name is Muhammad bin Hassan. His Tabaqoh Muhammad into the sixth generation. 'Ulama labeling *jarh wat ta'dil* among them are Abu Ahmad bin 'Adi Al-Jurjani said *laisa bi ma'ruf*, Az-Zahabi labeling *la ya'rif*. Then found a legitimate of *jarh* to Muhammad bin Hassan like Abu Hatim Ar-Razi, Abu Daud As-Sajastani, Ibnu Hajar Al-'Asqalani all of them said *Majhul*.

His teachers are **'Abdul Malik bin 'Umair Al-Lakhmi**, Jabir bin Yazid Al-Ja'fi, 'Abdul Wahhab bin Yahya Al-Farsyi, Al-Muhajir bin Ghatim Al-Manjahi. his students are 'Abdurrahim bin Sulaiman Al-Kanati, **Marwan bin Mu'awiyah Al-Fazari**, Ibrahim bin Al-Hakam Al-Kufi.

### 4. Marwan bin Mu'awiyah Al-Fazari

His full name is Marwan bin Mu'awiyah bin Al-Haris bin Asma'i bin Kharajah bin 'Uyainah bin Hasn bin Huzaifah bin Badri. But he known as Marwan bin Mu'awiyah Al-Fazari. He was born in 193 AH, died in Makkah, and is in the eighth t}abaqoh. His nasabnya from Al-Fazari, Al-Kufi. 'Ulama labeling to him Abu Hatim Ar-Razi said *suduq la yadfa' 'an sidqi*, Abu Hatim bin Hibban Al-Busti commend *zakarahu fi as-siqqat*, Abu Daud As-Sijistani commend *kana yaqlib al-asma*, Ahmad bin Syu'aib An-Nasa'i said *siqqah*, Az-Zahabi views *siqqah*.

The teachers of Marwan are Ayyan bin Ishaq Al-Asadi, **Muhammad bin Hassan**, Al-Mukhtar bin Nafi' At-Timi, Mu'awiyah bin Hisyam Al-Asadi, Musa bin Ayyub Al-Mahari. Then his students are **'Abdul Wahhab bin 'Abdirrahim Al-Asyja'i**, 'Abdullah bin Sa'id Al-Yasykari, **Sulaiman bin 'Abdirrahman Ad-Dimasyqi**.

### 5. 'Abdul Wahhab bin 'Abdirrahim Al-Asyja'i

His full name is Abdul Wahhab bin 'Abdirrahim bin 'Abdil Wahhab. But, he known as 'Abdul Wahhab bin 'Abdirrahim Al-Asyja'i and his

kunyah is Abu 'Abdillah also the eighth tabaqoh. His Nasab is Al-Asyja'i, Al-Jawairi, Ad-Dimasyqi. Various ulama have commented on him such as Abu Hatim bin Hibban Al-Busti labeling *zakarahu fi as-siqat*, Ibnu Hajar Al-'Asqalani said *suduq*, Az-Zahabi said *siqqah*.

His teachers are Sufyan As-Sauri, Yahya bin Sa'id Al-Ansari, **Marwan bin Mu'awiyah Al-Fazari**, 'Abdullah bin 'Umar Al-'Adawi, 'Imrah bintu 'Abdirrahman Al-Ansariyyah. His students are Muhammad bin Hasan bin Qutaybah Al-Lakhmi, **Abu Daud As-Sijistani**, 'Amru bin Abi Mu'az An-Namiri.

#### 6. Sulaiman bin 'Abdirrahman Ad-Dimasyqi

His full name is Sulaiman bin 'Abdirrahman bin 'Isa bin Maimun. His kunyah is Abu Ayyub. His Nasab from At-Tamimi and Ad-Dimasyqi. He belongs to the tenth tabaqoh. Born in 153 AH, died in 233 AH at the age of 80. The *Jarh wat ta'dil* on him are Ahmad bin Syu'aib An-Nasa'i said *suduq*, Abu Zar'ah Ad-Dimasyqi labeling *faqih Ahl Dimasyq*, Az-Zahabi said Al-Hafiz, Ya'qub bin Sufyan Al-Faswi said *siqqah*.

His teachers are Ayyub bin Hassan Al-Wasiti, Hatim bin Isma'il Al-Harisi, Sulaiman bin 'Atiyyah As-Salami, **Marwan bin Mu'awiyah Al-Fazari**, Musa bin 'Isa Al-Hasyimi.

His students are Ahmad bin Ibrahim Al-'Amiri, **Abu Daud As-Sijistani**, 'Abdullah bin Hammad Al-Amali, Yahya bin Mu'in, Yazid bin Muhammad Al-Farisyi.

From the takhrij hadis efforts on the above sanad, the researcher can conclude that the sanad of this Hadith is da'if because there is a sanad named Muhammad bin Hassan with Majhul status. even mentioned by Abu Daud himself at the end of the text of this Hadith which states that this Hadith is da'if (Sulaiman, 1998, p. 457). In addition, judging from the above sanad data from the Jawamiul Kalim application, there is a

disconnection of the transmitter from 'Abdul Wahhab ibn 'Abdirrahim Al-Asyja'i to Sulaiman ibn 'Abdirrahman Ad-Dimasyqi, it seems that the relationship of teacher and student does not meet.

Abu Daud himself in his sunan legitimized the status of this hadith with dha'if/weak because its sanad is not strong. Muhammad b. Hasan's sanad is labeled majhul. (Sulaiman, 1998, p. 457). The quality of the Hadīth ranks as a da'if Hadīth because of the defects in its chain of transmission. Therefore, this tradition cannot be used as a shar'i proof for performing female circumcision.

In the Kitab Miftah Kunuz As-Sunnah, which is an index book of hadith traditions, it is mentioned that other hadith traditions with the theme of circumcision are found in various books, namely: First, the theme of circumcision as human nature is mentioned in Bukhari, Muslim, Abu Daud, Tirmidhi, Nasa'I. Second, the timing of the circumcision is mentioned. Second, the timing of the circumcision is found in Bukhari, Abu Daud. Third, the expression that female circumcision is makrooh is contained in the hadith narrated by Imam Ahmad from Usama r.a (Vinsink, 1978, p. 174). The opinion of Ibn Hajar quoted by Hussein Muhammad legitimizing the sanadic line from Hakim, Baihaqi, Thabrani, Abu Na'im, and Al-Bazzar is problematic (*Ma'lul*), weak (da'if), and even munkar. Ibn al-Mundzir asserts that "there is no hadith evidence that can be used as a shar'i proof regarding circumcision, and none of its sanads are reliable" (Muhammad, 2019, pp. 109–110).

### **Asbabul Wurud Hadis Female Circumcision**

Based on the researcher's search regarding the *Asbabul Wurud* of this Hadith, no transmission path was found. But the context at that time can be seen from the history that there was once a woman who was circumcised in Medina. Seeing this, the Prophet advised not to over

trim when cutting or trimming. Because it can result in a lack of pleasure in sexual intercourse. Thus, the Prophet Muhammad SAW indirectly prohibited female circumcision that aims to harm women, such as efforts to castrate sexual desire or desire (Suryadilaga, 2009, p. 47).

The Other Hadith is as follows:

حَدَّثَنَا أَبُو الْيَمَانِ أَخْبَرَنَا شُعَيْبُ بْنُ أَبِي حَمْرَةَ حَدَّثَنَا أَبُو الزِّنَادِ عَنِ الْأَعْرَجِ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ اخْتَنَّ إِبْرَاهِيمُ بَعْدَ ثَمَانِينَ سَنَةً وَاخْتَنَّ بِالْقَدُومِ مُحَقَّفَةً قَالَ أَبُو عَبْدِ اللَّهِ حَدَّثَنَا قُتَيْبَةُ حَدَّثَنَا الْمُغِيرَةُ عَنْ أَبِي الزِّنَادِ وَقَالَ بِالْقَدُومِ وَهُوَ مَوْضِعٌ مُشَدَّدٌ

*Abu Al Yaman reported to us Shu'aib ibn Abu Hamzah reported to us Abu Az Zinad reported from Al A'raj reported from Abu Hurayrah that the Messenger of Allah (blessings and peace of Allah be upon him) said: «(Prophet) Ibrahim had his circumcision after he was eighty years old and he had it done using a woodworking tool.» Abu Abdullah said: Qutaibah narrated to us Al Mughirah from Abu Az Zinad. And the word qaddum is used with the tashdid (dalnya), meaning a place (in Halb or Aleppo).” (H.R. Bukhari )<sup>1</sup>*

حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ الرَّحِيمِ أَخْبَرَنَا عَبَّادُ بْنُ مُوسَى حَدَّثَنَا إِسْمَاعِيلُ بْنُ جَعْفَرٍ عَنْ إِسْرَائِيلَ عَنْ أَبِي إِسْحَاقَ عَنْ سَعِيدِ بْنِ جُبَيْرٍ قَالَ سَأَلَ ابْنَ عَبَّاسٍ مِثْلَ مَنْ أَنْتَ حِينَ قُبِضَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ أَنَا يَوْمَئِذٍ مَخْتُونٌ قَالَ وَكَانُوا لَا يَخْتَنُونَ الرَّجُلَ حَتَّى يَدْرِكَ وَقَالَ ابْنُ إِدْرِيسَ عَنْ أَبِيهِ عَنْ أَبِي إِسْحَاقَ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنْ ابْنِ عَبَّاسٍ قُبِضَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَأَنَا خَتِينٌ

*Muhammad ibn Abdurrahim tell to us 'Abbad ibn Musa reported to us Isma'il ibn Ja'far from Isra'il from Abu Ishaq from Sa'id ibn Jubayr and said: Ibn 'Abbas was asked: "What were you like when the Prophet died?" He replied; 'At that time I was circumcised.' He also said: "And people are not circumcised except after they have reached puberty. And Ibn Idris said from his father from*

1 Shahih Bukhari No Hadits : 5824

*Abu Ishaq from Sa'id bin Jubayr from Ibn 'Abbas when the Prophet (peace and blessings of Allaah be upon him) died I was circumcised.. (H.R. Bukhari No. Hadith: 5825 )*

These two traditions are oriented to male circumcision, not female circumcision. Anwar Ahmad gives the opinion that the command of circumcision in religion is intended for men only. This is because male circumcision is included in the category of sunnah al-fithrah as well as maintaining a beard and shaving a mustache. Husein Muhammad claims that the evidence for female circumcision is not saheeh and if a saheeh hadith is found regarding circumcision, then it is not only for women, but only for men (Muhammad, 2019, p. 114).

### Discourse on Female Circumcision in Fiqh

The meaning of *la tunhiki* is *la tubalighi* (not go to excess) in circumcising girls. The word *khitan* means to cut (Munawwir, 1997, p. 323). In the Dictionary of Indonesian Language (KBB) the term *khitan* is not given a definition, but uses the term circumcision which means cutting the foreskin. (Kemendikbud, 2016). Morphologically, the word *khitan* is an isim mashdar from fi'il madi *kha-ta-na*, which means cutting the foreskin<sup>2</sup> (Majma' Al-Lughah Al-'Arabiyah, 1994, p. 186).

There is no Qur'anic evidence regarding the practice of circumcision that implicitly explains it. Therefore, scholars differ in opinion regarding the ruling of circumcision, in this case the ruling of circumcision for women. The command of circumcision is based on Q.S. 16: 123, that is:

وَلَا تُنْهِكُوا فِيهَا ۚ إِنَّهَا مُجْتَنَبَةٌ مِنَ الْمُجْرِمِينَ ۚ وَمِمَّا يُغْتَابُونَ عَنْ رَبِّهِمْ كَيْفَ يُكَلِّمُونَ ۚ وَالَّذِينَ يَدْعُونَ أَنزِلْ عَلَيْنَا مَائِدَةً كَمَا نُنَزِّلُهَا لِلَّذِينَ لَا يَدْعُونَ ۚ وَالَّذِينَ يَدْعُونَ أَنزِلْ عَلَيْنَا مَائِدَةً كَمَا نُنَزِّلُهَا لِلَّذِينَ لَا يَدْعُونَ ۚ وَالَّذِينَ يَدْعُونَ أَنزِلْ عَلَيْنَا مَائِدَةً كَمَا نُنَزِّلُهَا لِلَّذِينَ لَا يَدْعُونَ ۚ

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2 Kelopak kulit yang menutupi ujung kemaluan/kulit khitan, lihat KBB

ثُمَّ أَوْحَيْنَا إِلَيْكَ أَنْتَبِعْ مِلَّةَ إِبْرَاهِيمَ حَنِيفًا وَمَا كَانَ مِنَ الْمُشْرِكِينَ

*Then We revealed to you (Muhammad): «Follow the religion of Abraham, a Hanif,» and he was not among those who associate partners with God..” (An-Nah}l :123)*

The verse does not indicate the command of circumcision. However, the verse instructs us to always follow the Shari’a performed by Prophet Ibrahim a.s. starting from Qurban to the implementation of circumcision. This is in ushul fiqh including Shar’un man Qablana (Shari’at before the Prophet Muhammad SAW). The problem that arises now is about the implementation of circumcision for women. Because there is no evidence that explains it. Differences among scholars can be divided into 3 kinds of opinions, namely:

Circumcision is obligatory for both men and women, with no difference between the two. Imam Shafi’i was one of the scholars who held this view. It was narrated from Atha’ who said: “If an adult enters Islam, his Islam is not complete until he performs circumcision (Ibrahim, 1997, pp. 110–111).

Circumcision is obligatory for men and Sunnah for women. This opinion was explained by Imam Ahmad bin Hanbal. The evidence for this opinion is the hadith narrated by Syaddad bin Aus. The Prophet Muhammad SAW said: Circumcision is obligatory for men and a glory for women (Ibrahim, 1997, pp. 111–112).

Circumcision is Sunnah for both men and women. Imam Malik was of the view that circumcision is Sunnah for both men and women. This opinion is also quoted by some of the Shafi’i and Abu Hanifah madhhabs. The evidence on which this opinion is based is:

عَنْ أَبِي هُرَيْرَةَ يَبْلُغُ بِهِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْفِطْرَةَ حَمْسٌ أَوْ حَمْسٌ مِنَ الْفِطْرَةِ الْخِتَانُ وَالْإِسْتِحْدَادُ وَتَنْتِفِ الْأَيْطُ وَتَقْلِيمُ الْأَظْفَارِ وَقَصُّ الشَّارِبِ

*Abu Hurairah reported that the Messenger of Allah (may Allah's peace and blessings be upon him) said: <There are five Fitrahs: circumcision, shaving the pubic hair, plucking the armpit hair, cutting the nails, and trimming the moustache. (H.R. Abu Daud No: 4198)*

Ibn Taymiyyah was asked about whether it is permissible for women to be circumcised. Ibn Taymiyyah said that women should be circumcised. He explained how it is done by cutting off the tip of the skin that resembles a rooster's wattle. The Prophet once said to a woman who was circumcised: be modest and do not be extravagant, because it shows more beauty on the face and brings pleasure to her husband. The Encyclopedia of Ijma explains that male circumcision is obligatory because it is following the teachings of the Prophet. Circumcision of women is permissible. (Habieb, 2006, p. 357). The narrative is about the permissibility of female circumcision.

The head of 'Aisyiyah North Sumatra held a seminar on female circumcision which was explained through the speakers, namely Dr. Sulidar, M Ag, Chairperson of the PWM Tarjih and Tajdid Assembly of North Sumatra, Head Lecturer of UIN North Sumatra Medan and also Head Lecturer of UMSU with Material on Female Circumcision from the Perspective of As-Sunnah and Fatwa Tarjih Muhammadiyah. He explained that to fully understand a hadith, one must know its source and narrator to classify a hadith as sahih, hasan, daif or false. The Tarjih Council of Muhammadiyah determined that female circumcision is Mubah and it is necessary to study the positive and negative impacts of circumcision so that it does not contradict the sunnah and is feared to be harmful. According to Islamic law, the law must protect the soul (hifz an-nafs) and offspring (hifz an-nasab). From a health perspective, Dr. Elfira Sungkar from Sp.Og Pirngad Hospital Medan discussed female circumcision from a medical perspective. Dr. Elfira Sungkar Sp.Og said that from a medical

perspective, female circumcision has nothing to do with women's health, either physical or mental. Improper implementation can also be dangerous to the health of the circumcised person (Pimpinan Pusat Aisyiyah, 2019).

As quoted from NU online, Al-Mawardi said: "Female circumcision means cutting the skin of the upper part of the vagina, where the male penis enters, which is shaped like sperm or the tail of a rooster. The part that needs to be cut is the skin that comes out, not cut completely. Abu Dawud relates the hadith of Ummu Athiyah: "Indeed, a woman had to be circumcised in Madinah, then the Prophet. He said to her: "Do not stop for it is better for the woman" (Sulaiman, 1998, pp. 456–457). Then Abu Dawud said: "This Hadith is not a strong Hadith." I (Ibn Hajar al-'Asqalani) think that the Hadith has two martyrs (authenticators) from the Hadith of Anas and the Hadith of Umm Aiman (Hadrawi, 2013).

Yusuf Al-Qardhawi argues that those who do not practice female circumcision are not sinning with the desire to protect women. As for those who practice female circumcision on the pretext that it is better for their children, they are welcome to do so (Qardhawi, 1995, p. 555). Fatayat Nu stated that if it is done safely, the law is valid. But if it is done in a dangerous and unsafe way, it should be avoided (NU Online, 2010). The results of the *bahsul masail* also highlighted the ruling on circumcision by revealing that the ruling on female circumcision is permissible, *makruh*, and obligatory (Imam Shafi'i) (Pengurus Besar Nahdlatul Ulama, 2011, pp. 235–236). These views tend to be in-between, neither blaming nor condemning, just describing the flexibility of the law of circumcision for women.

The aim of circumcision for men is to purify their *qulfaḥ* from unclean things, while for women it is to control their desire, because if a woman still has *qulfaḥ* then her lust will peak not enough with one man.



However, there is a limit to cutting it, and it should not be excessive. This will cause the woman's sexual desire to weaken, which will affect her relationship with her husband. Cutting the *qulfah* proportionally will achieve the aim of performing circumcision in a simple manner (Ibrahim, 1997, p. 114).

## Circumcision/Khitan Practice

It needs to be reiterated that female genital cutting (FGC) is widely practiced in Africa, the custom is not limited to the continent. It is also practiced by groups in Oman, Yemen, United Arab Emirates, Malaysia, Indonesia, India and Pakistan (Dorkenoo dan Elworthy 1992; Ghadially 1991; Toubia 1995). More increasingly, it is encountered by health professionals in Europe and North America, where people from these regions have moved. Although often observed to have religious significance, its practitioners adhere to a variety of religions, among them Islam, Christianity, Judaism, and indigenous African religions. However, African Muslims account for a sizable number, and the custom is popularly associated with premarital chastity, which is highly valued in Islam. However, although prevalent among Northeast African Muslims, neither infibulation-the most severe form of genital cutting, nor clitoridectomy is sanctioned by Islamic teachings (Boddy, 2007, p. 48).

Female circumcision is performed by removing a small part of the epidermis covering the clitoris, not the entire clitoris. The Prophet even warned against overdoing it, as revealed in the hadith of Umi Athiyah Al Anshoriyah mentioned above. For circumcision, the best time for a woman is on the seventh day after giving birth. Scholars differ on the number of seventh days. Some state that the first day of birth counts as a day, which is the stronger view, while others argue that the first day does not count (Pengurus Besar Nahdlatul Ulama, 2011, p. 235).

Female circumcision involves cutting off part of the skin (labia minora) or clitoris (praeputium clitoridis) at the top of the *farji*, which is above the sexual opening, shaped like a cock's comb or a palm seed (Umar, n.d., p. 95).

According to *World Health Organization* (WHO) there are four forms of female circumcision, namely (Azizah, n.d., pp. 22–23; UNICEF, 2005, p. 1):

1. Circumcision is performed by surgically removing part or all of the female clitoris. This includes the removal of the prepuce (skin around the clitoris), also known as a clitoridectomy.
2. Excision which involves removing part or all of the clitoris and labia minora (the thin tongue-like skin surrounding the vagina) with or without excision of the labia majora.
3. Stitching the labia together with the aim of making the vaginal opening smaller or known in the world of health as infibulation. With or without cutting the clitoris.
4. Any action performed on the external part of the female genitalia (vulva) for non-medical purposes either by puncturing, perforating, scraping, or cutting the genital area.

## **Reactualizing the Practice of Circumcision/Khitan in Indonesia**

Reactualization activities are a process of stages, methods, refreshment and renewal of community life values which include culture, social order, and traditions (Hasbillah, 2019, p. 342). By trying to reformulate the applicable female circumcision regulations in order to realize Islam as a teaching of *rahmatan lil 'alamin*. As well as providing solutions to the problem of female circumcision that preserves

patriarchal culture and even violence or women.

Sally Engle Merry (2001) notes that the debate between universalism and relativism in the field of human rights has long been based on fixed conceptions of culture and rights. Now familiar to many is the anthropological critique of the essential and static construction of the concept of “culture” as a separate, bounded, or homogeneous group that uniformly shares norms, ideals, and practices. This formulation is being replaced by one that views “culture as historically produced, globally interconnected, internally contested, and characterized by ambiguous boundaries of identity and practice” (Hernlund & Shell-Duncan, 2007, p. 8).

The Indonesian Ministry of Health has issued a Constitution in 2010 that describes the regulations for the implementation of female circumcision in Chapter II sections 2-6. Starting from the administration of doctors, midwives, and nurses specifically for the implementation of female circumcision. Up to the procession of female circumcision by scratching the skin covering the front of the clitoris (clitoral frenulum) using a disposable sterile needle tip measuring 20G-22G from the mucosal side towards the skin without injuring the clitoris (Kementerian Kesehatan RI, 2010, pp. 2-4). However, in 2014, the 2010 law on female circumcision was abolished with the 2014 law on the revocation of the 2010 regulation on female circumcision (Kementerian Kesehatan RI, 2014). Therefore, the legalization of female circumcision is no longer valid.

This circumcision is not medically recommended by medical experts, one of the proofs is in the book “Kesehatan Ibu dan Anak” which is a record of child and mother development explains that: Circumcision/ circumcision of girls has no health benefits, and can even be detrimental to reproductive health (Kementerian Kesehatan RI, 1997, p. 32).

The majority of Indonesian people are of the Syafi'i school of thought, which is synonymous with prudence, so to maintain the health and purity of women the arguments regarding the provisions of circumcision by the Syafi'i school of thought are understood by looking at various aspects. One of the opinions that is often carried out by the Indonesian people is about the timing of circumcision based on the Prophet's hadith, namely :

أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَ عَلَىٰ آلِهِ وَ سَلَّمَ حَتَمَ الْحَسَنَ وَالْحُسَيْنَ لِسَبْعِ أَيَّامٍ (اخرجه أبو الشَّيْخِ وَ البيهقي)

«That the Prophet SAW. Had circumcised Hasan and Husayn at the age of seven days.» (Reported by Abu Ash-Shaykh and al-Baihaqi)

However, there is another stipulation in terms of the circumcision walimah, which is for men to hold it, but women do not need to hold it, even when there is an invitation to attend it, it is not obligatory to attend. Ibn Haj said: It is Sunnah to announce a man's circumcision, but to keep it secret for a woman" (Umar, n.d., p. 97).

Legislation from the Ministry of Health (2014 Constitution) and corroborated by the results of deliberations of various Islamic organizations in Indonesia that vehemently reject the practice of female circumcision, NU in its muktamar did not position itself as a group that rejects and approves. The author quotes the words of Yusuf Al-Qardhawi quoted by Husein Muhammad that female circumcision is not a statutory religious command, but rather a consensus of customs, culture, and traditions that are strongly attached to society, so that the implementation of female circumcision is contextual and conditional (Muhammad, 2019, p. 119).

Medical reasons are the basic basis for disapproval as mentioned by the WHO that female circumcision can result in severe pain, shock, urinary retention, genital ulceration and injury to adjacent tissues.

Other complications include septicemia (blood poisoning), infertility and obstructed labor. Fatally, it can result in death due to bleeding and infection (Ida, 2022, p. 61; UNICEF, 2005, p. 1). It bears repeating that while female genital cutting (FGC) is widely practiced.

## Conclusion

Hadiths about circumcision can be found in various books of hadith. The traditions that indicate the permissibility of female circumcision have weak sanadic status and are *daif*. The tradition on female circumcision contained in Sunan Abu Daud is *daif*, *munkar*, and even *ma'lul*. Therefore, this hadith cannot be used as a *shar'iyah* proof. The practice of female circumcision should be discouraged, even if it is against the laws of tradition, culture and religion. This is based on the greater negative impact in terms of health. As explained by WHO, it reveals the complications caused by circumcision. Strengthened by the regulations of the Indonesian Ministry of Health, Islamic organizations, and other figures, one of which is Hussein Muhammad.

In closing this conclusion, the researcher recommends further research related to female circumcision which is analyzed using a psychological approach, by looking at the spiritual/psychic aspects due to the “forced” tradition of circumcision on women in Indonesia.

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