

**Discursive Legitimation and De-legitimation  
of  
Female Circumcision in Egypt**

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## Sammendrag (Abstract in Norwegian)

Mellom 100 og 140 millioner jenter og kvinner har blitt omskåret. Denne sosiale praksisen er blitt dokumentert i ulike sosiale kontekster rundt om i verden, men har størst utbredelse i 28 land i Afrika og Midtøsten. I denne oppgaven fokuserer jeg på kvinnelig omskjæring i Egypt, hvor 96 % av alle gifte kvinner mellom 15 og 49 år er omskåret. Jeg analyserer seks intervjuer med informanter som kan sies å ha en spesiell kjennskap til en offentlig, egyptisk diskurs om kvinnelig omskjæring. Nærmere bestemt analyserer jeg informantenes private diskurser som kommer til uttrykk i intervjuene jeg har gjort med dem. Hovedmålet i oppgaven er *å synliggjøre de diskursive strategiene informantene bruker for å legitimere eller de-legitimere kvinnelig omskjæring, og belyse og diskutere hva som karakteriserer de diskursene og diskursive resursene som konstruerer disse legitimeringene og de-legitimeringene*. På bakgrunn av at disse informantene har en spesiell kjennskap til en offentlig, egyptisk diskurs om kvinnelig omskjæring foreslår jeg at diskursene, de diskursive resursene og strategiene som blir brukt av mine informanter er mulige resurser fra den offentlige diskursen. Videre har jeg i denne oppgaven et spesielt fokus på bruken av islamske diskurser. De seks informantene er muslimer som ser islam som en viktig del av samfunnslivet, og de bruker alle islamske diskurser for enten å legitimere eller de-legitimere kvinnelig omskjæring. Med et fokus på bruken av islamske diskurser svarer jeg på følgende spørsmål: *Hva karakteriserer de islamske diskursene og diskursive resursene som er brukt av informantene til å legitimere og de-legitimere kvinnelig omskjæring?* og *Hvordan er disse islamske diskursene og diskursive resursene bundet til andre typer av diskurser og diskursive resurser?*

Analysen viser at informantene i stor grad bruker ulike islamske og medisinske diskurser og diskursive resurser til å legitimere eller de-legitimere kvinnelig omskjæring. Den viser videre at de ulike diskursene og de diskursive resursene konstruerer forskjellige legitimeringer og de-legitimeringer av hovedtypene *rasjonalisering, moralisering og autorisering*.

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## 1. Introduction

Between 100 million and 140 million girls and women worldwide have undergone a procedure which involves excision of parts of the female genitalia, often referred to as female circumcision.<sup>1</sup> The practice is documented in various social contexts around the world, but the highest prevalence of the practice is found in 28 countries in Africa and The Middle East.<sup>2</sup> This thesis focuses on the practice in one of these countries, namely Egypt. Results from the Egypt Demographic and Health Survey from 2005 shows that 96 % of ever-married Egyptian women age 15-49 are circumcised, and that female circumcision thereby can be characterized as a virtually universal practice among women in Egypt.<sup>3</sup> The starting point of this thesis is more specifically an Egyptian public discourse of female circumcision. Since the 1990s, the practice has been given attention and discussed in the Egyptian public sphere several times. In this thesis I study legitimation and de-legitimation of female circumcision, constructed in the language of six informants who can be said to have a special knowledge of this discourse. I further have a special focus on their references to Islamic discourses in order to legitimate and de-legitimate this practice.

I will start this chapter by presenting my approach to the problem and other research questions. Next, I will introduce the Public Egyptian discourse of female circumcision by describing central elements of it. Then, the six informants, whose language use are analyzed in this thesis, and their connection to the public discourse of female circumcision will be presented. The practice of female circumcision exists in various types, based on the physical procedure, and I further find it important to describe some of the main features of the physical practice which is legitimated and de-legitimated by my informants. After that I will under three separate sections describe the terminology which I use to describe the practice, my Arabic transliteration used in this

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<sup>1</sup> World Health Organization, "Female Genital Mutilation (FGM): Prevalence and Age," World Health Organization, <http://who.int/reproductive-health/fgm/prevalence.htm> (accessed August 10, 2008). The World Health Organization uses the term Female Genital Mutilation (FGM) or Female Genital Cutting (FGC), I here use the term female circumcision since this is the term used in this thesis. Why I have chosen to use this term will be discussed in section 1.5.

<sup>2</sup> Ibid.

<sup>3</sup> Fatma El-Zanaty and Ann Way, "Egypt Demographic and Health Survey 2005," (Cairo: Ministry of Health and Population, National Population Council, El-Zanaty and Associates, and ORC Macro, 2006), 211. The types of female circumcision which are most commonly performed in Egypt are the types which WHO refers to as type I and II. Type I includes cutting of the prepuce of the clitoris with or without part of the clitoris (*clitoridectomy*), while type II refers to a procedure where part or the whole clitoris with part or the whole of labia minora are excised (*excision*.) (World Health Organization, "Classification of Female Genital Mutilation," World Health Organization, <http://www.who.int/reproductive-health/fgm/terminology.htm> (accessed August 4, 2008)). World Health Organization distinguishes in 2008 four different types of female circumcision. I will get back to a description of these categories in 1.4 where I describe the type of practice which is legitimated and de-legitimated by my informants.

thesis, and what tools I have used to find the informant's references to written Islamic sources. Finally, I will give an outline of the following chapters in this thesis.

### **1.1 The approach to the problem and other research questions**

The main aim of the thesis is *to reveal the discursive strategies used by the informants to legitimate or de-legitimate female circumcision, and elucidate and discuss what characterizes the discourses and discursive resources that construct these legitimations and de-legitimations*. Discourse is here understood as “a system of statements which constructs an object”<sup>4</sup>. As will be more closely discussed in chapter 3, I will in this thesis analyze my informants' private discourses of the object female circumcision, expressed in interviews I did with them during my fieldwork in Egypt in the fall of 2007. The legitimations and de-legitimations used within the informants' private discourses are constructed through the use of other discourses and discursive resources, which I will, on the basis of the informants' knowledge of the public discourse of female circumcision, suggest as possible resources from the public discourse.

This thesis further has a special focus on the use of Islamic discourses in legitimating and de-legitimating of female circumcision. The six informants are all Muslims who see Islam as an important factor in shaping the Egyptian social society, and all of them make use of references to Islam, either in order to legitimate or de-legitimate female circumcision. With a special focus on the informants' use of Islamic discourses, I aim in this thesis to answer the following question: *What characterizes the Islamic discourses and discursive resources used by the informants to legitimate and de-legitimate female circumcision?* Further, many social scientists have argued that religious discourse can not be easily separated from other social discourses, and based on this assumption I will in addition ask the question: *How are the Islamic discourses and discursive resources that are being used linked to other types of discourses and discursive resources in the legitimations and de-legitimations of the practice?*

The practice of female circumcision is in different social contexts around the world, and also in different Egyptian social contexts, legitimated and de-legitimated through various types of discourses. Thus, it should be pointed out that the use of Islamic discourses, which this thesis has a special focus on, is one out of many possible ways to legitimate and de-legitimate the practice. However, in this connection it should also be mentioned that the Egypt Demographic and Health Survey (EDHS) from 2003 and the one from 2005 indicate that religion is used as an important point of reference both to legitimate and de-legitimate the practice in Egypt. In the EDHS from

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<sup>4</sup> Ian Parker, *Discourse Dynamics: Critical Analysis for Social and Individual Psychology* (London: Routledge, 1992), 5.



2005 60,8 % of the women asked said that it is required by religion.<sup>5</sup> In Egypt female circumcision is practiced by both Muslims and Christians, who respectively constitute 90 % (mostly Sunni) and 10 % (mostly Coptic) of the population,<sup>6</sup> and it needs to be mentioned here that neither this survey nor the one from 2003 distinguishes between the reasons given by women in the two different religious groups. Other given reasons for female circumcision were that the husbands prefer it (61,3 %), and that circumcision prevent adultery (54,2 %). The 2005 survey does not include reasons some Egyptian women have for not circumcising their daughters. However, this element is included in the EDHS from 2003, and then 20 % of the women who opposed the practice said that they would not circumcise their daughters because the practice is against religion.<sup>7</sup> Other reasons given for why female circumcision should not be practiced were for example simply that the women did not believe in it (61 %), and that female circumcision had certain health complications (42 %).

In the following section we will see that Islam has been a point of reference in the Egyptian public discourse of female circumcision, as well.

## **1.2 An introduction to the Egyptian public discourse of female circumcision**

In 1994, CNN broadcast a film showing the circumcision of a 10-year-old girl in Cairo while the city hosted an International Conference on Population and Development organized by the UN.<sup>8</sup> These two events are often pointed out as the events which sparked off a public discourse of the practice of female circumcision in Egypt. The topic was discussed under the UN conference, and reactions to the conference and the film soon followed in both Egyptian and International media. The Egyptian government's first response was to arrest the freelance producer who made the film for damaging Egypt's reputation.<sup>9</sup> This action was strongly criticized by several international and Egyptian actors, and after some time the government decided to release the producer and instead arrest the circumciser. In addition they promised to ban the practice in a new law.<sup>10</sup> The conference and the CNN film also lead other actors besides individual representatives of the Egyptian media

<sup>5</sup> El-Zanaty and Way, "Egypt Demographic and Health Survey 2005.", 216.

<sup>6</sup> The World Factbook, "Egypt," Central Intelligence Agency, <https://www.cia.gov/library/publications/the-world-factbook/geos/eg.html> (accessed November 20, 2008).

<sup>7</sup> Fatma El-Zanaty and Ann Way, "2003 Egypt Interim Demographic and Health Survey," (Cairo: Ministry of Health and population, National Population Council, El-Zanaty and Associates, and ORC Macro, 2004), 105. In the 2003 EDHS 71, 1 % of the respondents supported a continuation of the practice, 17,7 % stated it should be discontinued, while 11,2 % were not sure whether they supported a continuation or discontinuation of the practice.

<sup>8</sup> Heger E. Boyle, Fortuna Songora, and Gail Foss, "International Discourse and Local Politics: Anti-Female-Genital-Cutting Laws in Egypt, Tanzania, and the United States," *Social Problems* 48, no. 4 (November 2002): 531, <http://www.jstor.org/stable/3097174?cookieSet=1> (accessed January 15, 2008).

<sup>9</sup> Reuters World Service, "Egyptian producer held over CNN circumcision film," September 12, 1994, quoted in Boyle, Songora, and Foss, "International Discourse and Local Politics: Anti-Female-Genital-Cutting Laws in Egypt, Tanzania, and the United States.": 532.

and the government to publicly express their opinions on the issues concerning this practice. In the preparations for the conference, a larger group of Egyptian activists and researchers had formed The Egyptian Task force Against FGM (Female Genital Mutilation).<sup>11</sup> In addition representatives from the Sunni Islamic University Al-Azhar came to be involved in the public discourse. The same year as the UN conference was held, the head of Al-Azhar, Jadd Al-Haqq Ali Jadd Al-Haqq, issued a fatwa (an opinion on a topic in the *Sharia*, the Islamic law) saying that female circumcision was a religious ritual and an honorable deed for women. It also stated that local religious leaders should encourage families to circumcise their daughters.<sup>12</sup> Jadd Al-Haqq was later sued by the Egyptian Organization for Human Rights who claimed he encouraged the government to execute people working against the practice. In addition, he was charged for misrepresenting the Islamic sources. The organization could not provide enough evidence, and the case was dismissed in court.<sup>13</sup>

After some time, it became clear that a majority of the Egyptian parliament members were against a law that would criminalize the practice, and a new law was not issued. Instead the Egyptian health minister at that time, Ismail Sallam, extended in 1994 a minister decree from 1959 which banned the performance of *infibulations* in public hospitals, but allowed *clitoridectomies* if the parents requested it.<sup>14</sup> He first said that it was now forbidden to perform all types of female circumcision in public hospitals. This decree was changed after criticism from some Islamic scholars, such as Shaikh Jadd Al-Haq, and the new version stated instead that it was allowed to perform female circumcisions in public hospitals, but only once a week, and then only after doctors had tried to convince the parents not to circumcise their daughter.<sup>15</sup>

In 1996, the Egypt Demographic and Health Survey (1995) was published, and it showed for the first time that as many as 97 % of Egyptian women were circumcised.<sup>16</sup> Around the same time the U.S. passed legislation that linked foreign aid to foreign governments' anti-circumcision

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<sup>10</sup> Agency France Presse, "Government prepares law banning female circumcision," September 26, 1994, quoted in Boyle, Songora, and Foss, "International Discourse and Local Politics: Anti-Female-Genital- Cutting Laws in Egypt, Tanzania, and the United States.": 532.

<sup>11</sup> Simona Galbiati, UNDP Program Officer in Egypt, personal communication, September 18, 2007.

<sup>12</sup> Agency France Presse, "New law bans adoption, but not female circumcision in Egypt," February 24, 1996, quoted in Boyle, Songora, and Foss, "International Discourse and Local Politics: Anti-Female-Genital- Cutting Laws in Egypt, Tanzania, and the United States.": 532.

<sup>13</sup> Boyle, Songora, and Foss, "International Discourse and Local Politics: Anti-Female-Genital-Cutting Laws in Egypt, Tanzania, and the United States.": 532.

<sup>14</sup> Ibid. See section 1.4 for a description of these different types of female circumcision.

<sup>15</sup> Reuters World Service, "Egypt says female circumcision in decline," April 4, 1995, quoted in Boyle, Songora, and Foss, "International Discourse and Local Politics: Anti-Female-Genital-Cutting Laws in Egypt, Tanzania, and the United States.": 532.

<sup>16</sup> Aida Saif El Dawla, "The Political and Legal Struggle over Female Genital Mutilation in Egypt: Five Years Since the ICPD," *Reproductive Health Matters Reproductive Health Matters* 7, no. 13 (May 1999): 132, <http://www.jstor.org/stable/3775715> (accessed March 10, 2008).

policy.<sup>17</sup> The Egyptian health minister reacted on the survey and the new American policy by issuing a new minister decree which banned performing circumcision on females in all public and private hospitals and clinics. The decree further stated that these types of procedures were only allowed in cases of disease and when approved by the head of the obstetrics and gynecology department at the hospital, and then only if the treating physician suggested this.<sup>18</sup> A group lead by the independent Shaikh Yusuf El-Badry claimed that this ban violated the principles of the *Sharia* (The Islamic law), mentioned as the major source of legislation in the Egyptian Constitution, and they challenged the health minister on this in the Cairo Administrative Court.<sup>19</sup> The court ruled in favour of El-Badry and his supporters, and the ban did no longer apply. The Minister of Health later appealed and the case was taken to the Supreme Administrative Court. This time the court stated that the ban was not against the *Sharia* and the Egyptian Constitution, and on 28 December 1997 the ban was again valid.

Despite the new minister decree, the controversies over female circumcision was far from over in Egypt. Activists who worked for the eradication of female circumcision claimed that the Ministerial ban still contained important gaps.<sup>20</sup> For example, the decree stated that female circumcision was allowed when there was a medical indication for it to be performed. Claiming that there was no medical indication for female circumcision, some said the decree supported malpractice and only would lead to a medicalization of female circumcision. In 2003, United Nations Development Programme (UNDP) created a program called The FGM Free Village Model Project in cooperation with the Egyptian official organ The National Council for Childhood and Motherhood (NCCM), and a group of Non-Governmental Organizations (NGOs). One of the strategies used in the program was lobbying in order to change the vague minister decree from 1996.<sup>21</sup> The cooperation with the official organ NCCM, which is headed by the First Lady Suzanne Mubarak, made it easier to directly address representatives of the Egyptian government, still they did not succeed in convincing the Health Minister to change the decree.<sup>22</sup> Another strategy was to make their message visible in the media, and TV-spots which stated that women have the right to be protected against female circumcision were for the first time broadcast on national television in 2003.<sup>23</sup>

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<sup>17</sup> Boyle, Songora, and Foss, "International Discourse and Local Politics: Anti-Female-Genital-Cutting Laws in Egypt, Tanzania, and the United States.": 533.

<sup>18</sup> Saif El Dawla, "The Political and Legal Struggle over Female Genital Mutilation in Egypt.": 133.

<sup>19</sup> El-Badry, personal communication, November 10, 2007.

<sup>20</sup> Ibid.

<sup>21</sup> Simona Galbiati, personal communication, September 18, 2007.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

When I went to do my fieldwork in Egypt in the summer of 2007, female circumcision was once again a hot topic in the public sphere. Two Egyptian girls, named Boudor and Karima, died during or after circumcision procedures, and these two incidents re-opened the public discourse of the practice. The present Minister of Health, Hatem Al-Jabali, issued a new decree which stated that all types of excision, “flattening” or “modification” of natural parts of the female genitalia, whether it is performed at governmental, private hospitals or other places, are prohibited.<sup>24</sup> The NCCM, in cooperation with UNDP, started a new campaign against the practice. New TV-spots, which encouraged Egyptian parents not to circumcise their daughters, were aired on the national television channels, a hot-line, where Egyptians could call and ask questions about female circumcision, was set up.<sup>25</sup> Billboards, which were put up on central places in big cities like Cairo and Alexandria, were used to inform people about the new hot-line.<sup>26</sup> Several people I talked to during my fieldwork described the discourse this summer to be more intense than earlier; the majority of the newspapers wrote about the topic, it was talked about on the radio and discussed on several Egyptian talk shows.



*Fig.1 A billboard, placed at the central train station in Alexandria, informing about the new hot-line where Egyptians can call and ask questions about female circumcision. The title says “Talk about your problem”, and the pictures suggest some examples of topics people might need to talk about. Female circumcision is addressed in the picture with the two women who are carrying a screaming girl.  
Photo: Linn Bratsberg.*

<sup>24</sup> WBZ-TV, “Egypt Officials Ban Female Circumcision,” WBZ-TV, <http://wbztv.com/health/Egypt.Health.Female.2.285899.html> (accessed November 8, 2008).

<sup>25</sup> Vivian Fuad and Dalia El-Mo'taz, respectively Training Coordinator and Youth Coordinator in the FGM-Free Village Model Project, personal communication, October 9, 2007.

<sup>26</sup> Ibid. See fig.1.

This time too, Islamic figures participated in the discourse. On June 23 2007, the Egyptian State Mufti<sup>27</sup>, Ali Goma, announced a new fatwa on female circumcision on *Al-Mehwar* satellite channel's "90 Minutes". By phone Goma was asked by the hosts of the show whether female circumcision is *haram* (prohibited) or *halal* (legal), and he stated: "this matter, taking this form in our present time, is *haram!*"<sup>28</sup> The fatwa was discussed in both Egyptian and international media, and was by many described as controversial. As a reaction to the new minister decree and the fatwa issued by Goma, El-Badry, the Islamic shaikh who fought against the previous decree in 1996, announced that he once again would go to court, this time to repeal the new decree.<sup>29</sup> As I am writing this, El-Badry's case has been postponed to November 2008.<sup>30</sup> This postponement might be seen in connection with a new Egyptian law on female circumcision which was passed in June 2008. For the first time, the Egyptian People's Assembly approved a child law which criminalizes the practice of female circumcision. The new law states that female circumcision is a crime unless a medical specialist says that it is a medical necessity to perform it. It further says that practicing of female circumcision can be punished with a fine or a prison sentence of between three months and two years. The passing of this law was criticized hardly by some MPs from the Islamic organization *Al-Ikhwān Al-Muslimīn*, The Muslim Brotherhood.<sup>31</sup> The Brotherhood has been banned as a political party since 1954, but forms today the largest opposition group in the parliament after they ran for election in 2005 through independent candidates. Several of the Brotherhood's MPs claimed that prohibiting female circumcision contravenes the *Sharia*, and argued instead that the decision of circumcising a girl should be left to her parents. They also accused the NCCM, which pushed for the passing of this law, of serving Western interests.

### 1.3 Six informants with a special knowledge of the public discourse of female circumcision

Since I started working on this thesis, I have had a special interest in the public Egyptian discourse of female circumcision, thus a special knowledge of this discourse was also an important criteria when I searched for informants for the thesis. I will in this section give a short presentation of the

<sup>27</sup> Mufti is the title of an Islamic scholar who issues fatwas. The State Mufti is appointed by the Egyptian government. For a closer discussion of this position see 5.3.

<sup>28</sup> El-Mehwar, "90 Minutes," (Egypt: June 24, 2007), trans. Nesrine Basheer.

<sup>29</sup> El-Badry, personal communication, November 10, 2007.

<sup>30</sup> Moheet Shabakat Al-Elam Al-Arabyia, "25 November Al-Hukum fi Dawa Waqf Mana Kithan Al-Inath," Moheet Shabakat Al-Elam Al-Arabyia, [http://moheet.com/show\\_news.aspx?nid=176612](http://moheet.com/show_news.aspx?nid=176612) (accessed November 1, 2008).

<sup>31</sup> See for example Raymond Edward, "MB Parliamentary Bloc Castigates Child Law," *Al-Masry Al-Youm* (2008), <http://www.almasry-alyoum.com/article2.aspx?ArticleID=108059> (accessed August 10, 2008), and Gamal Essam El-Din, "Children Accorded Greater Rights," *Al-Ahram Weekly On-line* (2008), <http://weekly.ahram.org.eg/2008/901/eg4.htm> (accessed August 10, 2008).

informants, whose language use is analyzed in this thesis. All of them can be characterized as public persons with a special knowledge of the Egyptian public discourse of female circumcision.

One informant, already mentioned and maybe the one who has been most visible in the public discourse of the informants who are focused upon in this thesis, is Shaikh Yusuf El-Badry. El-Badry has from the 1990s and until today filed several lawsuits in Egypt's courts against ministers, poets, academics and religious scholars who he believes are misinterpreting and damaging Islam. El-Badry has received much attention in both Egyptian and International media for his many lawsuits. The reason why he is central in this thesis is his lawsuit in 1996 against the Health Minister, Ismail Sallam, in order to change the decree which banned female circumcision in public and private hospitals and clinics, and of course because of his planned lawsuit against the current Health Minister, Hatem Al-Jabali, after he issued a new decree with a total ban of the practice the summer 2007. El-Badry has a background in Islamic studies, and has worked as a teacher in this topic and Arabic language. He has also held occupations like Member of the Egyptian High Council for Islamic Affairs (1987-93) and Mufti of the city Sharda, United Arab Emirates (1995). During my stay in Egypt I met El-Badry twice in his home in Cairo, the first time for a longer interview and the second time for a shorter conversation to clarify some statements from the interview. Transcriptions of the interview and the conversation are used as data material in this thesis. In addition, El-Badry let me make a copy of the deposition used in the court case in 1997, and an English translation of the deposition is used in the analysis, mainly to specify and interpret his references to written Islamic sources in the interview.

In the court case against the Health Minister Ismail Sallam in 1997, El-Badry received support from a group of representatives from the medical field who in addition to emphasizing the Islamic basis claimed that female circumcision was necessary from a medical point of view. The second informant, Mounir Muhammed Fawzy Elhao, represented this group in court. In connection with the court case his opinions on this topic were, like El-Badry's, quoted in both Egyptian and International media. Fawzy is a professor of obstetrics and gynecology at Ain Shams University, and runs his own medical clinic in Cairo. I had two meetings with Fawzy at his medical clinic, the first time for a longer interview about his opinions on the practice and the second time for a shorter follow up conversation. Transcriptions of the interview and the conversation are used as data material in this thesis.

The third informant, also supportive of the practice, is the journalist Nafisa Abd Elfattah. She writes in the weekly Egyptian newspaper *Al-Usboa* (The Week), and has participated in the public discourse by writing several articles about female circumcision and the controversies over it.

*Al-Usboa* is by some described as a newspaper with a radical Islamic perspective.<sup>32</sup> Further, the newspaper *Al-Usboa* is, according to Abd Elfattah herself and several other of my Egyptian informants, one out of a few Egyptian newspapers who have published articles supportive of female circumcision.<sup>33</sup> In Egypt, I did one interview with Abd Elfattah, and it is her language use in this interview which is analyzed in this thesis.

The two next informants have in common that they are part of the leadership of the Egyptian Muslim Brotherhood. These are Muhammed Habib and Abdel Monem Abu Al-Futuh. Habib is the First Deputy of the Guidance Office for The Muslim Brotherhood in Egypt. From the organization's structure he can be characterized as the group's second-in-command, and is therefore often sought out by the Egyptian press to speak on behalf of the Brotherhood. Abu Al-Futuh is a member of the Muslim Brotherhood's Guidance Council, and is similar to Habib one of the Brotherhood's leaders whose opinions often are quoted in the Egyptian media. Abu Al-Futuh is also a practicing medical doctor. None of the two informants from the Muslim Brotherhood have personally participated in the public discourse of female circumcision, but can be assumed to have a special knowledge of this discourse through being public persons, and part of the leadership of an organization with several members who have actively participated in this discourse.<sup>34</sup> The Muslim Brotherhood has not released a clear official statement on their stand in the controversies over female circumcision, and members of the organization have presented various opinions on the practice.<sup>35</sup> These disagreements can also be reflected in the two interviews I had with Habib and Abu Al-Futuh, and which will be used as data material in this thesis. Habib states that The Muslim Brotherhood does not have an official view on female circumcision, and explains in the interview that he personally believes it should be done on some girls. Abu Al-Futuh says in contrast that he personally does not support the practice, and further that The Muslim Brotherhood's official stand is that they are against female circumcision.

In addition to Abu Al-Futuh, there is one other informant who de-legitimizes female circumcision. This is the sexologist Heba Kotb. She is a well known face on Arabic television, and for a long time she hosted a TV-show called *Kalam Kabir* (Big Talk) on the satellite channel *El-Mehwar* where she answered questions about sex and Islam from Muslims all over the Middle East.

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<sup>32</sup> Fuad, personal communication, October 9, 2007.

<sup>33</sup> As I will describe in chapter 2 the six interviews focused on in the analysis is selected from a bigger material consisting of 16 interviews I did with public persons with a special knowledge of the public discourse of female circumcision. Several of these 16 informants argued that most actors within the Egyptian newspaper discourse of female circumcision has a critical approach to female circumcision.

<sup>34</sup> Different members of the Brotherhood have also presented various opinions on female circumcision on their Arabic web page *ikhwanonline*. These informations are based on my own investigations of the web page <http://ikhwanonline.com>, with help from the Arabic-English translator Basim Mardan, the spring 2007.

<sup>35</sup> Fuad, personal communication, October 9, 2007.

In *Kalam Kabir*, and also as a guest in several other shows, she has answered questions and talked about female circumcision from an Islamic and a medical point of view. She holds a double PhD in Forensic Medicine, and in addition to hosting a TV-show she also works as an assistant professor at Cairo University, Department of Forensic Medicine. It was there that I met her for a conversation about the topic of female circumcision. Before the interview with her I was asked to attend a small seminar where a group of first-year medical students from Cairo University had the chance to ask her about different topics related to sexuality. During the seminar the topic of female circumcision came up. A transcription of the conversation between Kotb and the students is used as additional data material to elucidate the interview.

#### **1.4 The practice which is legitimated and de-legitimated by the informants**

The practice of female circumcision exists in various types in different social contexts, and I therefore find it important, as background information for the analysis, to describe some characteristic features of the physical practice which is legitimated and de-legitimated by my informants. In 2008 WHO distinguishes four different types of female circumcision.<sup>36</sup> Type I includes cutting of the prepuce with or without part of the clitoris (*clitoridectomy*). Type II refers to a procedure where part or the whole clitoris with part or the whole of labia minora are excised (*excision*). Type III includes narrowing of the vaginal orifice with creation of a covering seal by cutting and appositioning the labia minora and/or the labia majora (*infibulation*). This procedure sometimes includes the excision of the clitoris, other times not. Type IV includes all other procedures which WHO refers to as harmful to the female genitalia and done for non-medical purposes, these are for example pricking, piercing, incising, scraping and cauterization.

The types of female circumcision which are most commonly performed in Egypt are type I and type II.<sup>37</sup> Three of the four informants who support female circumcision either give detailed descriptions or implicitly indicate that they legitimate a physical procedure which would fall under one of these two categories. El-Badry explains that it is a part of the clitoris which should be excised and refers to this procedure as *khifad* (reduction/lowering) or *khitan al-inath* (female circumcision). More specifically he says that it is the part of a clitoris which exceeds three centimeters which is cut. Abd Elfattah does not make use of anatomical terminology. When she talks about the procedure, which she calls *khitan* or *khitan al-inath*, she refers to the part which should be cut as “this organ”. As we will see in the analysis she seems to connect “this organ” to a woman's sexual desire, and since stimulation of the clitoris can be important for a woman to get

<sup>36</sup> World Health Organization, “Classification of Female Genital Mutilation.”

<sup>37</sup> Abeer Abdou Mohammed Barakat, “Profile of Female Genital Mutilation among Attendants of Gynecology and Obstetrics Outpatient Clinics in Kasr-El-Aini.” (Master's Thesis, Cairo University, 1997), 5.



sexually aroused I assume that she is referring to part of or the whole clitoris. Fawzy explicitly states in the interview that he generally legitimates a procedure which involves excision of the prepuce of the clitoris, or parts or the whole clitoris, and in some cases also parts of the labia minora. He explains that how much and which parts that should be cut depends on the girl's anatomy. It can be mentioned here that when I met Fawzy for the second time he told me that, although not very common in Egypt, he, as a doctor, would say that *infibulation* is not harmful from a medical point of view. He states that when a woman is “sewn up” her pleasure during sexual intercourse will actually increase. This is further explained by saying that “all the sensitive parts of the female genitalia are gathered under one seal, and will then more easily be stimulated by the man's penis”. However, Fawzy explains that this procedure is not approved in Islam, and makes it clear that it is not this procedure which he generally recommends. It will be reflected in the analysis that what he legitimates in the interview is a procedure which he refers to as *Sunna circumcision*, and which involves excision of the prepuce, or parts or the whole clitoris and/or parts of the labia minora. Habib, the fourth informant who legitimates female circumcision, does not specify what parts should be cut in a circumcision procedure. From what is most commonly practiced in Egypt, I would suggest that he refers to a procedure which would fall under one of the two first types of female circumcision. However this can on the basis of my data material not be said for sure. He refers to the procedure he legitimates as *khitan* or *khitan al-inath*.

Further, all the four informants who legitimate female circumcision point out that this procedure is not meant to be done on all girls, like the practice is in Egypt right now; 96 % of ever married Egyptian women are circumcised. El-Badry states that 30-40 % of Egyptian girls need to be circumcised, while for another 30 % this procedure might be necessary. As we will see in the analysis El-Badry refers in this connection to a medical thesis from the University of Cairo. Fawzy explains that about 40 % of Egyptian girls should have this procedure done, and says that this number is based on his own experiences from his medical field. Abd Elfattah and Habib do not give exact numbers for how many girls should be circumcised, they only say that some would need it and others not. Further, all the four informants emphasize that female circumcision should be performed by a doctor at a hospital or a clinic in a sterile environment, and not by non-educated practitioners such as a *daya* (non-educated midwife), which is common in some parts of Egypt today.<sup>38</sup> The informants also state that it is only a doctor who can make the right decision of whether a girl should be circumcised or not. Three of the four informants explicitly state that this choice

<sup>38</sup> El-Zanaty and Way, “Egypt Demographic and Health Survey 2005.”, 215. The EDHS from 2005 shows that the majority of circumcisions in Egypt are performed by educated medical personnel (74,5 %), either a doctor or a nurse. 22,4 % of the circumcisions were performed by a *daya*. In rural areas in Upper Egypt the percentage of circumcisions performed by a *daya* was higher than in other areas of the country (30,5 %). In urban areas 80,5 % of the circumcisions were performed by medical personal.

depends on the girl's anatomy. Only Habib does not give any further explanations of how a doctor decides whether the procedure is necessary or not.

Concerning the two informants Kotb and Al-Futuh who de-legitimize the practice of female circumcision, which they refer to as *khitan* or *khitan al-inath*, these two can more specifically be said to oppose all types of excision of the female genitalia unless there is a “medical defect” or a “malformation”. They explain that only if a girl has such a “medical defect” or “malformation” will they, as medical doctors, approve a surgery. This practice is by Kotb and Al-Futuh considered to be different from female circumcision in the way that it should be done on a smaller percentage of girls or women, and it should only be done after a girl or a woman comes to the doctor herself and complains that she has problems. In addition, it is the girl or the woman herself who has to make the final decision whether the surgery should be performed or not. Kotb says that problems these girls might have are wounds in this area. Al-Futuh explains that the “malformation” might create psychological problems. They both seem to understand a “medical defect” or a “malformation” to refer to a too large or long clitoris. As we will see in the analysis, Kotb is quite specific and explains that 7-10 % of girls world wide have “an overgrowing clitoris”, and she further states that these numbers are taken from statistics made in the West. Al-Futuh does not specify how many girls who has such a “defect” or “malformation”, only that there is a low percentage of girls and that this is not a problem which exclusively concerns Egyptian girls but a low percentage of girls world wide.

### 1.5 Terminology

A wide range of different terms have been used to describe the practice which I, in this thesis, refer to as female circumcision. As already indicated above my informants also make use of different terms when they talk about the practice; *khitan* (circumcision), *khitan al-inath* (female circumcision), *khifad* (lowering/reduction) or *sunna circumcision* where *sunna* refers to the tradition of Prophet Muhammed, something which indicates that the user of the term understands the practice to be an Islamic practice. Another term which is commonly used in Egypt is *tahara* (purification). Several of my informants explained that this term is used in Egyptian dialect, and can not be used in written Standard Arabic. Other actors within the Egyptian public discourse use the terms used by international humanitarian organizations such as WHO, namely *Female Genital Mutilation* (FGM) or *Female Genital Cutting* (FGC). In this thesis I have decided to use the English term *female circumcision*. With background in my experiences from my fieldwork in Egypt, I consider this term to be less charged with certain values than other terms used for the practice.

## 1.6 Transliteration

In this thesis I use a number of Arabic terms. There are different ways of transliterating the Arabic alphabet. In this thesis I use a simplified system based on the *Encyclopaedia of Islam system*, with no diacritical marks, q and j for the letters *qaf* and *jim* respectively,<sup>39</sup> and I do not distinguish between short and long vowels. Further, all Arabic terms will be written in italics, except from personal names and some terms which are commonly used in English language such as *the Quran*, *hadith*, and *fatwa*. I will in all names of persons, newspapers, TV-Channels etc., which have the Arabic definite article *Al-/El-*, write both the definite article and the following name with capital initials. The names of my informants will be transliterated in the way they themselves prefer to write them. When quotations from other sources contain Arabic terms, I will use the transliteration from the original text.

## 1.7 References to the Quran and hadiths

My informants make several references to the Quran and hadiths (stories of the Prophet and his contemporary society). To find references to specific Quranic verses I have in this thesis made use of the search engine at [http://www.guidedways.com/quran\\_search\\_engine.htm](http://www.guidedways.com/quran_search_engine.htm). Concerning the references to hadiths, I have primarily made use of A. J. Wensinck's *Concordance et Indices de la Tradition Musulmane* to find these.

Quotations from the Quran are taken from *The Qur'an: A new translation by M. A. S. Abdel Haleem*.

## 1.8 An outline of the following chapters

I will in chapter 2 describe the process of collecting data material for this thesis. More specifically I will provide a description of the methods used during my fieldwork in Egypt the fall 2007, and how these shaped the outcome of the thesis.

This thesis aims to study legitimation and de-legitimation within a broader theoretical and methodological framework of discourse analysis. In chapter 3, I will describe the theories of legitimation and de-legitimation, and discourse which I make use of in this thesis. Further, I will in this chapter present some analytical tools used to analyze the informants' discourses.

Chapter 4 will focus on two topics which seem to be linked to the practice of female circumcision by most of the informants, namely sexuality and gender relations. I will identify the discourses and discursive resources concerning these topics, and the legitimation and de-legitimation strategies which are employed by my informants in this connection. In this chapter I

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<sup>39</sup> The Arabic letters *hamza* and *ayn* are not marked.

will have a special focus on the use of Islamic discourses of sexuality and gender relations, and how these work together with other types of discourse in the informants' legitimations and de-legitimations.

In chapter 5, I will concentrate on my informants' use of an Islamic scholarly discourse of female circumcision. I will describe the legitimation and de-legitimation strategies used when the informants' make references to the following discursive resources; the Quran, the *Sunna* and fatwas. Concerning the use of the Quran and the *Sunna* I will identify the informants' interpretations and evaluations of these resources, and the specific characterizations of the practice female circumcision which is done on the basis of these.

Last, in chapter 6 I will provide a summery of the analysis, some reflections on the theory used and suggestions for further research in this field.

## **2. The data collection process**

In order to gather data for this thesis, I spent four months in Cairo in the fall of 2007. This chapter aims to describe the methods used in the process of collecting data, and how these methods helped to form the outcome of the thesis. The chapter consists of three main sections describing three different approaches I had to the field. First, in order to better understand the Egyptian social context of the practice of female circumcision, I tried to participate in and, as far as it is possible, become part of the Egyptian social world. In the beginning of the chapter, I will describe some elements in this process, and how this came to be important in the collection of appropriate data for my thesis. Second, I spent much time, especially the first two months of my fieldwork, collecting texts from the Egyptian media discourse. I will describe this work in the second part of the chapter. The material I collected from the media discourse turned out to be inappropriate data for the analysis in this thesis. I will explain the reason for this conclusion, and also how this material, despite not being directly used in my analysis, provides information about the practice which positions my approach in this analysis within a wider contextual frame. The third, and last part of this chapter, provides a description of the process of interviewing people with a special knowledge of the public Egyptian discourse of female circumcision. I decided to focus my analysis on six interviews drawn from a larger collection, and here I will explain why.

### **2.1 Getting to know and adapt to the Egyptian social context**

Excitement, stress, confusion; there were many feelings to get used to in daily life of Cairo. There were moments when I felt I had arrived in a different world where people spoke, listened, thought and acted in a different way from what I was used to. One important factor in learning about and adapting to the new social context was the close contact I had with Egyptians. Hospitality and a genuine interest in other people's culture are characteristics I would use to describe most of the Egyptians I met, and it was easy to make good friends in Cairo. Most of my friends were Egyptian women from different social classes who gave me the opportunity to learn about their thoughts and feelings regarding a wide range of societal issues, including the practice of female circumcision. Some of these women were critical toward the practice, while others were supporting it. I also carried out an elaborate interview with one of these women in order to expand my knowledge of the practice. Since this thesis is focused on the language used by public persons, the informal conversations I had with my friends, as well as the interview I did with one of them, are not directly

used as material in the analysis.<sup>40</sup> However, having Egyptian friends gave me an important insight into the practice, and definitely helped me in the process of collecting appropriate data for the thesis. Several of the arguments, references and specific terms my friends used were similarly applied by the informants connected to the public discourse, and also in texts from the public discourse. I often felt that the knowledge I got from communicating with my friends made it easier to understand and interpret the public persons' use of language. In addition it should also be mentioned that some of my Egyptian friends helped me in a more direct way in the process of collecting data material. In the following section I will describe how I collected texts from an Egyptian media discourse, and in this process some of my friends helped me to translate parts of this text material.

## **2.2 Collecting texts from the media discourse**

As mentioned, there was as a strong media focus in Egypt on the practice of female circumcision after the deaths of the two girls Boudor and Karima in the summer 2007. I considered this media focus a great opportunity to collect data for my thesis, and especially in the beginning of the fieldwork I spent a lot of time searching for texts within the media discourse. In the very beginning, my search for material was quite accidental. I watched some television programs which discussed the practice, and read some articles in newspapers and magazines. As mentioned above, I got help from friends in translating parts of the material I found. During the fieldwork I also took a course in Modern Standard Arabic which helped me to expand the knowledge I already had of the language, and which made it a little easier to translate the Arabic text material on my own. Still, the translation work took much of my time, and because of the time factor, in addition to a large quantity of media material on the topic, I soon realized it would be too difficult to get a precise overview of the entire Egyptian media discourse of female circumcision. Instead, mostly because of the easy access to these sources, I decided to focus on the discourse of a few newspapers. The choice fell on three of the most popular newspapers in Egypt, and throughout August and September (2007) I searched daily for material in the newspapers *Al-Ahram* (The Pyramids), *Al-Masry Al-Youm* (The Egyptian Today), and *Al-Wafd* (The Delegation). When I decided to focus on these specific newspapers I considered, the diversity of these newspapers as an important criteria. *Al-Ahram* is often considered to be the voice of the Egyptian government and the ruling National Democratic Party. The daily *Al-Masry Al-Youm* is a privately owned newspaper, and can be said to belong to the independent

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<sup>40</sup> In addition to the woman from my own circle of acquaintances I also interviewed one Norwegian convert to Islam living in Egypt and three men working in different bookshops in Cairo. These can similarly be said to belong to a private discourse, and the interviews are therefore not analyzed in this thesis which focuses on the language use by public persons.

Egyptian press in the way that it does not explicitly express support for a political party. The third newspaper, *Al-Wafd*, is published by an oppositional political party with the same name.

***Discoveries in the work with the newspaper discourse and a change of focus***

After examinations during and after the fieldwork, I discovered that the texts from the three newspapers I had chosen to focus on very seldom made references to Islamic discourses. Overall, I did not discover any distinctive differences in these three newspapers' approaches to the topic. Most of the newspaper texts I found were descriptions of the official organ NCCM's work against the practice or statements concerning how to fight the practice expressed by representatives from the Egyptian government. Only in a few articles did journalists express their personal opinions of the practice, and without exceptions, these journalists were arguing against the practice.<sup>41</sup> Neither in the descriptions of the official work and statements, nor in the journalists' personal argumentations were there any frequent use of Islamic discourses. Discourses which seemed to be more frequently and explicitly applied were discourses such as a human rights discourse, a feminist discourse, a medical discourse, and a legal discourse. When Islam in a few cases was referred to it was often simply stated that female circumcision is not an Islamic practice. Since this thesis focuses on the use of Islamic discourses in the construction of the object female circumcision, the newspaper texts, which contained very few references to Islam, turned out to be inappropriate data for the analysis in this thesis. The examination of the three newspapers can of course not be used to describe the whole Egyptian media discourse or the whole Egyptian newspaper discourse, and I can not know if it would have been more useful to focus on other newspapers or other media channels in order to find appropriate data material. During my fieldwork, I did not get the time to do any further examinations of other parts of the media discourse. Instead I decided to focus on the material I produced through interviews with public persons.

Although the text material I collected from the three Egyptian newspapers turned out to be inappropriate data for this thesis, my study of these texts demonstrates what I consider to be an important point to keep in mind when reading this thesis. Namely, that female circumcision is a very complex phenomenon which in different contexts can be constructed through a wide range of different discourses. The use of Islamic discourses is, as already touched upon in chapter 1, only one way in which this practice can be given meaning. The discourses used in these texts are in this respect other examples of how the object female circumcision can be constructed in the public discourse.

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<sup>41</sup> As mentioned in chapter 1 several of my informants argued that many Egyptian newspapers have a critical approach to the practice of female circumcision.

### 2.3 The interviews with public persons

I now turn my focus to the collection of the data material which turned out to be most central to the analysis in this thesis, namely the six interviews. These six interviews were selected from a larger material, which in total consists of 16 interviews I did with public persons with knowledge of the public discourse of female circumcision.<sup>42</sup> I contacted some of these people after I had seen their names or heard about them through the Egyptian media. Others I got to know through what is often referred to as “snowball” or “chain referral” sampling.<sup>43</sup> I simply asked people I had already interviewed, or other Egyptian or International contacts I got during my stay, if they knew anyone with knowledge of the public discourse who might be interested in being interviewed. Often it was a combination of these two methods; I could for example ask if one person I had interviewed knew specific people I assumed had knowledge of the public discourse and who I therefore wanted to get in touch with.

It was later, after writing up the interviews, that I decided to focus on six of the 16 interviews in my analysis. The remaining interviews were excluded for the same reason as the texts from the media discourse were excluded. This thesis has a special focus on the use of Islamic discourses. Since the informants who I decided not to include in the analysis, either did not make use of Islamic discourses at all, or made only few references to Islam, but more explicitly and frequently applied other types of discourses, these interviews turned out to be inappropriate data material for this thesis. The discourses which seem to be used by these informants are similar to the ones found in the discourse of the three newspapers. For instance, they frequently made use of a human rights discourse, a medical discourse, a feminist discourse and a legal discourse. Similar to the use of language in the texts from the newspaper discourse, these informants' use of language shows that female circumcision can be constructed through different discourses, and this once again reminds us that the use of Islamic discourses is only one out of many characteristic ways to give meaning to this phenomenon.

The six interviews, analyzed in this thesis, were held at locations decided by the informants themselves, which in five of the cases were at their working place, and in one case in the informant's home. In the interviews with Abd Elfattah, Habib and El-Badry I had a translator with me, and the informants in these interviews spoke in their Egyptian Arabic dialect. In the other interviews I met the informants alone, and the communication language used during the interviews was English. I wanted the informants to talk as freely as possible about the topic of female circumcision, and the interviews were, with this intention in mind, only partly structured according

<sup>42</sup> A list of the people I interviewed during my fieldwork can be found in the appendix.

<sup>43</sup> John Lofland et al., *Analyzing Social Settings: A Guide to Qualitative Observation and Analysis*, 4th ed. (Belmont, Calif.: Thomson Wadsworth, 2006), 43.



to a prepared interview guide. I would say the interviews took form as more informal dialog based conversations, with exception of the interview with El-Badry. El-Badry talked freely and did not need as many questions to express his opinions on the practice. In general all the informants were very welcoming, and I felt I found myself in a safe environment.

### 3. Legitimation and de-legitimation within a discourse analytical framework

As mentioned in chapter 1, this thesis aims to study legitimation and de-legitimation of female circumcision within a broader theoretical and methodological framework of discourse analysis. In the following I will describe the theory of legitimation and de-legitimation, and the theory of discourse which this thesis makes use of. Further, I will present the analytical tools used in the analysis of the informants' use of language.

#### 3.1 Legitimation and de-legitimation

From the approach to the problem presented in the introduction it follows that the two concepts *legitimation* and *de-legitimation* are central to this thesis. Thus, I find it important to start with an explanation of how I understand these two concepts in the following analysis. Theo Van Leeuwen characterizes legitimation as an answer to the spoken or unspoken questions *Why should we do this?* or *Why should we do this in this way?*<sup>44</sup> In cases of de-legitimation the questions asked would in contrast be *Why should we not do this?* or *Why should we not do this in this way?* Based on these characteristics the focus of this thesis will be on how the informants provide answers to the questions *Why should we or why should we not practice female circumcision?* and/or *Why should we or why should we not practice female circumcision in this way?* A practice that is legitimated or de-legitimated is always the practice of specific institutional orders, and a de-contextualized study of legitimation (or de-legitimation) is thereby impossible.<sup>45</sup> In this thesis the practice of female circumcision is connected to an Egyptian societal context, and in a wide sense it is the Egyptian society that is here understood as the institution which the practice belongs to.

Berger and Luckmann have explained the construction of legitimation in language in the these words:

Incipient legitimation is present as soon as a system of linguistic objectification of human experience is transmitted. For example, the transmission of a kingship vocabulary ipso facto

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<sup>44</sup> Theo Van Leeuwen, *Discourse and Practice: New Tools for Critical Discourse Analysis*, Oxford Studies in Sociolinguistics (Oxford: Oxford University Press, 2008), 105. The mentioned general questions which legitimations answer are quotations from Van Leeuwen's book (2008). I will in this thesis not put direct quotations of this specific kind in quotation marks. Instead these will be written in italics and with a reference to Van Leeuwen. The same will be done for Van Leeuwen's general answers to these questions, and the terms he uses for the different types of legitimations strategies which are described later in this chapter. This is done for "aesthetic reasons" as I also will put my own composed sub-types and forms of legitimation and de-legitimation, and my own composed questions and answers of this kind in italics.

<sup>45</sup> ———, "Legitimation in Discourse and Communication," *Discourse and Communication* 21, no. 1 (2007): 92, <http://dcm.sagepub.com/cgi/content/abstract/1/1/91> (accessed June 15, 2008).

legitimizes the kinship structure. The fundamental legitimating “explanations” are, so to speak, built into the vocabulary.<sup>46</sup>

Legitimation as something constructed in language is also how I understand the concept legitimation (and de-legitimation) in this thesis. The focus in the analysis will be on the legitimations and de-legitimizations found in the informants' use of language. I assume that the informants aim to convince the audience with their argumentation, however the focus will not be on the audience's approval of the participants' legitimations and de-legitimizations. To emphasize the informants' active role and the implicit attempt to convince the audience, I will be referring to strategies of legitimation and de-legitimizations. In the part of my analysis where different strategies of legitimation and de-legitimation are identified the argumentation will be based mainly on a set of legitimation strategies developed by Van Leeuwen. These strategies will in this thesis be defined as “specific, not always intentional or conscious, ways of employing different discourses or discursive resources to establish legitimacy”.<sup>47</sup> Before I give a closer description of the different types of legitimation and de-legitimation strategies we first need to have a closer look at what I mean by the concept *discourse*.

### 3.2 What do I mean by *discourse*?

I base my understanding of the concept *discourse* on Ian Parker's definition of discourse as “a system of statements which constructs an object”.<sup>48</sup> The statements can for example be metaphors, analogies and pictures. They are given a coherence insofar as they refer to the same topic. The object which is constructed within discourse can be seen as one possible “representation” of reality. This means that one object can be represented in various ways from the perspective of different discourses. However, this is not to indicate that there is absolutely no reality outside discourse. As Parker puts it “we know when we kick our foot against a stone that there is more to the world than discourse”.<sup>49</sup> We might talk about two different “layers” of reality. At the first level we have the physical presence of the stone, while the second layer of reality consists of sets of statements about it. Similarly, we can apply these layers of reality to the phenomenon female circumcision. First, we

<sup>46</sup> Peter L. Berger and Thomas Luckmann, *The Social Construction of Reality* (Harmondsworth, England: Penguin, 1966), 112.

<sup>47</sup> Eero Vaara, Janne Tienari, and Juha Laurila, “Pulp and Paper Fiction: On the Discursive Legitimation of Global Industrial Restructuring,” *Organization Studies* 27, no. 6 (2006): 6, <http://oss.sagepub.com/cgi/content/abstract/27/6/789>.

<sup>48</sup> Parker, *Discourse Dynamics: Critical Analysis for Social and Individual Psychology*, 5.

<sup>49</sup> ———, *Critical Discursive Psychology* (Houndmills, Basingstoke, Hampshire New York: Palgrave Macmillan, 2002), 151, <http://site.ebrary.com/lib/bergen/Doc?id=10076965&ppg=157> (accessed October 6, 2008).

have the physical procedure which involves excision of parts of the female genitalia, while the second level refers to different constructed representations of the practice, and it is on this level we can talk about discourses of female circumcision.

Parker states that discourses are realized in *texts* which he further explains to be “delimited tissues of meaning reproduced in *any* form that can be given an interpretative gloss”.<sup>50</sup> Here, *texts* are not only referring to written material, but can just as well refer to tissues of meaning which are produced in spoken or visual forms. The texts which are analyzed in this thesis are the interviews with the six informants, and these specific texts are originally produced in a spoken form. In these texts the informants give various statements concerning one specific object, namely female circumcision. The statements given by each informant can be said to form different systems of statements, or in other words different discourses. Although the informants can be described as public persons, the discourses expressed in the interviews are not expressed within a public sphere, and I would here describe these as private discourses. In other words, what I analyze in this thesis are the private discourses of female circumcision which are expressed by the informants' in the interviews.

Further, another criterion, which is pointed out by Parker and which further is central to the way this thesis makes use of the concept *discourse*, is that a discourse will always refer to other discourses.<sup>51</sup> Parker explains that a discourse embed, entail and presupposes other discourses. This means that language used within one discourse will always depend on language which has been used in other discourses. In this connection it might be useful to refer to Mikhail Bakhtin who says that words of language are always half someone else's, which means that when people use words, they formulate their thoughts from the point of views of their community.<sup>52</sup> From this criteria I would say that the content of the statements uttered by my informants in the interviews are probably not made up for the first time in this specific setting. We can assume that they, in their use of language, make use of resources which already exist in other discourses. Since these informants have a special knowledge of the Egyptian public discourse of female circumcision I will suggest it as a likely possibility that their private discourses invoke elements of the public discourse of female circumcision. Thus, I will consider the discourses and the discursive resources used by the informants to legitimate and de-legitimate female circumcision, plus the specific ways of employing

<sup>50</sup> ———, *Discourse Dynamics: Critical Analysis for Social and Individual Psychology*, 6.

<sup>51</sup> *Ibid.*, 12.

<sup>52</sup> Mikhail Bakhtin, *The Dialogical Imagination* (Austin, TX.: University of Texas Press, 1981), quoted in Sanna Talja, “Analyzing Qualitative Interview Data: The Discourse Analytical Method,” *Library and Information Science Research* 21, no. 4 (1999): 471, [http://www.sciencedirect.com/science?\\_ob=MIImg&\\_imagekey=B6W5R-3YCN3MX-G1&\\_cdi=6577&\\_user=596755&\\_orig=search&\\_coverDate=11%2F30%2F1999&\\_sk=99789995&view=c&wchp=dGLzVtz-zSkWz&md5=e0b81f55ccda007fde4ba9eb188234c7&ie=/sdarticle.pdf](http://www.sciencedirect.com/science?_ob=MIImg&_imagekey=B6W5R-3YCN3MX-G1&_cdi=6577&_user=596755&_orig=search&_coverDate=11%2F30%2F1999&_sk=99789995&view=c&wchp=dGLzVtz-zSkWz&md5=e0b81f55ccda007fde4ba9eb188234c7&ie=/sdarticle.pdf) (accessed September 3, 2008).

these, as possible existing resources within the public discourse. More specifically I will in this connection suggest that the informants' use of language invoke two characteristic systems of statements, or two different discourses, existing within the wider public discourse. Within one discourse female circumcision is positioned as a legitimate practice, while in the second discourse this practice is understood to be a practice which should be de-legitimated. I will refer to these two as a pro- and an anti-female circumcision discourse.

A last important criterion for the way I understand the concept *discourse* in this thesis is that discourses are located in time.<sup>53</sup> In this connection it should be noted that discourses are not only resources people make use of when they give meaning to an object. Discourses do not exist in themselves, they are produced by people. That also means that people can change existing discourses and create new ones. I have already presented an introduction to the public discourse of female circumcision in Egypt which here can be seen as a contextual frame for the existence of the anti- and pro-female circumcision discourses possibly applied by the informants in the interviews. The object constructed in these discourses can of course in addition be said to be constituted by other elements related to the history of the practice female circumcision in Egypt. It can here be noted that I have limited the focus in this thesis to the identification of contemporary existing resources used to legitimate and de-legitimate female circumcision, and will not be concentrating on describing the history of how female circumcision arose and has been interpreted in different ways in the Egyptian history. Concerning the informants' private discourses expressed in the interviews, the interview setting will be considered as an important contextual frame for the informants' private discourses.

### **3.3 Legitimation strategies used as tools for analyzing discourse**

The identification of different legitimation and de-legitimation strategies will, as mentioned, mainly be based on a set of categories developed by Van Leeuwen. Here, I will only include descriptions of the strategies found in the data material I analyze in this thesis.<sup>54</sup> These are different sub-types of the main types *authorization*, *rationalization*, and *moral evaluation*. Van Leeuwen states that the different types of legitimation often “are realized by specific linguistic resources and configurations of linguistic resources”.<sup>55</sup> It should here be noted that I will not provide a complete linguistic analysis of my informants' use of language. Instead, I will only use the linguistic resources, pointed out by Van Leeuwen, in cases where I find it necessary in order to identify specific strategies.

<sup>53</sup> Parker, *Discourse Dynamics: Critical Analysis for Social and Individual Psychology*, 15.

<sup>54</sup> For a full description of all the categories of legitimation developed by Van Leeuwen see Van Leeuwen, *Discourse and Practice: New Tools for Critical Discourse Analysis*, 105-123.

<sup>55</sup> Theo Van Leeuwen, “Legitimation in Discourse and Communication.”: 92.

Further, as a supplement to Van Leeuwen's categories, I will, on the basis of my own data material, suggest a few additional sub-types and forms of some of the main strategies which are identified by Van Leeuwen. These will, together with Van Leeuwen's types and sub-types, be used as tools in the analysis.

### ***Authorization***

*Authorization* is legitimation or de-legitimation by reference to an authority. Of the sub-types of *authorization*, defined by Van Leeuwen, the following can be found in my data material; *personal*, *expert*, *role model* and *impersonal authorization*. In the case of *personal authorization* the authority is vested in a person's status or role in a particular institution, while *expert authorization* is based on someone's expertise and knowledge in a specific field. The authorities in *role model authorization* are role models or opinion leaders. In the case of the fourth sub-type, *impersonal authorization*, a practice is legitimated or de-legitimated by references to impersonal authorities such as laws, rules and regulations.

In addition to Van Leeuwen's categories of *authorization* I will suggest two other sub-types of this type of legitimation. First, several of my informants make use of a strategy which I will characterize as *counter intuitive agent authorization*. The term used to name this category is based on Pascal Boyer's description of *counter-intuitiveness*. According to Boyer the humans can be said to have certain intuitive biological expectations of its environment. Elements which counter these expectations can be described as *counter intuitive*.<sup>56</sup> Boyer argues that intentional agents which previously for example have been characterized as ghosts, spirits and gods all have counter-intuitive physical properties.<sup>57</sup> By *counter intuitive agent authorization* I mean a type of *authorization* where the authority, which provides the legitimation or de-legitimation, is an intentional agent which can be said to have *counter intuitive* properties. Second, I will suggest a form of *authorization* where it is necessary or useful to refer to more than one authority in order to legitimate or de-legitimate a social practice. In such a legitimation or de-legitimation the authorities are understood to strengthen each other, and have a stronger legitimacy force when they are used together than when they are used separately. I will characterize this form of *authorization* as *dependent authorization*.

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<sup>56</sup> Pascal Boyer, *Religion Explained: The Evolutionary Origins of Religious Thought* (New York: Basic Books, 2001), 58-105.

<sup>57</sup> Pascal Boyer and Charles Rambleb, "Cognitive Templates for Religious Concepts: Cross-Cultural Evidence for Recall of Counter-Intuitive Representations," *Cognitive Science* 25 (2001): 537.

### ***Rationalization***

Another way of legitimating or de-legitimizing a social practice is by references to knowledge of “the way things are”, or the utility of the practice or some parts of it. This type of legitimation is characterized by Van Leeuwen as *rationalization*, and he distinguishes two main types, which both can be identified in my data material. These two types are *theoretical rationalization* and *instrumental rationalization*. In the case of *theoretical rationalization* the legitimation is grounded in whether the practice is founded on “the way things are”. In other words, whether it can be said to be based on “a truth” or not. Van Leeuwen describes several sub-types of this type of legitimation. The sub-type which is central to the analysis of my data material is *scientific rationalization*. In this case, the legitimation or the de-legitimation are “differentiated bodies of knowledge”. The legitimation and the de-legitimation can here for example be provided by different modern sciences. As we will see in my analysis, one example of such a science could be medical science.

In *instrumental rationalization* the focus is on the purpose or function the practice serves, the needs it fulfills, or the effect it will have. Several sub-types of *instrumental rationalization* can be singled out. One type emphasizes the outcome of an action, and can be characterized as *effect-orientated*. In another type the purpose is constructed “in the action”, and the action is understood as a means to an end. In this case the *instrumental rationalization* can be said to be *means-orientated*.

### ***Moralization***

*Instrumental rationalization* is always closely connected to a third category of legitimation, namely *moralization*. *Moralization* as legitimation or de-legitimation is based on a system of moral values, and *instrumental rationalization* depends on it in the way that the reason given for the practice evoke specific moral values. Van Leeuwen and Ruth Wodak state, in their work on legitimation of immigration control in Austria, that the purposes, the function, needs, or effects pointed out in *instrumental rationalizations* often take the form of what they refer to as “moralized activities”.<sup>58</sup> These activities are described to have qualities which contain references to positive and negative values. Van Leeuwen further states that the positive and negative values referred to in such a legitimation or de-legitimation is only “the tip of a submerged iceberg of moral values”,<sup>59</sup> which would mean that they are only examples of a wide range of values existing within a certain moral discourse. *Moralization* can also function as a separate legitimation strategy. However in my data

<sup>58</sup> Theo Van Leeuwen and Ruth Wodak, “Legitimizing Immigration Control: A Discourse-Historical Analysis,” *Discourse Studies* 1, no. 1 (1999): 105, <http://dis.sagepub.com/cgi/content/abstract/1/1/83> (accessed June 15, 2008).

<sup>59</sup> Van Leeuwen, *Discourse and Practice: New Tools for Critical Discourse Analysis*, 110.

material I have found that this strategy mainly works together with *instrumental rationalization*.

The different sub-types of *moralization* which are found in my informants' use of language are *evaluation*, *abstraction*, and *analogies/ comparison*. *Evaluation* is the use of evaluative adjectives. A specific type of *evaluation* is *naturalization*. In this type of legitimation or de-legitimation evaluative we find adjectives such as “normal” and “natural”. The legitimation and de-legitimation is here provided by references to a “natural order”, which, by the person who uses the language, is seen as some kind of a “common sense”. When moral evaluations are expressed through *abstractions*, practices are referred to in abstract ways which “moralize” them. This is done by describing their qualities in ways that link the practices to discourses of moral values. Van Leeuwen gives several examples of such legitimations. One example which is given is that instead of saying “the child goes to school for the first time”, we could instead say “the child takes up independents”, which would invoke a specific moral discourse of “independence”.<sup>60</sup> In the last sub-type of *moralization*, *analogies/comparison*, practices are legitimated by comparing the practices with other practices which are associated with either negative or positive values. The answer to the question of *why we should do this* or *why we should do this in this way* is in this case either *because it is like another activity which is associated with positive values*, or if it is a negative comparison *because it is not like another activity which is associated with negative values*.<sup>61</sup>

### ***Inverted legitimation and de-legitimation***

On the basis of my informants' use of language I will suggest an additional characteristic form of the main types of legitimations and de-legitimations described above. I will call this form *inverted legitimation* or *inverted de-legitimation*. In this form a legitimation is presented as a response to and rejection of the opposite de-legitimation, or a de-legitimation is presented as a response to and rejection of the opposite legitimation. Such a legitimation or de-legitimation is thereby depending on the knowledge the person who makes use of it has of common oppositional strategies of legitimation or de-legitimation. One example of this would be when Kotb, on a question from a student concerning whether female circumcision will reduce a girls sexual desire, answers that “Performing circumcision on a girl does not reduce her sexual desire”. In this de-legitimation, it is implicitly pointed out that female circumcision does not have the effects some people say it has. Since this is a de-legitimation which focuses on means and ends I would first identify this as an example of *instrumental rationalization*. Further, since the de-legitimation seem to be a response to and rejection of the opposite legitimation referring to the same effects, I would characterize this de-

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<sup>60</sup> Ibid., 111.

<sup>61</sup> Ibid., 111-112.



legitimation as an *inverted instrumental rationalization*. Female circumcision is not de-legitimated by pointing out its negatively valued effects, but instead by rejecting the effects which some people say it has. As we will see in the analysis this form of legitimation or de-legitimation can similarly be used to describe some *authorizations* and *moralizations*.

I have in this chapter presented the theoretical and methodological framework of this thesis. By applying the theory and the analytical tools presented I will in the following two chapters investigate how legitimation and de-legitimation is constructed in the language used by the six informants with a special knowledge of the public Egyptian discourse of female circumcision.

## 4. Female circumcision, sexuality, and gender relations

Topics which seem to be central for most of the informants, both those who legitimate and those who de-legitimate female circumcision, is sexuality and gender relations. This chapter concentrates on identifying applied discourses and discursive resources concerning these topics, and to reveal the legitimation and the de-legitimation strategies which the informants apply when they make use of these. We will see that Islamic moral discourses of sexuality and gender relations are used both in the legitimation and the de-legitimation of female circumcision, and an important aim of the chapter is to demonstrate how these discourses are linked to, and work together with, other types of discourses and discursive resources. The chapter consists of two main parts, the first concentrates on the strategies, discourses and discursive resources used by the informants who support the practice, while the second part focuses on the ones used to de-legitimate the practice. There is one informant who does not seem to make use of discourses or discursive resources concerning the topics of sexuality and gender relations. This is the informant Habib, and possible reasons for why he seems to differ from the others on this point will be discussed in a separate part towards the end of the chapter.

### 4.1 *Instrumental rationalization* and a specific discourse of female sexuality used to legitimate female circumcision

In the following section I want to demonstrate that three of the four informants who support female circumcision make use of a specific discourse of female sexuality in order to legitimate the practice. This discourse seems to be applied by the informants through the use of the legitimation strategy *instrumental rationalization*. This type of *rationalization* is concerned with the purpose of the existence of a practice or the specific form this practice takes, and a practice is legitimated by reference to its goals, uses and effects.<sup>62</sup> I will now direct my focus to see how this type of legitimation is expressed by the three informants Abd Elfattah, Fawzy and El-Badry.

#### *The interview with Abd Elfattah*

I will start with a look at an extract from the interview with Abd Elfattah where she explains why female circumcision is necessary:

Abd Elfattah: so I know that this process is important in some cases and not important in other cases, so the doctor must tell us if the people need it; if the woman needs this process

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<sup>62</sup> ———, “Legitimation in Discourse and Communication.”:101.

or not. You know in some cases this organ is so long so maybe it causes a disease or it causes...(Interrupted by a colleague who walks in).

So sometimes if it is so long, this organ also can cause different things in a relationship with a man. Do you understand me? I don't know in English but you know if the woman is very active in her relationship, not in the right way you know. Like if she needs too much relation.

The interviewer: like sexual relations?

Abd Elfattah: yes, yes, if it is so long it makes that. Sometimes it's a problem to be like that. Also there is a study in Europe about *khitan*. They found it's something known as an abnormal possession. I don't know in English, but it's like a curve in the end of this organ. This leads to abnormal relationships, gay people. It's not normal, woman with woman.

The interviewer: ok, I see.

Abd Elfattah: so this process, *al-khitan*, helps to prevent this.

The interviewer: homosexuality?

Abd Elfattah: yes. As a woman I have a certain position in education, and I must know a good relation with a man, so I read about khitan and I know it's very important in some cases.

If we take a closer look at Abd Elfattah's utterances, the purpose of female circumcision is exactly what she seems to be concerned about in this situation. The purpose of female circumcision is positioned in the sentence "so this process, *al-khitan*, helps to prevent this". This is an example of a *means-orientation* type of *instrumental rationalization* where the purpose is constructed as "in the action", and the action, here female circumcision, is constructed as a means to an end. That "this", which female circumcision helps to prevent, refers to homosexuality is made clear by the follow up question and Abd Elfattah's answer. From the speech earlier in the extract, I assume that "this" also might refer to "different things in a relationship with a man" which seems to be related to a situation where a woman is in need of too much sex. Abd Elfattah further seems to believe that both

homosexuality and the “different things in a relationship with a man” are caused by a long or curved female “organ”,<sup>63</sup> and this element directs us to the identification of a specific discourse of female sexuality.

The aim of this specific discourse is to explain how female sexuality works. More specifically, within this discourse, female sexuality seems to be described as a process consisting of elements which are caused by each other. One of these conditional relations is explicitly expressed in the sentence “so sometimes if it is so long, this organ also can cause different things in a relationship with a man”. In other words, this long organ works as a condition for specific situations to occur. Abd Elfattah does not specify what kind of “things” which might arise in a relationship. A likely possibility is that she means that “this organ” will lead a woman to have sex outside marriage. This is an effect which is also emphasized in another statement made later in the interview. She then explains: “When this organ is abnormal it’s a bigger chance that she will have relationships outside marriage(...)”.<sup>64</sup> I assume that Abd Elfattah in this situation implicitly refers to relationships of a sexual character, and I would suggest that “relationships outside marriage” both can be understood to mean that a married woman is unfaithful to her husband and that an unmarried woman has sex before marriage. Further, my assumption is that “this organ” refers to the clitoris. Abd Elfattah seems to connect “this organ” to a woman’s sexual desire when she further explains that it leads a woman to a need of too much sex. Since the clitoris is the most sensitive part of a woman’s genitalia, and the stimulation of the clitoris can be important for a woman to get sexually aroused, it is likely that this is what she means by “this organ”. The same condition seems to be used in the sentence “this leads to abnormal relationships, gay people”. From the previous sentences we understand that “this” refers to a long or curved clitoris, and that this works as a condition for homosexual relationships to arise. Probably, this discourse further includes some elements which in this situation can be described as unspoken assumptions concerning the nature of female sexuality. Assumptions connected to the conditional relations mentioned are that much of a woman’s sexual desire is located in the clitoris, and that a long or curved clitoris causes an uncontrollable strong sexual desire. Abd Elfattah gives no indications that this means that a woman’s sexual desire is only located in her clitoris, and that the goal thereby is to deprive her of all her sexual desire. I understand the focus to be on an uncontrollable sexual desire which has much of its source in a too long or curved clitoris, and as we will see soon, this point is more explicitly expressed by the two

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<sup>63</sup> There is a possibility that Abd Elfattah refers to two different conditions in this extract, one where “this organ” is long and another one where it is curved, and that she believes that the two conditions lead to different situations. However, this distinction will not be emphasized in the analysis. What I here consider to be important is that both these conditions refer to “an organ” with a *wrong* shape, and that female circumcision is seen as an instrument to avoid situations caused by it.

<sup>64</sup> To see in which context this statement was uttered see section 4.1.2.

other informants, Fawzy and El-Badry. Abd Elfattah positions female circumcision within this discourse as an instrument for preventing homosexuality and problems in a relationship with a man. This also necessarily means that the strong sexual desire, caused by a long or curved clitoris, and which further causes homosexuality and problems in a relationship with a man, will be prevented. In other words, we can say that female circumcision breaks the series of elements which are caused by each other.

***The interview with Fawzy***

Similar to Abd Elfattah, in order to legitimate female circumcision, Fawzy seems at one point in the interview to make use of *instrumental rationalizations* which invoke a specific discourse of female sexuality. The use of this discourse is noticeable in a situation where he argues that female circumcision does not reduce a woman's ability to get an orgasm, it only makes her change from a clitoral to a vaginal orgasm:

Fawzy: why? Ok, because people who are practicing masturbation and so on, they do lots of masturbation they shift themselves to the clitoral orgasm and they are never satisfied with vaginal orgasm. By doing female circumcision they shift to vaginal orgasms, and it's a sign of maturity. You know that there are two types?

The interviewer: yea, yea.

Fawzy: and and and all though for some women it is more pleasurable, it's not natural.

The interviewer: it is not natural with?

Fawzy: with clitoral orgasm only.

The interviewer: why?

Fawzy: because the natural thing is a vaginal orgasm, this is what people, married people want to have, a marital life, children and so on. But if every woman change into clitoral orgasm and stay with it she will not be interested in the proper marital life; to have children, family and so on.

Why vaginal orgasms are the natural ones is described in more detail by Fawzy a little later in the interview in these words:

Religion, Islamic religion is with the family, with creation, with getting children. This is what's natural. Whatever people say in Europe or abroad this is the Islamic way of living; the family, children and so on. And practice normal sexual life, what we call normal, I don't care if somebody said it's abnormal, but this is the normal way of living; to get married and have children. Ok? So this (female circumcision) helps in doing this. But if all women change to clitoral orgasm and women with women and all sorts of life people will decrease, like in Europe; Germany, France. You know that the population gets down?

In these statements there are two examples of *instrumental rationalization*. One is found in the first statement and says “By doing female circumcision they shift to vaginal orgasm”, while the second one is found in the third statement and goes “So this (female circumcision) helps in doing this”. The first clause is more specifically an example of an *effect-orientated instrumental rationalization*, and emphasizes a shift to vaginal orgasms as the outcome of the action female circumcision. The second clause is similar to the one in the extract from the interview with Abd Elfattah, and can similarly be categorized as *means-orientated instrumental rationalization*, and places female circumcision as the means to a specific end, which here probably refers to the situations described earlier and what Fawzy refers to as the “Islamic way of living”. This includes to get married, have children and practice what he describes as a “normal sexual life”. A “normal sexual life” in this context probably refers to elements like sexual relations within marriage, and that a woman gets vaginal orgasms instead of clitoral orgasms. It is indicated that homosexual relationships are excluded from this judgment of normality as Fawzy seems to believe that these types of relationship are caused by situations where women only get clitoral orgasms, which probably means they are not circumcised.

If we compare Fawzy's strategy with the one used by Abd Elfattah we discover that they both make references to a purpose of practicing female circumcision which is related to a specific view on how female sexuality works. I want to argue that Fawzy's use of *instrumental rationalization* in this situation invokes a similar discourse of the nature of female sexuality as Abd Elfattah does. Like Abd Elfattah, he seems to depend on a series of conditional relations to create meaning to what he believes is the purpose of practicing female circumcision. He states for instance “But if every woman change into clitoral orgasm and stay with it she will not be interested in the proper marital life; to have children, family and so on”, and “But if all women change to clitoral orgasm and women with women and all sorts of life people will decrease, like in Europe; in

Germany, France”. Clitoral orgasms are positioned as the condition for situations where women are not interested in what Fawzy refers to as a “proper marital life” which includes having a family and children, and in the second sentence clitoral orgasms, together with homosexual relationships, are the conditions for a decreasing human population. He does not explicitly describe the connection between clitoral orgasms and homosexual relationships, it is rather more implicitly understood that the former causes the latter.

Clitoral orgasms and situations caused by these types of orgasms seem to be understood as the contrasts to the situations which Fawzy explicitly states that female circumcision helps to achieve. Consequently we can say that he, in these statements, not only expresses that female circumcision helps to achieve some situations, but that he also more implicitly says that it helps to avoid the contrasts he mentions. Some of the situations Fawzy explains about will arise if women only get clitoral orgasms, and this resembles what Abd Elfattah mentions as results of a long or curved clitoris. For example, they both make a connection to homosexual relationships. I will later suggest that they make use of a similar moral pattern in their attempt to legitimate the practice, but for now I will generally note that they both seem to link the purpose of female circumcision to avoiding morally unwanted situations concerning sexuality and gender relations, or to achieve positive valued situations concerning the same topics.

The cause of the unwanted situations in Fawzy’s speech is, like in the interview with Abd Elfattah, located to the clitoris. Fawzy explains early in the interview that what he refers to as “sunna circumcision”, in addition to excision of parts of the clitoris, also might involve excision of parts of labia minora. However, in this situation, where the purpose of female circumcision is linked to female sexuality, the focus seems to be more exclusively on the excision of the clitoris. Fawzy does not, like Abd Elfattah, directly refer to a long (or curved) clitoris as the cause of unwanted situations, but to clitoral orgasms. However, the clitoral orgasms are possibly believed to be caused by stimuli of a clitoris with a *wrong* shape, and in that he includes another element in the series of conditional relations. As mentioned before, he states, like Abd El-Fattah, that female circumcision is not necessary for all girls. More precisely he states earlier in the interview:

When we come back to the point that not every girl needs it (female circumcision), me as a doctor I know what I’m doing, so if I see that this area is redundant, it’s excessive, it’s more than it’s needed. Then in this case I will just trim the edges and remove parts of the clitoris and so on.

This statement indicates that Fawzy, like Abd Elfattah, understands the first element in the series of conditional relations to be a clitoris with a *wrong* shape.

Fawzy also seems to share with Abd Elfattah a few unspoken assumptions of how female sexuality works. Behind the relation between clitoral orgasms and unwanted situations where women are not interested in family, or become homosexuals which leads to a decline in the population, there is an assumption that some women have a strong uncontrollable sexual desire which leads them to these situations. Much of this desire is further caused by a *wrong* shaped clitoris. That the purpose of female circumcision is not to deprive a woman of all her sexual desire, mentioned when discussing Abd Elfattah's statements, is in Fawzy's case quite clear. He states that with circumcision, a woman will still be able to get a vaginal orgasm which indicates that the goal is not to make her sexually cold. It also shows that he believes a woman's sexual desire is not only located in her clitoris, but that much of this uncontrollable sexual desire has its source in this organ. Female circumcision will reduce the desire so it will be easier to control. In other words, in relation to the series of negatively valued conditional relations, female circumcision is also in this interview positioned as an instrument to break the series and here more explicitly expressed to achieve the positive opposites.

### ***The interview with El-Badry***

I will now concentrate on the third informant who makes use of the legitimation strategy which emphasizes the purpose of female circumcision, and invokes the same discourse of female sexuality as the two others. This is El-Badry, and his use of this strategy is for example visible at one point where he refers to a master thesis from the faculty of medicine at Cairo University to explain the necessity of female circumcision. He states:

In the thesis the conclusion was that 40% of women needed it (circumcision), 30% between yes and no, and 30% didn't need it. If the girl has a small clitoris she doesn't need it. If it's medium you take a part of it until its three centimeters, if it's seven you take a part of it until



it's again three centimeter so it doesn't rub against the clothes and she gets sexually aroused.<sup>65</sup>

The *instrumental rationalization* of female circumcision can in this statement be located to the sentence “If it’s medium you take a part of it until its three centimeters, if it's seven you take a part of it until it's again three centimeter so it doesn't rub against the clothes and she gets sexually aroused”. This can more precisely be characterized as an *effect-orientated instrumental rationalization*, and that the clitoris “doesn’t rub against the clothes and she gets sexually aroused” is here placed as an effect of female circumcision which is described by the use of conditional meaning relations. The original length of a girls’ clitoris is positioned as the condition for deciding how much of the clitoris which should be cut.

We remember that the two other informants, Abd Elfattah and Fawzy, place a *wrong* shaped clitoris as the first element in series of conditional relations. From the statement above I assume that El-Badry believes that if a clitoris is *too long* it causes a woman to get sexually aroused since he explicitly states that the wanted effect of the procedure, which involves cutting of the clitoris when it’s *too long*, is that “it doesn’t rub against the clothes and she gets sexually aroused”. This idea is more explicitly stated elsewhere in the interview where he describes the part which should be cut during this procedure. He explains:

For women, the part which is cut is an outside part of the female organ and it looks like a roosters comb, and it’s something that is extra. If this part is too long it rubs to the underwear and causes the women to be sexually aroused.

In the second sentence El-Badry positions a *too long* “part”, which probably in this context refers to the clitoris, as the condition for the woman to become sexually aroused. The effect of a long clitoris refers in this situation to an element in the series of conditional relations which is more implicitly present in the speech by the two others, and I have referred to these as assumptions. Abd Elfattah and Fawzy make a direct connection between a *wrong* shaped clitoris and unwanted situations like

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<sup>65</sup> El-Badry refers to a master thesis from Cairo University, written by Abeer Abdou Mohammed Barakat in 1997. Reading through an English version of thesis I found no references, like the ones mentioned by El-Badry, to the numbers of how many females who need circumcision or how long a clitoris can be in order not to cause any problems. In the English version of the thesis it is stated that a mild form of female circumcision probably does not effect a woman's ability to get orgasm. Further, it recommends that if it is performed it should only be of the first degree, which involves excision of parts of the clitoris, and the procedure should only be performed by authorized medical practitioners. Before the procedure the girls parents should also be given the information that female circumcision is neither instructed by religion, nor prohibited. I assume that there is a possibility that there exists an Arabic version of this thesis which differs from the English version, and that this is the version El-Badry refers to in the interview.

homosexuality and relationship problems with men, and an unspoken assumption behind this connection is that such a clitoris causes a strong sexual desire. In the statement by El-Badry, this conditional relations is explicitly expressed. In another situation El-Badry also, similar to Fawzy and Abd Elfattah, connects a woman's sexual desire to other morally unwanted situations. At one point he refers to the medical doctor Hamid Al-Ghawaby who, in a research report from 1951, describes several possible disadvantages for uncircumcised women,<sup>66</sup> and El-Badry refers to one of these disadvantages when he says:

This (not circumcising women) also causes women to be sexually aroused all the time, and it will not be enough for her to have one man which is her husband, and this leads to bad behavior.

In this statement it is implicitly said that an intact, *wrong* shaped clitoris causes women to become sexually aroused all the time. Sexual desire is further positioned to cause a situation where it is not enough for a woman to be involved with just one man. El-Badry further says that “this lead to bad behavior”, and I would here assume that “bad behavior” refers to infidelity.

Further, also similarly to the two others, El-Badry says that the purpose of female circumcision is to make it easier for a woman to control her sexual desire, and not to make her sexually cold. In one situation he states for instance:

Female circumcision purifies the woman because it makes her able to control her sexual feelings, but she will have the sexual feeling during the intercourse because of the rubbing of both the sexual organs.

It can be mentioned that, in addition to what seems to be an argument that the purpose of female circumcision is not to deprive a woman of all her sexual desire, we can in this statement also find another example of the use of the legitimation strategy *instrumental rationalization*. The strategy can here be located in the clause “Female circumcision purifies the woman because it makes her

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<sup>66</sup> According to El-Badry's court papers two medical research reports on female circumcision written by Dr. Hamid Al-Ghawaby were published in the 7<sup>th</sup> and the 10<sup>th</sup> edition of the magazine *Al-Liwa Al-Islami* in 1951. I have not succeeded in finding these medical reports myself. In the report published in the 10<sup>th</sup> edition Al-Ghawaby supposedly describes some disadvantages for uncircumcised woman, some benefits for circumcised women, and one advise concerning the procedure of female circumcision. These are as follows: 1) If the woman is not circumcised it will be produced sebaceous secretions which will cause a bad smell. 2) Circumcision will reduce the sensitivity of this organ, and this will make the woman less nervous. 3) Doctors and educated nurses are the only ones who should perform these procedures. 4) Female circumcision will reduce cases of nymphomania and adultery. 5) Sexual coldness is not an effect of female circumcision. After several deliveries a woman's vagina expands, and she can not feel the man's penis. This is the reason for sexual coldness.

able to control her sexual feelings”. More specifically I would say that we in this clause can find two examples of *instrumental rationalization*. First, it is said that “female circumcision purifies the woman”, secondly it is explained that “purifies” here refers to that “it (female circumcision) makes her able to control her sexual feelings”. In other words the second *instrumental rationalization* explains or elucidates the first one. In the first one female circumcision is positioned as a means to purify the woman, and can thereby said to be of the *means-orientated* type. The second one points out that the effect of female circumcision is that it will make her able to control her sexual feelings, and I would characterize this as an *effect-orientated instrumental rationalization*.

#### **4.1.1 The discourse of female sexuality used to legitimate female circumcision can be said to be of a medical character**

So far I have argued that the discourse of female sexuality identified above seems to be invoked through the use of *instrumental rationalizations*. I will in this section suggest that the three informants, in addition to this strategy, also seem to make use of other types of legitimation strategies when using this discourse, and that we, through the informants' use of these strategies, probably can identify this discourse as a medical discourse.

In addition to *instrumental rationalization*, Abd Elfattah and El-Badry seem to make use of the discourse of female sexuality through the strategy *expert authorization*. In this sub-type of *authorization* the legitimation is provided by references to authorities who can be described as experts in a certain field.<sup>67</sup> I will first have a look at how this type of legitimation is used by Abd Elfattah. In the extract of the interview she refers to an unspecified study which allegedly said that a curved clitoris leads to homosexual relationships, and that female circumcision helps to prevent this. This argument is repeated in similar wording a little later in the interview. She then states: “I told you some women have a curved organ, a little curve and this make a problem. I told you that there are researches which say it is very harmful”. I suggest that Abd Elfattah in both of the mentioned situations, most likely refers to medical research reports, and that she probably thinks of the people behind these studies as medical experts. El-Badry is also referring to medical experts when he links female sexuality to female circumcision. As mentioned, he makes use of a medical master thesis from the University of Cairo and says in this relation: “in the thesis the conclusion was that 40 % of women needed it, 30 % between yes and no and for 30 % didn’t need it”. He further explains that this conclusion was based on the length of the clitoris, and the assumption that a girl could become sexually aroused from the rubbing of her clothes if her clitoris is too long. In another statement he quotes from the reports of the medical doctor Hamid Al-Ghawaby who stated

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<sup>67</sup> Van Leeuwen, *Discourse and Practice: New Tools for Critical Discourse Analysis*, 107.

in 1951 that there were several disadvantages for uncircumcised women. One of these disadvantages was that it caused “women to be sexually aroused all the time”, and that “this leads to bad behavior”. In the legitimations presented by Abd Elfattah and El-Badry in these situations, the answer to the unspoken question of *why female circumcision should be practiced* can be described to be something like *because medical experts say that female circumcision have the effect of preventing unwanted situations*, or *because medical experts say that female circumcision works as a mean to avoid unwanted situations*. I would say that the *instrumental rationalizations* in these situations can be described to be embedded in the *expert authorizations*. In addition, the *instrumental rationalizations* can also said to be legitimated through the *expert authorizations*. Further, I would say that Abd Elfattah and El-Badry's use of *expert authorizations*, with the embedded *instrumental rationalizations*, give the discourse of female sexuality identified above a medical character. The studies and the report which they refer to can be characterized as resources from this medical discourse.<sup>68</sup>

Also Fawzy can, besides *instrumental rationalization*, be said to invoke the discourse of female sexuality through another type of legitimation strategy. He does not, like the two others, make references to medical reports or studies, but seems instead to make use of a strategy which can be identified as *theoretical rationalization*. In *theoretical rationalization* the legitimation is grounded on “the way things are”.<sup>69</sup> This strategy can for example be spotted in Fawzy's statement which says “By doing female circumcision they shift to vaginal orgasms”. In the previous section I identified this as an example of *instrumental rationalization*. Here, I will suggest that Fawzy in this situation not only points out the effect of female circumcision, in addition, he seems to implicitly present the necessity of female circumcision as something which is based on a knowledge of “the way things are”. It is presented as a mere fact that female circumcision will make a girl shift from getting clitoral orgasms to getting vaginal orgasms. Further, as mentioned, he also states that female circumcision will make a girl want to get married and have children. This argument also seems to be presented as a fact, and it is for example explained by the statement “if every woman change into clitoral orgasm and stay with it she will not be interested in the proper marital life, to have children, family and so on”. In the light of Abd Elfattah and El-Badry's references to experts who state similar things, together with the fact that Fawzy himself is a medical doctor, I would more specifically suggest that this strategy can be characterized as an example of a specific sub-type of *theoretical rationalization*, namely *scientific rationalization*. In *scientific rationalizations*

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<sup>68</sup> It is uncertain if the medical thesis from the University of Cairo can be characterized as a resource within this discourse. See note 65.

<sup>69</sup> Van Leeuwen, *Discourse and Practice: New Tools for Critical Discourse Analysis*, 116.

“differentiated bodies of knowledge” are used to legitimate social practices.<sup>70</sup> I assume that the systematic body of knowledge which Fawzy in this situation implicitly refers to is the medical science. The implicit answer to the question of *why female circumcision should be practiced* will in this case be something like *because the medical science shows that female circumcision has the effect of preventing unwanted situations*, or *because the medical science shows that female circumcision works as a means to avoid unwanted situations*. Here, the *instrumental rationalization* can be said to be embedded in, and legitimated by, the *scientific rationalization*. Further, I would say that Fawzy's use of *scientific rationalization*, similar to Abd Elfattah and El-Badry's use of *expert legitimation*, indicates that the discourse of female sexuality is of a medical character.

#### **4.1.2 The *rationalizations* used by Abd Elfattah, Fawzy and El-Badry contain elements from an Islamic moral discourse**

Van Leeuwen and Wodak states that *instrumental rationalizations* always contain elements of moral evaluation in the way that the reasons given for a practice evoke specific discourses of moral values.<sup>71</sup> In this section I will suggest that the applied *instrumental rationalizations*, which further seems to be embedded in *expert authorizations* and *theoretical rationalizations*, contain elements of moral evaluation which can be said to belong to a specific Islamic moral discourse. So far I have stated that the informants express a purpose of practicing female circumcision which is related to achieving specific situations concerning sexuality and gender relations, and/or avoiding other situations concerning the same topics. Using Van Leeuwen and Wodak's term, these situations can be characterized as “moralized activities” which hold qualities with references to positive and negative values.<sup>72</sup> I will further suggest that this moral pattern, used by the three informants, more specifically can be said to belong to an Islamic moral discourse of sexuality and gender relations. I will now have a closer look at how this is expressed by the informants.

#### ***The interview with Fawzy***

I will start with a statement by Fawzy, where elements of this moral pattern quite explicitly is referred to as Islamic. The statement is already quoted above in a longer extract from the interview.

Religion, Islamic religion is with the family, with creation, with getting children. This is what's natural. Whatever people say in Europe or abroad this is the Islamic way of living;

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<sup>70</sup> Ibid.

<sup>71</sup> Van Leeuwen and Wodak, “Legitimizing Immigration Control: A Discourse-Historical Analysis.”: 105.

<sup>72</sup> Ibid.

the family, children and so on. And practice normal sexual life, what we call normal, I don't care if somebody said it's abnormal, but this is the normal way of living; to get married and have children. Ok? So this (female circumcision) helps in doing this. But if all women change to clitoral orgasm and women with women and all sorts of life people will decrease, like in Europe; Germany, France. You know that the population gets down?

In this statement Fawzy can be said to make use of a sub-type of *moralization*. He is using the strategy which Van Leeuwen simply has named *evaluation*. This sub-category is characterized by the use of evaluative adjectives.<sup>73</sup> In the statement Fawzy makes use of this strategy to legitimate certain activities which he, as described above, explains can be achieved through the practice of female circumcision. The activities which are legitimated are; to get married, to have children and to practice what Fawzy refers to as a “normal sexual life”. As mentioned I assume that a “normal sexual life” in this context refers to elements like sexual relations within marriage, and that women have vaginal orgasms instead of clitoral orgasms. Further, homosexual relations are probably excluded from this judgment of normality. The strategy used by Fawzy in order to legitimate these activities can more specifically be identified as a specific type of the strategy *evaluation*, namely *naturalization*. In this type of legitimation moral and cultural orders are replaced with a “natural order”, and evaluative adjectives like “normal and “natural” often play a key role. In the statement by Fawzy there are several examples of the use of such evaluative adjectives. First, he refers to having a family and getting children, and legitimates these practices in the sentence “This is what's natural”. Second, he refers to a distinguished type of sex life as the “normal sexual life”. Third, he explains that “to get married and have children” is the “the normal way of living”. In addition there is one example of a specific form of *naturalization*, namely *inverted naturalization*. In chapter 3 I characterized *inverted legitimation* as a form of legitimation strategy where the legitimation is presented as a response or rejection of the opposite de-legitimation. An example of *inverted naturalization* is in this statement found in the clause “And practice normal sexual life, what we call normal, I don't care if somebody said it's abnormal (...)”. The implicit answer to the question of *why “a normal sexual life” should be practiced* can here said to be something like *because it is not abnormal as some people say*. The legitimation is presented as a response to and rejection of the opposite de-legitimation which says that the sex life described by Fawzy is abnormal. In chapter 3 I mentioned that Van Leeuwen explains that values referred to in *instrumental rationalizations* are just “the tip of a submerged iceberg of moral values”.<sup>74</sup> With this in mind, I will further suggest that

<sup>73</sup> Van Leeuwen, *Discourse and Practice: New Tools for Critical Discourse Analysis*, 110.

<sup>74</sup> *Ibid.*

the moral values expressed by Fawzy in this statement are just examples from a wide range of moral values which exist within a specific moral discourse of sexuality and gender relations. It further seems like Fawzy understands the “natural” and the “normal” to correspond with the “Islamic religion” and “the Islamic way of living”, and from this I will suggest that this discourse further can be identified as an Islamic moral discourse of sexuality and gender relations.

It should be mentioned that in addition to *naturalization*, Fawzy also seems to make use of another way of expressing moral evaluation. He seems to implicitly compare the activities which are positioned as “normal” and “natural” with the oppositional activities which hold qualities with references to negative values. After having explained the “natural” or “normal” activities which will be achieved through the practice of female circumcision he states: “But if all women change to clitoral orgasm and women with women and all sorts of life people will decrease, like in Europe; Germany, France. You know that the population gets down?”. The strategy used when comparing these positive and negative valued activities can be identified as the making of *analogies/comparisons*. Fawzy's *comparison* can further be described to be of the negative type and the implicit answer to the questions of *why we should get married, practice “normal sexual life” and have children* will here be something like *because these activities are different from activities like stimulation of the clitoris which lead to clitoral orgasms and having sex with a person of the same gender, which are activities that are associated with negative values*. From the identification of the discourse of sexuality and gender relations as an Islamic moral discourse I would here assume that these negatively valued activities are understood to be non-Islamic, while the positively valued activities can be described as Islamic activities. It should be mentioned here that the negative valued activities are further de-legitimated through the use of *instrumental rationalization*. This is an example of the *effect-orientated* type of this strategy, and it is here stated that the effect of these practices is that “people will decrease”. In this de-legitimation it is implicit that it is *not* practicing female circumcision which first leads to clitoral orgasm and homosexual relationships, which further has the effect of a population decline. This *instrumental rationalization*, which points out this effect, is implicitly legitimated by referring to a population decline in Europe. Fawzy can in this legitimation be said to implicitly refer to European population statistics, which further can be characterized as resources from a discourse concerned with an European population decline. I will characterize these statistics as impersonal authorities, and will therefore identify this strategy as an example of *impersonal authorization*.

Through the use of two different *instrumental rationalizations*, one which legitimates female circumcision by referring to its positively valued effects, and one which de-legitimates *not* practicing female circumcision by referring to its negatively valued effects, Fawzy can also

implicitly be said to put up a moralized contrast between the practice of female circumcision and not practicing female circumcision. The practice and the non-practice are respectively connected to positive and negative values. These values are further based on the moralized effects which the practice and the non-practice are believed to have. The practice and its positive valued effects are understood to be Islamic, while the non-practice and its negatively valued effects seems to be positioned within an European context.

### ***The interview with Abd Elfattah***

In the mentioned examples of Abd Elfattah's use of *instrumental rationalization*, the focus is on the negatively valued activities which she believes can be avoided by practicing female circumcision. Similarly to Fawzy, she makes use of evaluative adjectives to describe the effects of female circumcision, but in her case these are not used to legitimate the positive valued effects, but instead to de-legitimate the negatively valued effects. She explains that female circumcision helps to prevent both sex between women and “different things in a relationship with a man”, which, as explained probably means that a woman will have sex outside marriage. These activities are referred to, and described, in the sentences “This (a long/curved clitoris) leads to abnormal relationships, gay people. It’s not normal, woman with woman”, and “I don't know in English but you know if the woman is very active in her relationship, not in the right way you know. Like if she needs too much relation”. In the first statement Abd Elfattah describes homosexual relationships as “abnormal” and “not normal”, in the second statement, where she refers to “different things in a relationship with a man”, she says that the woman will be sexually active “not in the right way”. Like in the case with Fawzy, Abd Elfattah makes use of evaluative adjectives which indicate that her moral evaluations are grounded in a “natural order”, and I will therefore characterize this strategy as *naturalization*. Since she uses this strategy to de-legitimate certain activities she, in contrast to Fawzy, makes use of negatively valued adjectives.

That Abd Elfattah seems to think of this “natural order” to correspond to an “Islamic order” is not made clear in this section of the interview referred to in the beginning of this chapter. However, I will here suggest that this connection is indicated in another situation where she comments on a different topic, namely why some western countries are so concerned about fighting female circumcision in Egypt. She states:

Eh...we are different people. We will not accept people having relationships outside marriage. I mean they try to turn us into copies of them. This is impossible because we have our Islam. I know it’s a problem if this organ is not right, and the doctor has to tell us if we



should to do it or not. When this organ is abnormal it's a bigger chance that she will have relationships outside marriage. But if this process is done in the right way it will make her calm. We are not animals, and it makes her calm and not excited.

In this statement Abd Elfattah seems to position western countries as actors who want to make Egyptians “into copies” of themselves. I assume that what Abd Elfattah understands these actors to want to change is elements of Egyptian social life, and I suggest that she here more specifically refers to activities which she earlier suggested could be avoided through practicing female circumcision. She probably mentions one of these activities when she states that “We will not accept people having relationships outside marriage”. From what she said earlier, that female circumcision will help to prevent homosexuality, I suggest that this, although not mentioned in this context, could be another element which she believes is accepted by western actors, and which they want to impose on Egyptians. She further explains that it will be impossible to turn Egyptians into western “copies” because of Islam, and I would say that this indicates that Abd Elfattah, similar to Fawzy, makes use of an Islamic moral discourse of sexuality and gender relations when she earlier describes the activities, which can be avoided by practicing female circumcision, to be “abnormal” and “not normal”. In other words, the “natural order” seems to correspond to an “Islamic order”. It can be mentioned that Abd El-Fattah's use of language in this statement also seems to invoke a specific discourse of western cultural imperialism, in which western countries are seen as actors who want to impose their own culture on others.

It should also be mentioned that we find another example of the use of the strategy *instrumental rationalization* in this statement. The strategy can here be located in the clause “but if this process (female circumcision) is done in the right way it will make her calm”. This legitimation can be said to be of the sub-type *effect-orientation*. The described effect of female circumcision is that “it will make her calm”, and from the previous discussion I assume that “calm” in this context means that she will not be in a need of too much sex which might lead her to do morally unwanted activities. The use of *instrumental rationalization* in this statement differs from the other examples mentioned from the interview with Abd Elfattah. Here the focus is not on the negative situations which can be avoided by practicing female circumcision, instead she points out a positively valued situation as the effect of the practice. This effect can be said to be legitimated by using a specific sub-type of *moralization*, namely *abstraction*. In this strategy practices or one or more of their component actions or reactions are referred to in abstract ways that “moralize” them.<sup>75</sup> Instead of for example describing the negatively valued activities which can be prevented by practicing female

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<sup>75</sup> Ibid., 111.

circumcision, that she earlier described to be sex between women and sexual relations outside marriage, she states that female circumcision will make a girl “calm”. “[C]alm” can here be seen as a distilled quality of the oppositional positively valued activities; sex between a man and a woman, and sexual relations within marriage. Further, Abd Elfattah points out that female circumcision has to be done in the “right way” in order to have this effect. As mentioned, Abd Elfattah argues that female circumcision has to be done by a doctor, and she seems to think that it is only a part of or the whole clitoris which should be cut. I assume that these are some of the criteria which she refers to when she says “the right way”.

### ***The interview with El-Badry***

In El-Badry's statements quoted in 4.1.1, we only find one example of the use of an evaluative adjective which are used to describe the effects of female circumcision. This adjective is found in the statement where he refers to the medical report written by Hamid Al-Ghawaby:

This (not circumcising women) also causes women to be sexually aroused all the time, and it will not be enough for her to have one man which is her husband, and this leads to bad behavior.

The evaluative adjective which here invokes a moral discourse is “bad” in “bad behavior”. As mentioned, I assume that the “behavior” which is evaluated as “bad” in this statement probably refers to infidelity. Besides the strategy *evaluation*, El-Badry also seems to express moral evaluation in a different way. In one of the other statements quoted above he says that “Female circumcision purifies the woman because it makes her able to control her sexual feelings (...)”. In this clause he can be said to be using a subtype the sub-type of *moralization*, *abstraction*. Instead of saying that female circumcision will help prevent a woman from getting “sexually aroused all the time” and having sex with other people than her husband, which he indicates for example in the statement above, he states that female circumcision “purifies the woman because it makes her able to control her sexual feelings”. “[P]urifies” and “makes her able to control her sexual feelings” can here be seen as distilled qualities of the activities which are positioned as the effects of female circumcision. These *abstractions* can further be said to invoke a specific moral discourse of sexuality and gender relations.

I will further suggest that El-Badry, like Abd Elfattah and Fawzy, seems to invoke what can be characterized as an Islamic moral discourse of sexuality and gender relations. That his evaluations of the activities, which he positions as the effects of female circumcision, are grounded

in an Islamic moral discourse is indicated when he himself brings up the question of why the West today is so concerned about fighting this practice. He answers the question in these words:

They have not been talking about circumcision for 1400 years, so why now? Why now? This is because they want a bad generation. America thinks that religious people are very strong and powerful and hard to deal with, so they are trying to destroy the youths because they attacked the towers on 9/11. Now the West thinks that to fight Islam is the way to make the society weak. They are trying to spread illegal sex among the youths, and they think that if they (the youths) stay away from religious things they will not have the willpower to attack America again.

In this statement El-Badry seems to invoke a specific discourse of the West's "fight against terrorism". El-Badry believes that the West, which in this statement seems to mainly be referring to America, is fighting Islam in order to avoid more terrorist attacks. Fighting female circumcision is implicitly positioned as a part of this fight against Islam. I understand him to mean that by fighting female circumcision Americans are trying to spread an activity which can be avoided by practicing female circumcision; this activity is "illegal sex among youths". I suggest that "illegal sex" here refers to sex outside marriage, either sex before marriage or infidelity within marriage. These activities are in this statement implicitly understood to be non-Islamic, and the spread of these, which is achieved by fighting female circumcision, is understood as one element in the fight against Islam. I would further say that this indicates that El-Badry, in this statement and probably in the statements quoted earlier, in the moral evaluations of the effects of female circumcision, makes use of an Islamic discourse of sexuality and gender relations similar to the one used by Abd Elfattah and Fawzy.

#### **4.2. The use of discourses of sexuality and gender relations in order to de-legitimize female circumcision**

I will now shift my focus, and in this second part of the chapter I will concentrate on identifying the discourses of sexuality and gender relations which are applied in order to de-legitimize the practice of female circumcision. I will in this part of the chapter analyze the language use by the two informants who de-legitimize female circumcision, separately. I start by analyzing Kotb's use of language. I will argue that she makes use of a different medical discourse of female sexuality than the one used by the informants who legitimate the practice. Further, I will demonstrate how the use of a medical discourse in this case also seems to be closely intertwined with the use of an Islamic

moral discourse. The part of my analysis which concerns Kotb's references to the topics of sexuality and gender relations will extensively be based on statements from a conversation between Kotb and a group of medical students from Cairo University which took place at the seminar I attended right before the interview. When the topics of sexuality and gender relations came up during the interview, Kotb seems shortly to repeat some of the elements she described minutes earlier in the seminar. In other words, Kotb seems in the seminar to present a more coherent picture of female circumcision in relation to these topics. Thus, an analysis of the conversation between Kotb and the medical students will here be used to elucidate her use of language in the interview.

Second, I will in this part of the chapter focus on the informant Al-Futuh's use of a medical discourse of female sexuality in the interview I did with him. As we will see, he does not give as many indications as Kotb of what this medical discourse might contain, and although I will suggest it as a likely possibility that he does, I can because of this not know for sure if he makes use of the same medical discourse as Kotb. In addition some of the moral evaluations he makes use of in connection with the topics of sexuality and gender relations seem to be more hidden from view than in Kotb's speech. Before explaining this any further, I will now first direct my attention to Kotb's use of language.

#### **4.2.1 Kotb's use of *instrumental rationalization* and the identification of a new discourse of female sexuality**

We remember that the discourse of female sexuality used to legitimated female circumcision, among other strategies, was applied through *instrumental rationalization*. First, I will in the following demonstrate that the discourse of female sexuality, used by Kotb in order to de-legitimize the practice, similarly seems to be invoked by *instrumental rationalization*. Second, I will suggest central characteristic elements of the discourse of female sexuality she seems to make use of. I will start by looking at how Kotb refers to the topic of sexuality in the interview. In this context she states:

The reasons for why they are removing the clitoris is said to be to minimize the desire. This is not right because the desire is in the central nervous system, it's in the brain. It's not in this area.

In the the two first sentences of this statement Kotb implicitly points out that a reduced sexual desire will not be an effect of female circumcision, and by referring to the non-effects of the practice she can be said to implicitly make use of the strategy *instrumental rationalization* in order

to de-legitimize the practice. The de-legitimation seem to be presented as a response to and rejection of the opposite legitimation which refers to a reduced sexual desire as an effect of female circumcision, and this de-legitimation can therefore more specifically be described as an example of the strategy which I have characterized as *inverted instrumental rationalization*. In order to elucidate her use of *inverted instrumental rationalization* in the interview I will now direct my focus to a situation in the seminar where Kotb is asked by a student if female circumcision will reduce a girl's sexual desire. This is an extract from the conversation which followed this question:

Kotb: it (female circumcision) is not related to a girl's sexual desire. It is a wrong belief that it has to do with sexual desire. Performing circumcision on a girl does not reduce her sexual desire. Show me your hand? If I remove a piece of it, would you live normally? Yes, but it is yours so why should I remove it. It is unnecessary. Many women can live normally but something that is theirs is taken away from their body. Don't ask me why should we not remove it, but why should we?

The student: some says it ensures her chastity

Kotb: no, this is also some kind of ignorance. Women's sexuality is controlled from the brain. I will tell you something. Do you know all the prostitutes? All of them have been circumcised. All of them are from social groups where you can't avoid getting circumcised. Circumcision does not help a girl to be chaste.

The student: but those are beliefs that are deep rooted in the women.

Kotb: yes, but sexual desire and sexuality is related to the central nervous system. Only good education in religious moral and ethics will help a girl to let her sexual desire out in the right way. Her sexuality is related to these factors, not to the clitoris.

In Kotb's answers to the student's question there are two examples where *instrumental rationalization* is used to de-legitimize female circumcision. The first example is where she states "Performing circumcision on a girl does not reduce her sexual desire", and the second example is in the sentence "Circumcision does not help a girl to be chaste". Here, female circumcision is explicitly and respectively de-legitimized by pointing out that a reduced sexual desire is not an effect of female circumcision, and that the practice does not have potential for serving a specific

end, which in this sentence is “to be chaste”. Both of these two de-legitimizations seem to be presented as a response to and rejection of the opposite legitimation, and more specifically these de-legitimizations seem thereby similarly to the de-legitimation in the interview text to be examples of the strategy *inverted instrumental rationalization*. Combining this category with Van Leeuwen’s sub-types with different *orientations*, the first example, which emphasizes an effect female circumcision does not have, can be characterized as *effect-orientated*. The second example can be described as *means-orientated* in the way that it points out that female circumcision does not work as a means to ensure a girl’s chastity.

I further want to argue that the use of *inverted instrumental rationalization* in the interview and the seminar invoke a specific discourse of female sexuality. Within this discourse it is not the shape of any part of the sexual organ alone that determines the sexual conduct, as in the discourse employed by the informants who support the practice. In the last sentence in the extract of the seminar it is in contrast expressed that a girl's sexuality is not related to her sexual organs, or the clitoris which Kotb more specifically refers to. Instead she states that “Women’s sexuality is controlled from the brain”. A few more details of what she means by this are given in the sentence “yes, but sexual desire and sexuality is related to the central nervous system”. Similarly, she states in the interview that it is not right that female circumcision will reduce a girls sexual desire “because the desire is in the central nervous system, it’s in the brain. It’s not in this area”. I would suggest that Kotb's arguments in the seminar and the interview need to be understood in the light of certain medical theories of the human nervous system, and more specifically how the nervous system is related to female sexuality.

According to several medical books on the human nervous system, the central nervous system consists of the brain and the spinal cord, and constitutes together with the peripheral nervous system the human nervous system.<sup>76</sup> Together these two systems play an important role in controlling human behavior. Simplified, the central nervous system can be described as to informing the body about itself and the world around it and make the body react to this information. In this process the system identifies, integrates and interprets incoming impulses which then are sent as signals to different parts of the body. The peripheral nervous system is the part of the nervous system that is outside the central nervous system. Its main function is to connect the central nervous system to organs, muscles, blood vessels and glands. There are detailed theories of how human sexuality is related to the nervous system. These medical theories will not be discussed in detail in this analysis, however I find it important, on the basis of these theories, to suggest the

<sup>76</sup> See for example Per Brodal, *Sentralnervesystemet*, 3. utg. ed. (Oslo: Universitetsforl., 2001) and Werner Kahle and Michael Frotcher, *Nervous System and Sensory Organs*, 5th ed., 3 vols., vol. 3, Color Atlas and Textbook of Human Anatomy (Stuttgart: Thieme, 2002).

meaning of central elements in Kotb's argumentation and point out certain assumptions which seem to be present in her speech. This will be done in order to give a better idea of the content of this specific discourse of female sexuality which Kotb seems to make use of.<sup>77</sup> Here, I will first concentrate on the argumentation in the extract from the seminar, and thereafter suggest how this discourse can be used to explain the her argument in the interview.

In the beginning of the extract from the conversation between Kotb and the medical student Kotb states “it (female circumcision) is not related to a girl’s sexual desire. It is a wrong belief that it has to do with sexual desire. Performing circumcision on a girl does not reduce her sexual desire.” I believe that when she states that female circumcision “is not related to a girls sexual desire”, she does not mean that stimulation of the clitoris not in any way can have the effect of making a girl sexually aroused, and that the excision of this organ does not effect a girl’s sexual life. A likely assumption behind this statement is that sexual desire does not necessarily arise from stimulation of the clitoris, and that the girl might as well be sexually aroused without a clitoris. In other words, other factors than stimulation of the clitoris can send signals concerning sexual excitement to the brain, which further identifies, integrates and interprets these, and sends them to different parts of the body. Factors like for example other types of physical contact, a specific smell or a meeting with a special person who is found attractive can also have this effect. On this basis it can be said that a circumcised woman can have the experience of a strong sexual desire just like an uncircumcised woman, and by this assumption, female circumcision, which involves cutting parts of the female sexual organ, will not necessarily have the effect of a reduced sexual desire.

The assumption just described can also help to explain the statement “Circumcision does not help a girl to be chaste”. To understand how, we first need to look at some other assumptions which seem to be made by Kotb. The statement “Only good education in religious moral and ethics will help a girl to let her sexual desire out in the right way” implies that Kotb, similar to the informants who support female circumcision, assumes that female sexual desire needs to be directed in order to fulfill positively valued situations concerning sexual conduct. The difference is that she positions a religious education, instead of female circumcision, as the means to fulfill these ends. I will get back to this in section 4.2.3 where I argue that she in this connection invokes an Islamic moral discourse similar to the one used in order to legitimate the practice. However, what is important for the argumentation in this section is to note that she seems to believe that female sexual desire needs to be directed. This can further be seen in connection with the statement that women’s sexuality is

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<sup>77</sup> In the process of trying to grasp the content of, and the assumptions behind, Kotb's argumentation, on the basis of medical theories about the nervous system and sexuality, I have received much help from the Norwegian General Practitioner Siren Marie Skogstrand. This part of the analysis is based on my understanding of her explanations of the nervous system in relation to female sexuality in a conversation we had the summer 2008.

controlled from the brain. From how she further makes references to circumcised prostitutes in order to clarify what she means by this statement, I assume that sexuality in this situation refers to sexual conduct. A likely assumption, based on medical theories of the nervous system and female sexuality, is here that the final decisions concerning how a girl chooses to handle her sexual desire is related to processes in her brain, and further that a girl's thoughts and feelings related to sexual morals can have an impact on the outcome of these processes. With these assumptions in mind it is easier to understand what she means when she states that female circumcision "does not help a girl to be chaste". We can imagine a situation where a woman gets sexually aroused by other factors than stimulation of the clitoris, and does not have the moral system which Kotb implicitly refers to. From Kotb's references to the importance of education in religious moral and ethics I would assume that she believes that such a situation might lead a woman to do "unchaste activities". In this situation it would not necessarily make a difference whether the woman has a clitoris or not. Another possible assumption, which also would help to explain the statement about a girl's chastity, is that sexual conduct is not necessarily related to sexual desire. This means for instance that the prostitutes Kotb describes are not necessarily driven to this job by a strong sexual desire, it might as well be other factors which lead them to prostitution. Also from this assumption it would not necessarily make a difference whether these women are circumcised or not.

Also the mentioned statement from the interview with Kotb seems to be based on the assumptions described above. She then states: "The reasons for why they are removing the clitoris is said to minimize the desire. This is not right because the desire is in the central nervous system. It is in the brain. It is not in this area". I suggest that she in this statement, in a simplified way, aims to explain that a girl's sexual desire is related to the nervous system, and that on the basis of how the nervous system works we can not say that female circumcision automatically will reduce a girl's sexual desire. From the discussion above, I would further suggest that the argument that female circumcision will not "minimize" a girl's sexual desire more specifically is based on the assumption that a girl can get sexually aroused from other factors than the clitoris, and that the excision of the clitoris therefore will not necessarily reduce the sexual desire.

#### **4.2.2 The discourse of female sexuality used by Kotb is invoked by *theoretical rationalization***

I have suggested in the section above that Kotb seems to make use of medical theories on the connection between the human nervous system and sexuality, and by that I have already indicated that the discourse of female sexuality which is used by Kotb in order to de-legitimize female circumcision is of a medical character. This point is also indicated in the use of the strategy *theoretical rationalization*, in which the de-legitimation is grounded on "the way things are".



Similar to Fawzy's, Kotb's *instrumental rationalizations* seem to be embedded in and legitimated by *theoretical rationalizations*. The statements from the seminar “Performing circumcision on a girl does not reduce her sexual desire” and “Circumcision does not help a girl to be chaste” are presented as facts of “the way things are”. Similarly, the statement “The reasons for why they are removing the clitoris is said to minimize the desire. This is not right because the desire is in the central nervous system.”, which is uttered in the interview, also seems to be presented as a fact. From her own references to “the central nervous system”, which I would characterize as a medical term and regarding the seminar, the context where Kotb is asked as a doctor by medical students, I would assume that “the differentiated body of knowledge” which is used to provide this de-legitimation is the field of medical science. From that I will also more specifically characterize these *instrumental rationalizations* as examples of the sub-type *scientific rationalization*. The implicit answer to the question of *why female circumcision should not be practiced* can, from this, be said to be something like *because the medical science shows that female circumcision will not reduce a girl's sexual desire and that it will not help her to be chaste*. In the following section I will further suggest that these *rationalizations* in addition contain elements of moral evaluation. More specifically, I will suggest that she seems to make use of a similar Islamic moral discourse as the three informants who use *rationalizations* in order to legitimate female circumcision. The use of such a discourse is more explicit in the seminar, and this part of the analysis will therefore be based on her statements uttered in this context.

#### **4.2.3 Kotb' use of an Islamic moral discourse and legitimation of religious education**

Through the use of *inverted instrumental rationalizations* Kotb argues that female circumcision does not have the effect some people say it has, or does not work as a means to achieve the effect as some people say it will. The effects are valued as positive by those people who Kotb implicitly respond to. In the de-legitimizations made by Kotb, she can also be said to make her own moral evaluations of the activities which she understands to be non-effects of female circumcision. Based on her statements in the seminar I would first suggest that the non-effect, to make a girl chaste, probably is positively valued by Kotb. This is implicitly indicated when she seems to place this effect in contrast to prostitution which probably is negatively valued. She can in this connection be said to implicitly be using the sub-type of *moralization, analogy/comparison*. The implicit answer to *why a girl should be chaste* is here something like *because it is not like prostitution which is associated with negative values*. That Kotb seems to value chastity as something positive is in addition expressed in another part of the conversation between Kotb and the medical students. She

is asked whether a man on the wedding night can find out if his wife has had her hymen repaired, and answers the question in these words:

No, only if he takes her to the doctor. But virginity does not only have to do with this tissue. A girl can do so many other wrong things and still have her hymen intact, like having relationships and having sex in ways that will not make the hymen break. Virginity is a bigger concept. 50-60 % of girls do not bleed during the wedding night. Neither the hadiths nor the Quran mention this bleeding. There are many men who ask me: “how do I know that my wife is a virgin?”. The best way is to get to know your wife and her moral. The tissue itself does not say something about her moral.

Kotb seems in this statement to value virginity as something positive. This is for example indicated in the sentence “A girl can do so many other wrong things and still have her hymen intact, like having relationships and having sex in ways that will not make the hymen break”. It is here implicitly indicated that whether a girl should be characterized as a virgin or not does not only depend on whether the girl has had vaginal sex which made her hymen break. Kotb explains that she can also have done “other wrong things”, which I assume would characterize her as a non-virgin. It can also be mentioned that Kotb in this statement implicitly indicates that a girl can be a virgin even if the hymen is broken and she does not bleed on the wedding night. What is of importance for my argumentation is that both having vaginal sex before marriage, in addition to “having relationships and having sex in ways that will not make the hymen break” seems to be negatively valued by Kotb. The moral evaluation of these activities are more specifically expressed through the strategy of *evaluation*. It is the adjective “wrong” which is used to describe these activities.

If we now return to the extract of the seminar where Kotb is asked about female circumcision, we can use her moral evaluation of activities corresponding to being a non-virgin to understand parts of her speech in this extract. I mentioned earlier that Kotb seems to believe that a girl's sexual desire needs to be directed in order to fulfill positively valued situations, and I have now identified some of these to be that a girl neither has vaginal sex nor relationships or other types of sex before marriage. I further assume that all these non-activities can be included in the concept of chastity which Kotb positions as a non-effect of female circumcision. In this connection I would say that Kotb seems to suggest an alternative to female circumcision in order to fulfill these ends. She states: “Only good education in religious moral and ethics will help a girl to let her sexual desire out in the right way”. In this sentence we find an example of a *means-orientated*

*instrumental rationalization*. “[G]ood education in religious moral and ethics” is here positioned as a means to “help a girl to let her sexual desire out in the right way”. I assume that “to let her sexual desire out in the right way” among other things would include the non-activities described to be included in the concept of chastity, and having sex within marriage. This *instrumental rationalization* can further be said to contain a specific type of *moralization*, namely *abstraction*. Instead of explaining that religious education will help a girl to not do the described non-activities and only have sex within marriage, she makes use of the abstraction “to let her sexual desire out in the right way”. Further, since Kotb seems to connect this abstraction to a “good education in religious moral and ethics”, I would assume that the moral evaluation of these activities can be said to belong to a religious moral discourse of sexuality and gender relations. On the basis that Kotb is a Muslim, I would more specifically identify this as an Islamic moral discourse of sexuality and gender relations. This Islamic moral discourse seems to contain similar elements to the moral discourse used by those who legitimate female circumcision. The difference between Kotb's argumentation and theirs is that she presents another means than female circumcision to fulfill certain positively valued activities.

Kotb's moral discourse seems to differ from the one used by those who legitimate the practice on one point. In the extract she explains that “Performing circumcision on a girl does not reduce her sexual desire”. I would suggest that she probably does not connect positive values to reducing a girl's desire, and that she in this sentence does not mean to say that female circumcision is an ineffective means to achieve this positively valued effect. As mentioned Kotb seems to present it as necessary to lead a girl's sexual desire in a specific direction. However, she does not express that the sexual desire needs to be reduced in order to have this effect. Instead, I would suggest that she means that “good education in religious moral and ethics” is a strong enough means to lead a girl's sexual desire in “the right” direction.

#### **4.2.4 Al-Futuh's use of a medical discourse of female sexuality in order to de-legitimate female circumcision**

Al-Futuh also makes use of a connection between female circumcision and female sexuality. He seems, similarly to Kotb, to de-legitimate female circumcision through the use of a medical discourse of female sexuality. However, as mentioned above he does not give as many indications of what this medical discourse contains, and I can from my data material not tell whether or not he makes use of the same medical discourse as Kotb. Also, similarly to her, he seems to make use of *inverted instrumental rationalizations*, but his use of language seems to be different from hers in the way that the moral evaluations of the activities connected to the mentioned purpose of female

circumcision are in his case more hidden from view. In order to show how Al-Futuh seems to differ from Kotb on this point I will have a look at two different situations where he mentions the topic of sexuality.

First, this topic is mentioned when he answers the question of what he thinks are the reasons behind the practice of female circumcision in Egypt. He then states: “Some says this is to make the female more polite, and not so sexually active. This is not medical. As a medical doctor I say that this is not medical”. I understand his statement to mean that the argument that female circumcision will make a woman more polite and less sexually active can not be legitimated from a medical point of view. Or in other words, from a medical point of view female circumcision can not be said to make a woman more polite or less sexually active. By that I would say that he implicitly makes use of an *instrumental rationalization*. More specifically, this can be characterized as *inverted instrumental rationalization*. The de-legitimation can be described as a response to what Al-Futuh seems to think of as a common legitimation of the practice. His response is to point out that from a medical point of view female circumcision does not have the effects that some people claim it has. The *instrumental rationalization* can further be said to be implicitly embedded in and legitimated by a *scientific theoretical rationalization*, which further is embedded in and legitimated by a *personal authorization*. The implicit answer to the question of *why female circumcision should not be practiced* is here something like *because I, as a medical doctor, say that the medical science does not show that female circumcision makes a woman more polite and less sexually active*.

That Al-Futuh seems to think that referring to effects related to female sexuality are not legitimate reasons for cutting parts of the female genitalia is also indicated in the second situation where the topic of female sexuality is mentioned. As mentioned in chapter 1, both of the two informants who de-legitimate female circumcision legitimated another practice which also involves exision of parts of the female genitalia, and which they consider to be different from female circumcision. The second time the topic of female sexuality is touched upon by Al-Futuh is in a situation where he legitimates a practice which he refers to as a “plastic surgery”, and which he explains should only be done on a small percentage of girls or women, and then only if she herself wants it to be done. I asked him why some women need such a plastic surgery and he answers the question in these words:

According to, from our medical view because there is a genital defect, a deformation. There is a genital defect, but not as some say because he should stop the desire and so on and so on.

In this statement Al-Futuh seems to legitimate a “plastic surgery” on females with a “genital defect” by implicitly comparing this type of procedure with female circumcision. In doing that he can also be said to be de-legitimizing female circumcision. More specifically he seems to distinguish these practices from each other by implicitly saying that they are performed with different purposes. The “plastic surgery” is performed in order to fix “a genital defect”. As mentioned in chapter 1 El-Futuh also, at one point in the interview, explains that this “genital defect” refers to a “too big clitoris” which in some cases might create “psychological problems”. On this basis I suggest that it is implicit that this “plastic surgery” also is performed in order to avoid such psychological problems. I asked Al-Futuh what kind of psychological problems he is talking of, however this was not further explained. He simply says “that any malformation makes a psychological problem” and “this (the genital defect) makes it very disturbing, because there is a malformation”. What is clear is that these psychological problems are not related to a girl's sexual desire. This is indicated in the way that he seems to put up an implicit contrast between the purpose of this practice, and what he sees as one of the purposes of female circumcision, namely to “stop the desire ”. Further, with the focus on the different purposes of a “plastic surgery” and female circumcision, these two practices can in the statement above respectively be said to be implicitly legitimated and de-legitimated through the use of *instrumental rationalization* and *inverted instrumental rationalization*. These legitimations can further be said to be embedded in and legitimated by *scientific rationalizations* in the way that they are legitimated and de-legitimated by implicit references to “the way things are”. The “differentiated body of knowledge”, which here provides the legitimation and the de-legitimation, is the medical science. In the statement Al-Futuh states that this is “a genital defect” from a medical point of view, and I assume that this also means that this practice, on the basis of the purpose it has, can be justified from a medical point of view. From this statement, where female circumcision is positioned as a contrast to a “plastic surgery”, and also from Al-Futuh's first statement concerning female sexuality, I assume that he thinks of female circumcision, on the basis of its purpose, as a practice which can not be legitimated from a medical point of view. Further, Al-Futuh's comparison between a “plastic surgery” and female circumcision can be said to demonstrate that the medical discourse of female sexuality which he uses to de-legitimate female circumcision, in his speech is closely intertwined with a medical discourse of the practice he refers to as a “plastic surgery”.

Concerning the comparison in itself I would identify this as a specific type of *moralization*, namely as an *analogy*. The implicit answer to the question of *why a “plastic surgery” should be performed* is here *because it is not like female circumcision which is associated with negative values*. Or the opposite, *why female circumcision should not be practiced*, it will be *because it is not like a plastic surgery which is associated with positive values*. The negative and positive values

seem in this statement to be connected to the assumed purposes of the two practices, which further as mentioned seem to be grounded in medical discourses. By this I mean that Al-Futuh seems to value these practices as positive and negative on the basis of what he understands to be medical science.

In the analysis of the other informants' use of *instrumental rationalization* it is mentioned that this type of strategy always contains moral evaluations. What kind of moral evaluations Al-Futuh makes of the mentioned purpose of practicing female circumcision, “to stop the desire”, is not indicated. The same thing can be said for the purposes of female circumcision, mentioned by Al-Futuh in the first statement, namely that it will “make the female more polite, and not so sexually active”. As suggested, he seems to mean that from a medical point of view female circumcision will not make a female more polite and less sexual active. However, it is not indicated whether he connects positive or negative values to these activities in themselves. In other words, moral evaluations of the activities connected to the purposes of female circumcision, and what kind of moral discourse these would belong to, can in contrast to the other informants' speech be said to be hidden from view in Al-Futuh's use of language.

Al-Futuh's use of *instrumental rationalization* also differs from the other informants' use of this strategy on another point. As we have seen he seems to make use of a medical discourse of female sexuality in order to de-legitimize female circumcision. From the statements it is clear that, within this discourse, female circumcision can be said neither to make a woman more polite and less sexuality, nor to stop her sexual desire. However he does not give any further indications why this is so. One possible suggestion would be that he makes use of a similar medical discourse of female sexuality as the one used by Kotb, namely a discourse which contains theories of the human nervous system in relations to female sexuality. One possible indication of this should be mentioned here. At one point in the interview Al-Futuh refers to Muhammed Salim El-Awa, an Egyptian lawyer and Islamic scholar who has written an information pamphlet about female circumcision from an Islamic point of view. Al-Futuh tells me: “If you want to read scientific research about this, read what Doctor Salim El-Awa said”. Reading through this pamphlet I found that Salim El-Awa, among other things, seems to base his argument, that female circumcision should not be practiced, on medical theories which says that sexual behavior can be controlled from the brain. He says for example that “It goes without saying that the sexual behavior of the man and the woman, be right or not, is determined according to the brain which gives instructions to the organs of the body”.<sup>78</sup> I would here suggest that Salim El-Awa makes use of a similar medical discourse as the one used by

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<sup>78</sup> Muhammed Salim El-Awa, “FGM from an Islamic Perspective,” in *FGM Free Village Model Project* (Cairo: NCCM, UNDP, and DAG Egypt, n.d.).

Kotb. Since Al-Futuh refers to Salim El-Awa's pamphlet as a “scientific research”, I would assume that there is a possibility that he will agree on these medical theories, and implicitly makes use of them in the interview.

### **4.3 One informant does not make use of discourses of sexuality and gender relations**

The informant Habib does, as mentioned in the introduction to this chapter, not make use of discourses or discursive resources concerning the topics of sexuality and gender relations when he de-legitimizes the practice. Since sexuality and gender relations seems to be central topics for the other informants in the legitimation or de-legitimation of female circumcision I find it important in this last part of the chapter to suggest some possible reasons for why Habib seems to differ from the others on this point.

One possible reason is of course that Habib simply does not see a connection between female circumcision and the topics of sexuality and gender relations. As mentioned before, Habib makes it clear that not all girls need to be circumcised. He states: “some might need it, others might not need it”. He further explains that it should be a doctor who decides whether a girl needs to be circumcised or not. However, he does not give any explanations for how or why the doctor decides whether female circumcision is necessary or not. There can be many possible assumptions behind his use of language. Since, he does not explicitly state how many girls need this procedure, it could for example be suggested that he has similar reasons for performing what he refers to as female circumcision as the informants who de-legitimize female circumcision have for what they refer to as a “plastic operation” or a “surgical excision”. As just mentioned, Al-Futuh states that a small percentage of girls have a “genital defect”, and it might create psychological problems if parts of the clitoris is not excised. Kotb explains that if the clitoris is “exceeding the limits of labia majora” the clitoris might get wounded, and a “surgical excision” can be performed.<sup>79</sup> It should be mentioned that if Habib is thinking of similar reasons for performing female circumcision, the practice which he legitimates still seems to differ from the “plastic operation” or the “surgical excision” which is legitimated by Kotb and Al-Futuh on one point. Both Al-Futuh and Kotb state that that this is a procedure which is done if a girl or a woman herself comes to the doctor and complains about problems, and if this is the case it should only be done if the girl or the woman decides that she wants to do this. In Habib's description of the practice he legitimates, it is indicated that it is not the girl or the woman herself who makes these decisions. In the beginning of the interview he states that he himself did not circumcise his four daughters. When he is asked if this decision was based on his own considerations he states: “Actually I asked doctors and took their

<sup>79</sup> For a closer analysis of Kotb's legitimation of this “surgical excision” see 5.2.1.

advices. There was no problem”. I suggest that this statement indicate that the girls themselves are not the decision makers in the practice Habib legitimates.

I will further suggest another possible reason for why Habib does not make use of discourses of sexuality and gender relations. Discussions on topics related to sexuality are in an Egyptian context often considered to belong to a private sphere, and I would suggest that it is possible that this element had an effect on how he chose to legitimate the practice in the interview situation. As explained in chapter 1, the two informants Al-Futuh and Habib stand out from the others in the way that they have not personally participated in the public discourse of female circumcision. I would assume that since Al-Futuh is a medical doctor, he has probably touched upon the topics of both female circumcision and sexuality in his medical practice. Habib on the other hand, might not be as used to present his opinions on the practice outside his private sphere. Since sexuality is a sensitive topic this might be more uncomfortable to talk about than other topics which are related to female circumcision, such as for example references to this practice in the sources of the *Sharia* which will be my focus in the following chapter. I would therefore suggest that there is a possibility that Habib does not mention the topics of sexuality and gender relations because he would feel uncomfortable talking about it with a young Norwegian woman outside his own private sphere.

#### **4.4 Summary of the chapter**

In this chapter I have demonstrated that three of the four proponents of female circumcision seem to make use of a specific discourse in which female sexuality is understood to be a process consisting of certain elements which are caused by each other. The main elements of this process can be said to be: a *wrong shaped* clitoris that causes a strong uncontrollable sexual desire which further leads a woman into morally unwanted situations related to sexuality and gender relations. Through the use of different orientations of the legitimation strategy *instrumental rationalization*, these three informants position female circumcision as a practice which will break these series of conditional relations. More specifically, they point out negatively valued activities which female circumcision will help to prevent, or they state that the prevention of these will be the effects of the practice. Or they focus on positively valued activities and state instead that these will be the effects of female circumcision, or that female circumcision will help to achieve these positively valued activities. The negatively valued activities are for instance sex between women, sex outside marriage, and stimulation of clitoris in order to get clitoral orgasms which is mentioned by the informant Fawzy to lead to homosexual relationships and a population decline. That homosexual relationships will lead to a population decline is further legitimated by implicitly using European populations statistics as



an authority, and thereby invoke a discourse concerned with a European population decline. The described positively valued activities are for example to get married and have children.

I have further demonstrated that the *instrumental rationalizations* used by these three informants are embedded in and legitimated by either *expert authorizations* or *scientific rationalizations*, something which give the discourse of female sexuality a medical character. The informants who make use of *expert authorizations* refer in this connection to certain written resources from this specific medical discourse. Further, I have demonstrated that the *instrumental rationalizations*, embedded in and legitimated by *expert authorizations* and *scientific rationalizations*, seem to contain elements of moral evaluation belonging to a specific Islamic discourse of female sexuality and gender relations, and the informants make in this connection use of different types of *moralization*. The types of *moralization* which are used in this connection are: *evaluation*, *naturalization*, *inverted naturalization*, *analogy/comparison*, and *abstraction*.

In the part of the chapter which had a focus on the language used by the opponents of female circumcision, we have seen that Kotb makes use of a medical discourse of female sexuality which is different from the one used by Abd Elfattah, El-Badry and Al-Futuh. Within this discourse we find theories of the connection between the human nervous system and female sexuality. This discourse is applied through the use of different orientated types of *inverted instrumental rationalization*, which point out that female circumcision will not have the effect of a reduced sexual desire, or will not work as a means to make a girl chaste. This medical discourse too, seems, similarly to the one used to legitimate the practice, to be invoked by the use of *scientific rationalizations*. In addition it also seems to be working together with an Islamic moral discourse of sexuality and gender relations. The applied *inverted instrumental rationalizations*, embedded in and legitimated by *scientific rationalizations*, contain, in addition to the moral evaluations made by the people Kotb responds to in these legitimations, her own moral evaluations. Kotb's moral evaluations are more explicitly expressed in the seminar, and in this context she makes use of the subtypes of *moralization*, *analogy/comparison* and *evaluation*.

I have further suggested that Kotb's moral evaluations invoke an Islamic moral discourse which seems to be similar to the one used by the proponents on certain points. In this connection Kotb seems in the seminar to suggest an alternative to female circumcision, namely “good education in religious moral and ethics”. She explains that only this “will help a girl to let her sexual desire out in the right way”. “The right way” in this context probably includes elements such as that a girl neither has vaginal sex nor other types of sex before marriage, and when she is married she should only have sex with her husband. Here it is a religious education which is positioned as a means to “help a girl let her sexual desire out in the right way”, and I have identified this as a

different example of the use of *instrumental rationalization*. Further, I have demonstrated that this *instrumental rationalization* contains a specific sub-type of *moralization*, namely *abstraction*. The Islamic moral discourse used by Kotb seems to differ from the one used by the proponents of female circumcision on one point. Kotb does not seem to value positively a reduced female sexual desire. Instead, I have suggested that she means that a “good education in religious moral and ethics” is a strong enough means to direct a girl's sexual desire in “the right” direction, and that there thereby is no need to reduce a girl's sexual desire.

I have further demonstrated that Al-Futuh, like Kotb, through the use of *inverted instrumental rationalizations* makes use of a medical discourse of female sexuality, and I have suggested that this discourse might be similar to the one used by her. These *inverted instrumental rationalizations* are embedded in and legitimated by *scientific rationalizations*, and the first presented *inverted instrumental rationalization* contains in addition a *personal authorization*. Further, the second presented *inverted rationalization* is used in an implicit comparison between female circumcision and a “plastic surgery”. The comparison is based on the two practices' different purposes. Or in other words, two different *instrumental rationalizations* are contrasted. I have further argued that this comparison also demonstrates that the medical discourse of female sexuality which is used to de-legitimate female circumcision is in Al-Futuh's speech closely intertwined with a discourse of the practice which he refers to as a “plastic surgery”. The comparison itself is identified as an example of the sub-type of *moralization, analogy/comparison*. The positive and negative values, which are connected to these two practices, are related to their different purposes. The *moral evaluations* Al-Futuh makes of the effects in the mentioned *rationalizations* are hidden from view.

Towards the end of the chapter I have suggested two possible reasons for why the informant Habib does not make use of discourses or discursive resources of sexuality and gender relations when he legitimates female circumcision. One possible reason is that he would not make a connection between this practice and the topics of sexuality and gender relations in any contexts. Another reason could be that he feels uncomfortable talking about sexuality and gender relations with me, a young Norwegian woman.

In the following chapter I will shift my focus to another discourse which seems to be used by all the informants, both those who legitimate and those who de-legitimate female circumcision. I will in that chapter concentrate on the informants' use of an Islamic scholarly discourse of female circumcision.

## 5. The use of an Islamic scholarly discourse of female circumcision

Both former and contemporary Islamic scholars have participated in an Islamic scholarly discourse where the aim has been to decide whether the practice of female circumcision has a basis in the *Sharia* or should be characterized as a non-Islamic practice.<sup>80</sup> In this chapter I will demonstrate how the informants, either in order to legitimate or de-legitimate the practice, make use of resources from this Islamic scholarly discourse. First, the focus will be on the informants' references to sources of the *Sharia* which are used to define female circumcision within the scholarly discourse. More specifically the focus in this part of the chapter will be on the informants' use of the Quran and the *Sunna* (the tradition of Prophet Muhammed), respectively the first and the second source of the *Sharia*. The informants make interpretations, evaluations and categorizations on the basis of these two sources, and we will see that they also make use of certain tools used within an Islamic scholarly discourse in this process. The interpretations, evaluations and categorizations are in themselves understood as resources possibly existing within the Egyptian public discourse of female circumcision. I assume that some of these resources in addition can be said to belong to the Islamic scholarly discourse of female circumcision, however this chapter will not concentrate on identifying which are and which are not resources from this Islamic scholarly discourse.<sup>81</sup> Instead, an important aim of the chapter will be to identify these resources which possibly exist within the public discourse. As we will see, some of the interpretations and the evaluations are further legitimated through different legitimation strategies. In these cases I will define the legitimation strategies, the discourses and discursive resources which seem to construct these strategies. Concerning certain legitimations where the legitimation of the interpretation or evaluation is provided by an other Quranic verse or another elements of the *Sunna* I will not repeat that these sources can be characterized as resources used within an Islamic discourse of female circumcision.

In the end of this chapter I will change the focus from the the use of the Quran and the *Sunna* to the informants' use of fatwas on female circumcision. Fatwas are opinions on a certain topic in Sharia given by a *mufti* (deliverer of fatwas). The *muftis* who issued the fatwas which are used by the informants can in this connection be described as a participant within the Islamic scholarly discourse of female circumcision, and the fatwas are thereby texts produced within this discourse.

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<sup>80</sup> Sami A. Aldeeb Abu-Sahlieh, *Male & Female Circumcision: Among Jews, Christians and Muslims: Religious, Medical, Social and Legal Debate*, Marco Polo Monographs (Warren Center, Pa.: Shangri-La Publications, 2001), 121-122.

<sup>81</sup> For an elaborate description of the Islamic scholarly discourse of female circumcision see for example Aldeeb Abu-Sahlieh, *Male & Female Circumcision: Among Jews, Christians and Muslims: Religious, Medical, Social and Legal Debate*.

It should be noted that one of the informants stands out from the others when it comes to the use of the Islamic scholarly discourse of female circumcision, and especially in referring to the sources of *Sharia*. This is El-Badry. He is the only one of the informants who makes references to the Quran, and he also makes more references to the *Sunna* than the other informants. I consider his background as a likely explanation of this difference. Because of his position as a Muslim Shaikh, in addition to his work to defend female circumcision as an Islamic practice in court, he can be said to have a special knowledge of the Islamic scholarly discourse of female circumcision.

### 5.1 El-Badry's use of the Quran in order to legitimate female circumcision

I will start this chapter by focusing on El-Badry's use of the first source of the *Sharia*, the Quran. By using the Quran as an authority to provide legitimation for female circumcision El-Badry applies a legitimation strategy which can be positioned in the sub-type of *authorization*, which I in chapter 3 characterized as *counter-intuitive agent authorization*. In this type of strategy the legitimation is provided by a *counter-intuitive agent* which in this case is Allah. To see how this strategy is used and what it contains we will now look at an extract from the interview with El-Badry:

El-Badry: in *Surat Al-Baqara* (The Cow) there is a verse saying that Allah tested Ibrahim with *kalimat* (words/commands). These *kalimat* are understood as *fitra* (laws of nature/innate human nature). Some people say there are 5 of these, others say 10 but there are in fact 13. *Fitra* is the way Allah first created us, but people tend to change these *fitra* as mentioned in *Surat Al-Nisa*.

The interviewer: it's says in the Quran that it is 13?

El-Badry: no, it's from a hadith. This is the explanation for *kalimat* in *Al-Baqara* (The Cow). I will now read about the *fitra* from the book *Sunan Al-Fitrah* (The norms of the *fitra*).<sup>82</sup> The first thing is washing after using the bathroom. The second is washing organs in ablution thoroughly. The third is washing the knuckles as some people have dirt in them, especially workers who always deal with grease. Number four is using *siwak*, a toothbrush. Muslims were the first ones in the world to use *siwak* and brush their teeth. Number five is washing the mouth. Number six and seven are washing the nostrils. We were asked by Prophet Muhammed to take water through the nose and blow it out. And we were asked to

<sup>82</sup> The book, *Sunan Al-Fitrah*, is written by Dr. Ahmad Ali Rayyan, professor at Al-Azhar University, Faculty of Sharia and Law.

do this unless we are fasting. This is a better way to wash the nose rather than using fingers. Number eight is taking a shower on Friday according to the Prophet's *Sunna*. It is obligatory for every adult male and female Muslim. This is because Muslims go to the mosque, this is the Muslim weekly festival. Number nine is removing the pubic hair. Number ten is plucking the armpits. Number eleven is cutting the hair and trimming the nails. Number twelve is trimming the mustache so it doesn't grow longer than the mouth. Number thirteen is letting the beard grow. Number fourteen is parting the hair in the middle, not here, not here (shows with his hands). Number fifteen is the circumcision (*al-khitan*)!

The interviewer: for both? Men and women?

El-Badry: yes

The specific Quranic text which in this situation is used to legitimate female circumcision is the verse 2:124: "When Abraham's Lord tested him with certain commandments (*kalimat*), which he fulfilled, He said, 'I will make you a leader of men'". Embedded in the legitimation provided by this verse we find an interpretation of the Arabic word *kalimat* (words/commands). El-Badry understands *kalimat* to mean *fitra*, which often is translated to mean *laws of nature* or *innate human nature*. El-Badry also presents a interpretation of the meaning of the word *fitra*, and his interpretation of this word can further be said to be legitimated through the use of different subtypes of the strategy *authorization*. First he mentions the number of the *fitra*, and refers in this connection to a hadith as an authority. As I will describe more closely in the next section, the authority in a hadith is in most cases Prophet Muhammed or one of his companions. These are understood by Muslims to be role models, and I will therefore characterize this as an example of *role model authorization*. There are several hadiths which refer to circumcision as part of the *fitra*<sup>83</sup>, and the Shaikh does not giving any further interpretation or characterization of the hadith he refers to.<sup>84</sup> Second, when El-Badry interprets the meaning of the word *fitra* he also refers to another *sura* (chapter) in the Quran. He says: "*Fitra* is the way Allah first created us, but people tend to change these *fitra* as mentioned in *Surat Al-Nisa*". The term *fitra* is only mentioned once in the Quran, and this is in verse 30:30 (*Surat Al-Rum*). One suggestion would be that El-Badry here actually refers to

<sup>83</sup> Different versions of these hadiths are collected by Al-Bukhari, Muslim, Al-Tirmidhi, Al-Nasai, Ibn Madja, and Ahmad Ibn Hanbal. For detailed references see Arent J. Wensinck, *Concordance et Indices de la Tradition Musulmane*, 8 vols., vol. 2 (Leiden: Brill, 1992), 11.

<sup>84</sup> I will get back to the hadiths concerning the *fitra* in the part of the chapter where I describe how the informants make use of hadiths in order to legitimate and de-legitimate female circumcision. See 5.2.2.

verse 4:46 (*Surat Al-Nisa*) which among other things states: “Some Jews distort the meaning of [revealed] words: they say, 'We hear and disobey,' and 'Listen,[adding the insult] 'May you not hear,' and 'Ra'ina [Look at us],' twisting it abusively with their tongues so as to disparage religion”. This is the only verse in *Surat Al-Nisa* which mentions that words/commands (*kalimat/kalima*) might be taken out of their context and changed. References to the Quran can as explained above be defined as *counter-intuitive agent authorization*. Third, El-Badry explicitly states that circumcision, both male and female, is one example of the *fitra*, and refers in this connection to the book *Sunan Al-Fitrah*. This book is written by Dr. Ahmad Ali Rayyan, professor at the University Al-Azhar, Faculty of Sharia and Law, who I assume in this context is understood to be an expert in the field of *Sharia*. Thus, I will define this as an example of *expert authorization*. The book is produced within a scholarly Islamic discourse, and since it contains statements which contribute to the construction of the object female circumcision, it can in this connection more specifically be characterized as a resource from the Islamic scholarly discourse of female circumcision.

There is also another element which can be said to be embedded in this legitimation, though more implicitly. Later in the interview El-Badry says: “female circumcision is confirmed to be obligatory (*wajib*) both by the Quran and the *Sunna*”. Within the Islamic scholarly discourse practices are divided into different categories or levels of what is right and wrong according to the *Sharia*.<sup>85</sup> *Wajib* (obligatory) is one of these levels, and El-Badry can therefore be said to make use of a tool from the Islamic scholarly discourse. The other levels of what is right and wrong are: *mandub* (recommended), *mubah* (neither recommended nor advised against doing, meaning that it is allowed), *makruh* (advised against doing), and *haram* (prohibited). El-Badry says that female circumcision is confirmed to be obligatory (*wajib*) by the Quran, and I assume that this categorizing is made on the basis of the interpretation of the verse 2:124 discussed above. Further, El-Badry's explicit categorization of female circumcision as obligatory reveals a weak point in the theory of legitimation used in this thesis. With reference to Van Leeuwen I have defined legitimation as an answer to the spoken or unspoken questions *Why should we do this?* or *Why should we do this in this way?* This definition does not take into account that there might be several levels of legitimation. Concerning El-Badry's legitimation provided by the Quran I would suggest that this legitimation more correctly could be described as an answer to the question *Why is it obligatory to practice female circumcision?*, which would make it clear that female circumcision is not only recommended for some girls, but that it is mandatory. The answer given by El-Badry would then be

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<sup>85</sup> Knut S. Vikør, *Mellom Gud og stat: Ei historie om islamsk lov og rettsvesen* (Oslo: Spartacus, 2003), 45.

something like *it is obligatory to practice female circumcision because it is confirmed by the Quran to be obligatory*.<sup>86</sup>

## 5.2 The use of the *Sunna* in order to legitimate or de-legitimate female circumcision

I will now direct my attention to the informants' references to the second source of *Sharia*, namely the *Sunna*, the tradition of Prophet Muhammed. To find his *Sunna*, Muslim scholars refer notably to compilations of hadiths, stories of the Prophet and his contemporary society. Similar to the use of the Quran, using hadiths as authorities can be characterized as examples of the strategy *authorization*. As mentioned in the section above, the authority/ies in the hadiths are Prophet Muhammed, his companions or his contemporaries. The hadiths of the Prophet's companions and contemporaries are understood by Muslims to have a lower status than the hadiths where the Prophet himself is involved. However, these hadiths are still considered to have a certain normative power.<sup>87</sup> In this chapter we will see that the informants position the Prophet himself and his companions as role model authorities in their legitimations and de-legitimations of female circumcision. In addition, there are also examples of the use of hadiths which tell of the Prophet Ibrahim and his wife, Sarah, and I will later describe more closely how these two also can be considered to be role models. In general, the legitimation or de-legitimation strategy of referring to role models as authorities can be identified as *role model authorization*. In this sub-type of *authorization*, a statement which says that a role model adopts or recommends a specific type of behavior is enough to legitimate or de-legitimate a practice.<sup>88</sup>

Two elements can be described to be embedded in all the legitimations and de-legitimations provided by the authority of the role models mentioned above. First, the informants either implicitly or explicitly provide an interpretation of the hadith. Second, they give an evaluation of the authenticity of the hadith. In this evaluation the informants make use of tools from an Islamic scholarly discourse. In a scholarly discourse, to categorize a hadith on the basis of its authenticity, the scholars make use of a scale of value which reaches from *sahih* (authentic) to *daif* (weak).<sup>89</sup> From this scale, only the terms *sahih* and *daif* are used by my informants. Not all the informants make use of the Arabic legal terms, in the interviews where the communication language is English the informants evaluate the hadiths to be “authentic”/“strong” or “not confirmed well”/“not right”.

Some of the legitimations can in addition be said to contain a third element, namely categorizations of female circumcision on the basis of levels of what is right and wrong according

<sup>86</sup> See chapter 6 for a closer discussion of this weak point in the theory of legitimation used in this thesis.

<sup>87</sup> Vikør, *Mellom Gud og stat: Ei historie om islamsk lov og rettsvesen*, 47.

<sup>88</sup> Van Leeuwen, *Discourse and Practice: New Tools for Critical Discourse Analysis*, 107.

<sup>89</sup> Vikør, *Mellom Gud og stat: Ei historie om islamsk lov og rettsvesen*, 50.

to the *Sharia*. In the section above I described El-Badry's characterization of female circumcision as obligatory (*wajib*) to be embedded in the legitimation provided by the Quran, and said that this characterization probably was based on the interpretation of the Quranic verse 2:124. In connection with the use of hadiths we must assume that similar characterizations not only are based on the interpretation of the hadiths, but also on the evaluation of the authenticity of these.

In the following I will first concentrate on the use of a hadith which tells that Prophet Muhammed talked to a female circumciser in Al-Medina. This hadith is referred to by four of the six informants, and used both to legitimate and de-legitimate the practice. Besides this hadith there is one other hadith which is used to de-legitimate the practice, and the use of this hadith will be my second focus. My third focus concerning the use of hadiths will be on other hadiths which are used to legitimate the practice.

### 5.2.1 References to the hadith of the female circumciser

In the hadith literature the hadith of the female circumciser exists in two versions. In the first one Prophet Muhammed met a woman called Umm Atiyah who used to circumcise female slaves or girls, and told her: “Cut little and do not overdo because it brings more radiance to the face and it is more pleasant for the husband”.<sup>90</sup> In the second version Muhammed is said to have met a woman called Umm Habibah who used to circumcise female slaves or girls, and asked her if she continued to practice her profession. She answered: “unless it is forbidden and you order me to stop it”. Muhammed replied: “Yes, it is allowed. Come closer so I can teach you: if you cut, do not overdo it, because it brings more radiance to the face and is more pleasant for the husband”.<sup>91</sup> The hadith of the female circumciser is referred to by Fawzy, Abd Elfattah, and El-Badry who legitimate the practice, and Kotb who de-legitimizes it. As described in chapter 3, legitimation is characterized as an answer to the spoken or unspoken questions *Why should we do this?* or *Why should we do this in this way?* Common for the three informants who refer to the hadith of the female circumciser in order to legitimate the practice is that they seem to use this hadith not only to answer the question *Why should female circumcision be practiced?*, but also to give an answer to *why it should be practiced in a specific way*. Concerning Kotb's use of this hadith we will see that this hadith is not only used to de-legitimate the practice of female circumcision, but also to legitimate a practice

<sup>90</sup> This hadith is collected by Abu Dawud. For detailed references see Arent J. Wensinck, *Concordance et Indices de la Tradition Musulmane*, vol. 2, 10. The translation used in my text is found in Aldeeb Abu-Sahlieh, *Male & Female Circumcision: Among Jews, Christians and Muslims: Religious, Medical, Social and Legal Debate*, 112.

<sup>91</sup> This hadith is collected by Muslim and Abu Dawud. For detailed references see Arent J. Wensinck, *Concordance et Indices de la Tradition Musulmane*, vol. 2, 11. The translation used in my text is found in Aldeeb Abu-Sahlieh, *Male & Female Circumcision: Among Jews, Christians and Muslims: Religious, Medical, Social and Legal Debate*, 111-112.



which Kotb understands to be different from female circumcision and characterizes as a “surgical exision”. First, I direct my attention to the informants who use this hadith in order to legitimate female circumcision.

### ***Fawzy's use of the hadith***

I will start with a look at how Fawzy seems to provide an answer to the question of *why female circumcision should be practiced in a certain way*. He mentions the hadith of the female circumciser in a situation where he explains what types of female circumcision which are approved in Islam. He states that “Sunna circumcision” only includes the first and the second degree of female circumcision. This is an extract from the conversation which followed this statement:

The interviewer: yea, but with the first and the second type? What do you mean then? Like medically?

Fawzy: it's only removing the prepuce of the clitoris. The first degree. And sometimes trimming the labia minora. Sometimes it's very broad and you know like a butterfly, so just trimming the edges like this (showing with his fingers). And the second degree is a little more. Sometimes if the clitoris is big it is amputated or cut. Sometimes if, how to say it, if you practice the third or the fourth degree, which is amputation of the whole organ, then this is against *Sunna*. Because *Sunna* says from the hadith which might mean in English: reduce and don't overdo. So if you overdo then you are against *Sunna*. Because there is: don't overdo!

The interviewer: do you have any opinions on this hadith, if it's strong or weak?

Fawzy: eh...there are differences in hadith books about the strength about hadiths in general. Sometimes it's accepted, sometimes it's good, sometimes it's very good, sometimes it's strong, and sometimes it is, it is, it is...but nobody ever said that it was not said, meaning that when you say I'm not sure whether this hadith is said by the Prophet then it was not said. But if you say that a part of this hadith maybe not right or it has been cited in many books but those who narrated this hadith is not very reliable and so on then there is a point of weakness in the hadith. But nobody ever said that this hadith was not said, this is the first

thing. The second thing is that it was cited in so many books to make it strong. In so many books by different narrators.

The interviewer: hmm...so you think it's strong?

Fawzy: of course, of course. And especially if you notice the words, it actually describes the surgical way of doing it; reduce, but don't overdo! If this hadith was not proper why should the one who narrates the hadith say reduce but don't overdo? He would say remove, but never take care, don't overdo, which means that really this hadith is right.

To distinguish the "Sunna circumcision" from other types of circumcision Fawzy makes use of the part of the hadith where Prophet Muhammed says to the female circumciser that she should not overdo it. Fawzy understands the expression *don't overdo* to refer to the first and the second degree of female circumcision, and with this interpretation he provides, through the authority of Prophet Muhammed, an answer to the unspoken question of *why female circumcision should be practiced in a certain way*. The answer is something like *we should only practice the first and the second degree of female circumcision because these are the types Prophet Muhammed referred to when he said don't overdo*.

In the legitimation provided by the authority of Prophet Muhammed there is an embedded evaluation of this hadith as a strong hadith. Further, in order to legitimate the evaluation of the hadith, Fawzy first seems to refer to authorities within an Islamic scholarly discourse of female circumcision. He states: "But nobody ever said that this hadith was not said, this is the first thing. The second thing is that it was cited in so many books to make it strong". I assume that "nobody" in the first sentence refers to nobody from a group of Islamic scholars who have commented on this hadith. The idea seems to be that no scholars have said that this hadith was not uttered by the Prophet, and that this strengthens the authenticity of the hadith. In this case I would say that these Islamic scholars can be described as experts regarding the evaluation of hadiths. I will define this legitimation strategy as an example of *inverted legitimation*, and more specifically of the type *expert authorization*. The answer to the why-question is in this case the opposite of the unspoken de-legitimizing answer which says that *this hadith should not be characterized as strong because all or some Islamic scholars have said that this hadith was not said*. This strategy can in addition also be positioned in the sub-category *dependent authorization*. In chapter 3 I suggested this as a distinctive sub-type of *authorization* where it is necessary or useful to refer to more than one authority in order to legitimate a social practice. In this case it is the scholars who strengthen each

other as authorities, and understood to have a stronger legitimacy force when used together than separately. In the second sentence, “The second thing is that it was cited in so many books to make it strong”, I would suggest that Fawzy means that the hadith can be found in different versions in various hadith collections, and that this strengthens the hadith. I would similarly position this strategy in the category of *dependent authorization*. In this legitimation it is the different versions of the hadith in various hadith collections which strengthen each other, and thereby work to provide legitimation for the evaluation of the hadith. In the end of the extract Fawzy seems in addition to make use of a medical discourse in order to legitimate the evaluation of the hadith. I would suggest that this medical discourse more specifically is concerned with how female circumcision should be performed in order not to harm the girl. He states that the hadith describes the surgical procedure of female circumcision, and seems to think that the hadith is strong because it is in accordance with what he understands to be medical science. More specifically he says: “If this hadith was not proper why should the one who narrates the hadith say reduce but don’t overdo? He would say remove”. In another situation in the interview Fawzy explains that if female circumcision is not done in “the right way”, there might be complications and he also mentions that some girls have died because of such “malpractice” in the past. From this I would suggest that Fawzy in the sentence above means that the narrator could not have known about the medical risks of not performing it in “the right way”, maybe because he assumes that this knowledge was not generally known at that time. Therefore, since Prophet Muhammed probably is considered to have a special insight, it must have been he who said this. I would say that this legitimation is based on what seems to be presented by Fawzy as medical facts, and I will characterize this as an example of *scientific rationalization*. The legitimation is grounded on “the way things are”, and “the differentiated body of knowledge” is probably a medical discourse.

### ***El-Badry's use of the hadith***

Similar to Fawzy, El-Badry seems to make use of the hadith of the female circumciser to give an answer to why female circumcision should be practiced in a certain way. He refers to the hadith in a situation where he explains that there are different types of female circumcision:

El-Badry: circumcision is widespread in many countries. There are four types of circumcision: pharaonic which is the complete removal of the whole organ, and sometimes they sew it. Then there is pharaonic without sewing. Then there is the type where they keep a very tiny part. And then you have the Islamic circumcision where you cut until it's three centimeters.

The interviewer: but just the clitoris?

El-Badry: yea, from the prophetic hadith which says: just take a little and this is good for the husband and her face. Look at teenagers now they are all pale. If they were circumcised, they would look prettier. We suggest that when the girl is 9 years old the mom looks at her daughter's organ and if it's very long he takes away the extra. The extra is more than three centimeters.

In the answer to the question whether Islamic circumcision exclusively involves excision of the clitoris, El-Badry seems to understand the part of the hadith where Prophet Muhammed says “cut little” to mean that it is only a part of the clitoris which should be cut in the procedure of female circumcision. This is also repeated more explicitly elsewhere in the interview. The Shaikh then says: “Prophet Muhammed (PBUH) advised just to take a little part and not like the whole clitoris and this is good for her husband and for her face”. With this interpretation we can say that the hadith is used to answer *why female circumcision should be performed in a certain way*, and thereby works as a legitimation. As mentioned in the previous chapter, El-Badry refers in another part of the interview to a medical thesis from Cairo University in order to explain that the part which should be cut in the procedure is the part of the clitoris which exceeds three centimeters. It is probably this thesis he has in mind when he more closely describes the Islamic circumcision as a procedure “where you cut until it's three centimeters”. The type of female circumcision which El-Badry here legitimates through the authority of Prophet Muhammed, is in the beginning of the extract distinguished from other types of female circumcision, which I assume El-Badry understands not to be recommended by the Prophet in this hadith.

In the extract above, the Shaikh does not say anything about the authenticity of the hadith, but this is commented on later in the interview. He states that this hadith is weak (*daif*), and amplifies this evaluation in these words: “we don't use it (the hadith) to prove that *khitan* is obligatory (*wajib*), but to show how it is performed”. In this statement El-Badry seems to point out what can be characterized as a limitation concerning the use of this hadith in a legitimation of the practice. The limitation is that it can not be used to say that female circumcision is obligatory (*wajib*). In other words, El-Badry seems to think that the hadith can not be used to answer the question of *why it is obligatory to practice female circumcision*, like for example the Quranic verse quoted above, in 5.1. Despite this limitation, El-Badry states that it can be used “to show how it is performed”, which I assume implicitly means that the hadith can be used *to show how it should be*

*practiced*, which I further suggest in this context would mean something like that *it shows how it ought to be practiced*. It is probably also in this way El-Badry means to make use of the hadith earlier in the interview. It is interesting to note that El-Badry makes use of the hadith, which he himself characterizes as weak, to legitimate the practice in the way described above. In the interview El-Badry does not explain this any further. However, as mentioned in chapter 1, El-Badry gave me the deposition he used in the court case in 1997, and on the basis of a statement concerning weak hadiths in these papers, I would like to suggest one possible reason for why he makes use of this hadith in spite of characterizing it as weak. In these papers he states that if there are many weak hadiths on the same topic this can be said to strengthen the hadiths which originally are weak. He further says that this is the case with the topic of female circumcision. This argument can be a possible reason for why he chooses to make use of a hadith which separately is evaluated as weak also in the interview. The strategy implicitly used in the court papers in order to legitimate the evaluation of the originally weak hadiths can be defined as an example of the *strategy dependent authorization*. Separately the hadiths are weak, but put together they strengthen each other and provide legitimation for female circumcision.

#### ***Abd Elfattah's use of the hadith***

Though not as explicit, Abd Elfattah, the third informant who makes use of this hadith in order to legitimate female circumcision, also seems to give an answer to why female circumcision should be practiced in a specific way. She refers to the hadith in these words:

You know there is a talking of our Prophet Muhammed. They say it's not confirmed well. You know? He tells the woman who makes this process, he tells her: "cut, but a very little piece. Don't cut deeply". Ok? And you know that it also tells us it will make a good face. It will make the blood better. The circulation of the blood in our faces, it will make it better. Ok? So I believe in my Prophet, and I believe in *khitan* as he said.

When I ask what she means when she says the hadith is "not confirmed well" she adds:

Yes, they say it's a weak one, there is a problem. But I know in the studies this is the truth, and it makes it very strong. We must follow the science.

Different from Fawzy and El-Badry, Abd Elfattah does not explicitly connect the interpretation of the words of Prophet Muhammed with a detailed description of "the right" physical procedure of

female circumcision. However, I will argue that she still legitimates a distinctive way of performing the practice, though less detailed. She states that Muhammed said “cut, but a very little piece. Don't cut deeply”, and in this clause she seems to interpret the phrase “cut little and do not overdo” from the hadith to also mean “Don't cut deeply”. The legitimation can here be found in the interpretation and in the quotation of the hadith itself. She does not connect these words to a detailed physical procedure; these words can rather be understood as a more general description of the procedure of female circumcision. That she means to legitimate a certain way of performing female circumcision is possibly also indicated in the sentence: “So I believe in my Prophet, and I believe in *khitan* as he said”. I here suggest that the clause “I believe in *khitan* as he said” could mean something like I believe in performing *khitan* in the way that the Prophet prescribed it.

Further, Abd Elfattah states, similarly to Fawzy, that she believes this hadith is strong, however she does not make use of an Islamic scholarly discourse to legitimate this evaluation. Similarly to El-Badry, she states that “they say it's not confirmed well”, and I assume that “they” in this clause refers to Islamic scholars. Instead she seems to apply resources from a medical discourse alone to legitimate the characterization of the hadith as strong. This legitimation is expressed in the sentence “But I know in the studies this is the truth, and it makes it very strong”. As described in the previous chapter, Abd Elfattah mentions a study in another situation in the interview, which I assume is understood to be of a medical character, and which says that an uncircumcised girl might get problems in a relationship with a man, and that there is a bigger chance that she will become a lesbian. I assume that “the studies” in the statement above probably refers to this study.<sup>92</sup> She probably thinks of the people behind this study as medical experts, and I will therefore define this legitimation of her evaluation as an example of *expert authorization*. As explained in the previous chapter this study can more specifically be characterized as a resource within a specific medical discourse of female sexuality.

### ***Kotb's use of the hadith***

I will now shift my focus to see how the same hadith of the female circumciser is used by Kotb who de-legitimizes the practice. This is an extract from the interview with her:

Kotb: Even Prophet Muhammed's statement on which they rely on it was proved to be not right. And even if it was right he was telling the woman who were performing this...He (Muhammed) was passing by and he saw her (the circumciser) and he told her: “ok, but don't take too much. Just take a little. Don't take too much”. So he didn't order her to do it.

<sup>92</sup> I have given a closer analysis of the references to the content of this study in the previous chapter. See 4.1.1.

Even if it was right, it was said to be not right, but even if it was right he didn't order her to do it and on the other hand let's talk about a scientific fact that about 10% of girls they are having an overgrowing clitoris.

The interviewer: yea, 10 % of girls? In the whole world?

Heba: yes, in the females. 7-10 % actually. 7-10 % of girls they are having an overgrowing clitoris which is exceeding the limits of labia majora, so it's not covered you know. So it is exposed. When it gets in touch with the underwear or something it gets hurt, maybe alliterated (?), may be wounded and blah blah blah. So may be Prophet Muhammed (PBUH) said so because of these girls. If an ordinary woman go to this woman, if she found a woman in a regular size she couldn't touch it. You know, you know what I mean? You get it?

A little later in the interview I asked her to explain the difference between the procedure she suggest that Prophet Muhammed referred to and the practice of female circumcision. She then explains:

It's something else, because the girls complain before they are excised. She is complaining having wounds in this area as a result of the friction. Because you know it's not like the male organ. It's not covered by skin. So it's quit exposed, it's very thin skin you know, so it's quit exposed. That's why she complains. Ok? She goes to the doctor, and the surgeon says well she has an extra part we have to excise surgically. It's not circumcision, it's something else.

In the beginning of the first extract Kotb states that "Even Prophet Muhammed's statement on which they rely on it was proved to be not right", and we can in this sentence spot a de-legitimation of female circumcision. The answer to the unspoken question of *why we should not practice female circumcision* will here be something like *because Prophet Muhammed did not say that female circumcision should be practiced*, and the legitimation strategy can further be defined as an example of *inverted authorization*. The strategy can in this situation be understood as a response to, and rejection of, the opposite statement that Prophet Muhammed said that female circumcision should be practiced.

About the authenticity of this hadith Kotb states that "it was proved to be not right". With this statement I assume that she probably means that "it was proved to be not right" by Islamic scholars within an Islamic scholarly discourse. To legitimate the evaluation of this hadith Kotb can

in this situation be said to implicitly be using the legitimation strategy *expert authorization*. The scholars, who in this situation only implicitly are used as authorities, are here defined as the experts.

It is further interesting to note that Kotb in this extract in addition presents a suggestion of how we should understand and could use this hadith in an imagined oppositional situation where the hadith was “said to be right”. She implies that if this was the situation, maybe Prophet Muhammed said these words because he knew that some girls have a long clitoris which might be wounded if part of it is not excised. I would say that through this interpretation of the hadith, Kotb implicitly legitimates, through the authority of Prophet Muhammed, a procedure which involves excision of the clitoris if it is considered to be *too long*, or more detailedly explained, a clitoris which is “exceeding the limits of labia majora”. As also mentioned in chapter 1, Kotb considers this procedure to be different from female circumcision “because the girls complain before they are excised”. The interpretation of the hadith can further be said to be implicitly legitimated by referring to what she in the extract characterizes as a scientific fact. The scientific fact she refers to is that “7-10 % of girls they are having an overgrowing clitoris which is exceeding the limits of labia majora.” When she later is asked where she has these numbers from she states that she does not remember the exact study, but explains that: “7-10 %, it’s western statistics, not a local”. I will characterize the strategy used to legitimate the interpretation of this hadith in this situation as *expert authorization*. This because I assume that Kotb considers the people behind the study/statistics to be experts, probably within a medical discourse. I would here suggest that Kotb makes use of a similar medical discourse, as I demonstrated in the previous chapter, used by Al-Futuh, namely a discourse of a practice which he refers to as a “plastic surgery”.

### 5.2.2 Another hadith used to de-legitimize the practice

#### *Al-Futuh's use of the hadith concerning the fitra (laws of nature)*

Under the section 5.1 it was mentioned that El-Badry, in relation to his reference to the Quranic verse 2:124, used a hadith which states that circumcision is part of the *fitra*. This hadith is also commented on by Al-Futuh, and is in this connection more specifically used to de-legitimize female circumcision. As mentioned, there are many versions of the hadith which defines circumcision as part of the *fitra*.<sup>93</sup> One version goes: “Five make part of the *fitrah*: clipping the nails and moustache, depilating the armpits, shaving the pubis and circumcision”.<sup>94</sup> Al-Futuh has this to say about the hadith of the *fitra*:

<sup>93</sup> See note 83 for references to hadiths where Prophet Muhammed says that circumcision is part of the *fitra*.

<sup>94</sup> Malik Ibn Anas, *Muwatta*, trans. F. Amir Zein Matraji, Ibn Kathir ed., vol. 2 (Beirut: Dar Al-Fikr, 1994), 573, quoted and translated in Aldeeb Abu-Sahlieh, *Male & Female Circumcision: Among Jews, Christians and Muslims: Religious, Medical, Social and Legal Debate*, 110.



This hadith is very strong in two ways. Strong in one-to-one *sanad* (narrator), it is strong in *sanad* but not strong in meaning. What means? This statement means what? Female, male or both? From my opinion and some professors in Islam it means male, not female.

In this statement Al-Futuh interprets “circumcision” in the hadith to only refer to male circumcision. This interpretation is further legitimated by references to himself and “some professors in Islam”. The authorities in this legitimation can respectively be described as a personal authority and expert authorities connected to the Islamic scholarly discourse, and the strategies used to legitimate the interpretation of the hadith can be defined as *personal* and *expert authorization*. I would suggest that the part of his private discourse, where he uses the strategy *personal authorization*, might be based on the discourse of the Islamic scholars he refers to. Further, through this interpretation of the hadith, Al-Futuh can be said to implicitly use the legitimation strategy *inverted authorization* in order to de-legitimize female circumcision. With this interpretation the answer to the question of *why we should not practice female circumcision* will be something like *because Prophet Muhammed did not refer to female circumcision as part of the fitra*.

Embedded in the de-legitimation there is an evaluation of the authenticity of the hadith. In this relation Al-Futuh seems to mean that the hadith, in one way can be categorized as strong, but in another way it can not. First, he says it is “Strong in one-to-one *sanad* (narrator)”, and he is in this clause probably referring to the *isnad*, the chain of narrators in the hadith. To explain this reference it can here be noted that the first criteria for deciding whether a hadith is authentic or not within an Islamic scholarly discourse is to evaluate the chain of narrators. The chain will be considered authentic if it is uninterrupted, and if every reporter in the chain can be considered as just, accurate, one of strong retentive memory, and of sound theological and moral background.<sup>95</sup> From this I would say that Al-Futuh most likely refers to an evaluation of this *isnad* as authentic in order to legitimate the evaluation of the hadith as strong. I would further characterize this legitimation as an implicit *expert authorization*. In this implicit legitimation the legitimation is provided by Islamic scholars who have evaluated this *isnad* to be authentic. It is interesting to note that the evaluation on the basis of the evaluation of the *isnad* would alone be a “weak” element in the de-legitimation of female circumcision provided by Prophet Muhammed in this hadith. In the statement by Al-Futuh this evaluation is placed together with another evaluation. This is expressed in the clause “it is strong in *sanad* but not strong in meaning”. The first evaluation is here put in contrast to another evaluation, namely that the hadith is “not strong in meaning”. I suggest that he means that the

<sup>95</sup> Michael Mumisa, *Islamic Law: Theory and Interpretation* (Maryland: Amana, 2002), 62.

hadith does not refer to female circumcision, and therefore can not be considered to be strong in relation to the use of this hadith in order to legitimate the practice. This evaluation is thereby based on his interpretation of the hadith which as mentioned is legitimated through the use of *personal* and *expert authorization*.

### 5.2.3 Other hadiths used to legitimate the practice

#### *Habib's use of the hadith which says that circumcision is makrumah (good/noble) for women*

The informant Habib refers to a hadith which goes like this: “The Circumcision is *sunna* for men and *makrumah* (good/noble) for women”.<sup>96</sup> Habib comments on this hadith in these words:

Prophet Muhammed was quoted saying that it (circumcision) is *makrumah* (good/noble) for women, and that it should be done after medical consultation from a specialized doctor. And it should not be left for unauthorized practitioners.

Habib states early in the interview that female circumcision is not necessary for all women. In connection with the reference to this specific hadith he is asked why it is not necessary for all women if this hadith, which states that it is a good (*makrumah*) practice, is strong. He then answers:

The hadith should be applied if a doctor says that this procedure is necessary. In the *Sharia* there are obligatory (*wajib*), recommended (*mandub*), or allowed (*mubah*) matters. Like plural marriage. It's neither obligatory, nor recommended. Yet, it's allowed.

I suggest that we in these statements can find two different legitimations concerning the practice of female circumcision. In the second statement Habib states that female circumcision is allowed (*mubah*) according to the *Sharia*. In the analysis of El-Badry's use of the Quran I mentioned that the theory of legitimation used in this thesis does not cover the possibility that there might be different levels of legitimation.<sup>97</sup> I would say that this is another example of this. I would suggest that the question answered when Habib states that the practice is allowed according to the *Sharia* is more like *Why is it allowed to practice female circumcision?* The answer to this question would then be *because this is considered to be allowed in the Sharia*. The authority which provides this legitimation is the Islamic law, and I would thereby define this legitimation strategy as *impersonal*

<sup>96</sup> This hadith is collected by Ahmad Ibn Hanbal. For detailed references see Arent J. Wensinck, *Concordance et Indices de la Tradition Musulmane*, vol. 2, 11. The translation used in my text is found in Aldeeb Abu-Sahlieh, *Male & Female Circumcision: Among Jews, Christians and Muslims: Religious, Medical, Social and Legal Debate*, 111.

<sup>97</sup> A closer discussion of this weak point in the theory is provided in chapter 6.

*authorization*. In addition to this legitimation I would suggest that Habib, through the hadith, also seems to answer the question of *why we should practice female circumcision*, which in this context probably means something like *Why do we ought to practice female circumcision?*, but then with a reference to certain girls. He states that “Prophet Muhammed was quoted saying that it (circumcision) is *makrumah* (good/noble) for women, and that it should be done after medical consultation from a specialized doctor”, and “The hadith should be applied if a doctor says that this procedure is necessary”. I understand these sentences to mean that female circumcision should only be performed on some girls, and that Prophet Muhammed referred to these girls when he said it was *makrumah*. In the first sentence Habib seems to understand the Prophet to have said that this should only be done if a doctor recommends it. In other words female circumcision is only *makrumah* if a doctor recommends it. This is also indicated in the second sentence which states that the hadith should be applied if a doctor says it is necessary. From this I would say that the legitimation of circumcision for certain girls is provided by two different authorities. First, there is Prophet Muhammed who said that this is *makrumah* for these girls. Second it is the doctors who decide which girls who need this procedure. The answers to the question of *why we should practice female circumcision* (for certain girls) are then *because Prophet Muhammed said that this was makrumah* and *because the doctor says it is necessary*. The second legitimation can further said to be legitimated through the authority of Prophet Muhammed, since it, according to Habib, was he who said that “it should be done after medical consultation from a specialized doctor”. The legitimations provided by Prophet Muhammed are as mentioned examples of *role model authorization*, while the legitimation provided by a doctor can be defined as *expert authorization*.

If we now return to the first legitimation which states that female circumcision is allowed according to the *Sharia*, it can be noted that Habib does not give any further explanations of why this practice is only characterized as allowed in the *Sharia* if Prophet Muhammed recommended this procedure for certain girls. One possible suggestion could be that he assumes it can not be characterized as more than allowed since this only concerns certain girls, and not girls in general. Another possible suggestion would be that Habib in this situation makes use of two different resources from the public discourse, one which says that female circumcision is allowed according to the *Sharia* and another which says that Prophet Muhammed recommended this for certain girls.

As indicated in the previous chapter, Habib does not describe any elements of the medical discourse he refers to when he argues that a doctor should decide whether a girl needs to be circumcised or not; he neither explains how a doctor decides whether this procedure is necessary or not, nor exactly how many girls who should be circumcised. As suggested, one possibility could be that he has similar reasons for the practice he legitimates as Kotb and Al-Futuh have for the practice

which they respectively refer to as a “surgical excision” and a “plastic surgery”. It could also be that Habib would connect female circumcision to the topics of sexuality and gender relations in another context. It is possible that he does not make use of discourses or discursive resources of sexuality and gender relations because he feels uncomfortable talking about these topics with me, a young Norwegian woman.

***El-Badry's use of the hadith concerning ghusl (ablution) if the two circumcised parts meet***

I will now concentrate on El-Badry's use of a hadith which tells of a situation where Aisha, the wife of Prophet Muhammed, was asked if a man had to wash after sexual intercourse. Her answer is in the hadith material given in different forms, one example is: “if the two circumcisions (*al-khitanayn*) meet or touch each other, it is necessary to wash”.<sup>98</sup> El-Badry refers to this hadith in these words:

Another proof of this (female circumcision) is that when a man and his wife have sexual intercourse, there is a hadith which says that when the two circumcised meet you need to take a shower, so this means it was meant to be done on both of them. Some people say that some Arabic words in dual refer to two different things, but this version of the hadith says; if the circumcision (*khitan*) touches the circumcision (*khitan*). So it means that they were both circumcised.

In the clause “so this means it was meant to be done on both of them” I understand El-Badry to interpret the hadith to mean that circumcision should be performed on both men and women. With this interpretation of the hadith El-Badry legitimates both male and female circumcision. Further in the statement the Shaikh seems to respond to a common argument within the scholarly discourse of why the hadith can not be used to legitimate female circumcision. This argument is based on the fact that the hadith uses the Arabic expression *al-khitanayn* which grammatically is the dual form of *khitan* (circumcision). Several Islamic scholars have argued that this expression does not necessarily refer to the female sexual organ as circumcised, and have in this connection applied a concept in Arabic grammar named *taghlib*. This concept is that when two objects are constantly associated, a dual form might be formed from the characteristics of one of these objects. An often used example of this is the expression “the two lights”, which refers to the sun and the moon

<sup>98</sup> The quoted version of the hadith is found in Abu-Bakr Al-Bayhaqi, *Al-Sunan Al-Kubra*, vol. 8 (Beirut: Dar Al-Kutub Al-Ilmiyyah, 1994), 561, quoted and translated in Aldeeb Abu-Sahlieh, *Male & Female Circumcision: Among Jews, Christians and Muslims: Religious, Medical, Social and Legal Debate*, 112. Various versions of the hadith have been collected by Muslim, Al-Bukhari, Abu Dawud, Al-Tirmidhi, Al-Nasai, Malik, and Ibn Hanbal. For detailed references see Arent J. Wensinck, *Concordance et Indices de la Tradition Musulmane*, vol. 2, 11.

although the moon is only visible by reflection of the sunlight. The scholars have similarly argued that *al-khitanayn* only refers to the male sexual organ as circumcised.<sup>99</sup> In the statement above El-Badry says as a response to this unspoken argument that “but this version of the hadith says: if the circumcision (*khitan*) touches the circumcision (*khitan*). So it means that they were both circumcised”. In this clause it becomes clear that El-Badry refers to a different version of this hadith when he legitimates female circumcision, namely a version which does not use the expression *al-khitanayn*. In the court papers El-Badry gives a more exact reference to where this version of the hadith, which does not use the dual form of circumcision, can be found. He here says that this version is mentioned by Muslim and Al-Tirmidhi. El-Badry can in connection with the implicit reference to the use of the expression *al-khitanayn* be said to legitimate female circumcision by responding to, and rejection, the opposite de-legitimation, namely that Prophet Muhammed in this hadith only was referring to male circumcision. By this, I would say that El-Badry in the second half of the statement makes use of the legitimation strategy *inverted role model authorization*. The implicit answer to *why female circumcision should be practice* is here *because Prophet Muhammed did not only refer to male circumcision in this hadith like some people say he did*.

Neither in the interview, nor in the deposition used in court, does El-Badry give an explicit evaluation of the authenticity of this specific hadith. However, I would argue that it is implicitly indicated through some of his other statements that he considers this hadith to be authentic (*sahih*), and that this evaluation of the hadith thereby implicitly is embedded in these legitimations. For example, in one situation El-Badry refers to the court papers he has given me and says: “all these hadiths are authentic (*sahih*). We refused to quote any weak (*daif*) hadiths except from the one that describes how to perform it”. I assume that the weak hadith he refers to in this statement is the hadith of the female circumciser which he, as described, also in another situation characterized as a weak hadith. Since the hadith of the two circumcised parts also is mentioned in the court papers, this is probably considered by the Shaikh to be authentic (*sahih*). In addition to the authenticity of the hadiths mentioned in the court papers, El-Badry also has this to say about the hadiths: “We quoted in the court case only those hadiths which say that circumcision is obligatory (*wajib*) for both men and women”. This statement indicates that he also interprets this hadith to mean that female circumcision is obligatory, and consequently this is also an element which is embedded in these legitimations.

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<sup>99</sup> For examples of this type of argumentation see for example Muhammed Salim El-Awa, “FGM from an Islamic Perspective,” in *FGM Free Village Model Project* (Cairo: NCCM, UNDP, and DAG Egypt, n.d.) and Aldeeb Abu-Sahlieh, *Male & Female Circumcision: Among Jews, Christians and Muslims: Religious, Medical, Social and Legal Debate*, 112.

***El-Badry's use of four hadiths which are interpreted to mean that female circumcision was practiced in the time of the Prophet***

In this section I will concentrate on four hadiths which seem to be understood by El-Badry to mean that female circumcision was practiced in the time of Prophet Muhammed, and further that the Prophet must have known about this. Two of these hadiths are mentioned in the same situation, and I will start with a look at the use of these two. The first hadith tells that one person who had been close to the Prophet was invited to eat. When he was told that the reason for the celebration was that a girl had been circumcised he said: “We did not see this during the time of the Prophet, and he refused to eat from the food”.<sup>100</sup> The second hadith tells of the circumcision of the nieces of Aisha's brother.<sup>101</sup> El-Badry relates and explains these two hadiths in this way:

I will give you authentic proofs now. There are two incidents in the authentic collection of Al-Bukhari. The first one: one of the followers of Muhammed was invited to a banquet, and he asked what was the reason for the party. The host said: “because I preformed circumcision for my girl” He said: “no, no, I'm not coming. In Muhammed's time we just celebrated boys' circumcision”. So this is a proof that it was performed in the time of the Prophet, and that they must have known about this in the house of the Prophet. And the other one is a story of Aisha (peace upon her), she performed circumcision for four of her nieces, and the girls were in pain. They had a singer. He had long hair, and was not a good singer. And she said: “are you bringing a *shaytan* (a devil) to me”. It was a *daya* (midwife) who performed it and Aisha said: “take this man out!”. This hadith indicates that female circumcision was practiced in the house of the Prophet. I mean, the Prophet must have known about it.

El-Badry interprets both of these two hadiths to mean that female circumcision was practiced in the time of the Prophet, and for the second hadith also more specifically “in the house of the Prophet”. In both interpretations it is also indicated that Prophet Muhammed knew about the practice of female circumcision. For the first hadith it is stated: “So this is a proof that it was performed in the time of the Prophet, and that they must have known about this in the house of the Prophet”. I assume that since he interprets this hadith to mean that they knew about it in the house of the

<sup>100</sup> Ibn Hanbal, Ahmad. “Musnad Shamiin.” In *Musnad Ahmad*, hadith no. 17232. Jeddah: Company Sakhr Al-Alami, quoted and translated in Anne Sofie Roald, *Women in Islam: The Western Experience* (London: Routledge, 2001), 246.

<sup>101</sup> This hadith can for example be found in Al-Bukhari, “598. Diversion during Circumcision.” In *Al-Adab Al-Mufrad*, hadith no. 1247, trans. Aisha Bewley (Sunnipath The Online Islamic Academy, n.d.), [www.sunnipath.com/library/Hadith/H0003P0051.aspx](http://www.sunnipath.com/library/Hadith/H0003P0051.aspx) (accessed October 5, 2008).

Prophet, this implicitly means that also the Prophet must have known about it. I will further suggest a necessary assumption behind El-Badry's interpretation of this hadith. In the hadith the Prophet's follower says "We did not see this during the time of the Prophet". This answer has by some scholars been understood to mean that it was only male circumcision that was practiced in the time of the Prophet. Others have interpreted it to mean that female circumcision was practiced, but that this was not celebrated.<sup>102</sup> I here suggest that El-Badry, in his interpretation of the hadith, assumes that the follower of Prophet Muhammed reacted on the celebration of female circumcision and not the practice itself. Regarding the interpretation of the second hadith, El-Badry states: "This hadith indicates that female circumcision was practiced in the house of the Prophet. I mean, the Prophet must have known about it". In this interpretation it is explicitly stated that the Prophet must have known about it.

Before I more closely describe the legitimations of female circumcision provided by the authorities in the two hadiths described above, I will first take a look at two other hadiths which similarly seem to be interpreted by El-Badry to mean that female circumcision was practiced in the time of the Prophet, and further that the Prophet himself must have known about it. In the first of these hadiths it is mentioned that Hamzah, the uncle of Prophet Muhammed, called Siba bin Abd Al-Uzza "a son of a woman who cuts the clitoris".<sup>103</sup> El-Badry relates and interprets this hadith in these words:

There is one hadith where Hamzah says to Siba: "you, the son of a woman who cuts the clitoris!". This means that the circumciser (*daya*) existed in that time. Prophet Muhammed must have known about it!

The other hadith tells of the slave woman Umm Al-Muhajir and another female slave who were ordered by Uthman Ibn Affan, the third Muslim caliph, to be circumcised.<sup>104</sup> About this hadith El-Badry says:

There was a woman called Umm Al-Muhajir. She said she and another woman were taken as slaves after a war. She and the other woman converted to Islam, and then Uthman Ibn Affan

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<sup>102</sup> For examples of different interpretations of this hadith see Roald, *Women in Islam: The Western Experience*, 246-247, 250.

<sup>103</sup> According to El-Badry's court papers this hadith is collected by Al-Bukhari, and can be found in "Kitab Al-Mughazi" in *Sahih Al-Bukhari*.

<sup>104</sup> This hadith can for example be found in Al-Bukhari, "596. Female Circumcision." In *Al-Adab Al-Mufrad*, hadith no. 1245, trans. Aisha Bewley (SunniPath The Online Islamic Academy, n.d.), [www.sunnipath.com/library/Hadith/H0003P0051.aspx](http://www.sunnipath.com/library/Hadith/H0003P0051.aspx) (accessed October 5, 2008).

said: “go and circumcise them and make them take a shower!” This hadith indicates that it used to happen in the time of the Prophet.

Similar to the hadiths of the celebration of a girl's circumcision and the circumcision of Aisha's nieces, both the hadith of Hamza and Siba, and the one which tells of the slave woman Umm Al-Muhajir are interpreted by El-Badry to indicate that female circumcision was practiced in the time of Prophet Muhammed, which possibly implicitly means that the Prophet must have known about it. I will now look at all the four hadiths which are interpreted in this way, and give a suggestion of how we, in the use of these hadiths, can find legitimations of female circumcision. In El-Badry's court papers these four hadiths are also interpreted to prove that female circumcision was practiced in the time of the Prophet, which is seen as an indicator that the Prophet himself must have known about it. Here, it is further explained that since the Prophet knew about it and did not say anything to prohibit the practice it means that he approved of it to be performed. I suggest that this conclusion is a possible assumption behind El-Badry's use of these hadiths in the interview. Further, as mentioned in the previous section, El-Badry states at one point in the interview: “We quoted in the court case only those hadiths which say that circumcision is obligatory (*wajib*) for both men and women”. Since these four hadiths also are mentioned in the court papers I understand El-Badry to mean that the Prophet's approval of this practice is enough to say that it is obligatory (*wajib*). Although the Prophet himself is not mentioned in any of these hadiths, it is he who seems to be the authority who provides the legitimations found in the use of these four hadiths. The person who performs the action or says something in the hadith can in El-Badry's interpretation of these hadiths somehow be characterized as intermediaries to the main authority, Prophet Muhammed, who provides these legitimations. By this I mean that through these interpretations the answer to the why-question in these legitimations is not for example *because Hamza says to Siba: “you, the son of a woman who cuts the clitoris”*, or *because Uthman Ibn Affan ordered the circumcision of the slave woman Umm Al-Muhajir*. The answers to the why-questions are rather *because Hamza says to Siba: “you, the son of a woman who cuts the clitoris”*, which further means that the Prophet must have known about the practice and approved it, which further means that it is obligatory to perform it, and *because Uthman Ibn Affan ordered the circumcision of the slave woman Umm Al-Muhajir*, which means that the Prophet must have known about the practice and approved it, which further means that it is obligatory to perform it.

In the end I would like to point out that embedded in these legitimations described above there are probably also evaluations of these four hadiths to be authentic (*sahih*). This is indicated in the mentioned statement “All these hadiths are authentic (*sahih*). We refused to quote any weak



(*daif*) hadiths except from the one that describes how to perform it”. For the hadith of the celebration of a girl's circumcision, and the one of the circumcision of the nieces of Aisha's brother this is also indicated in the sentences “I will give you authentic proofs now. There are two incidents in the authentic collection of Al-Bukhari”.

### ***El-Badry's use of hadiths concerning the circumcisions of Ibrahim and Sarah***

The last hadiths I want to concentrate on in this chapter are some hadiths mentioned by El-Badry to tell of the circumcisions of Ibrahim and his wife Sarah. Ibrahim is considered by Muslims to be one of the prophets who received the words of Allah, and is described in the Quran as the father of all Muslims and Allah's friend.<sup>105</sup> Sarah, his wife, is portrayed in Islamic literature as a true believer<sup>106</sup>, and the first one to believe in her husband's mission, together with his cousin, or nephew, Lot.<sup>107</sup> Thus, they can both be characterized as role models within an Islamic context. I will now direct my attention to an extract from the interview with El-Badry. He relates and explains the references to the circumcisions of Sarah and Ibrahim in these words:

El-Badry: the first one in the past to be circumcised is prophet Ibrahim, he was 80 years old and he used an axe on himself. And Ibrahim's wife Sarah was also circumcised. They (Ibrahim and Sarah) made an oath to cut part of their bodies in order to fulfill Allah's revelation.

The interviewer: ok. Can I just ask one question about the religious references for Sarah and Ibrahim. Is it in the Quran or the *Sunna*?

El-Badry: there is a prophetic tradition which says: “The first person to have been circumcised is Ibrahim at the age of 80, and he did it with an axe”. There is one hadith about Ibrahim, and there is another one about Sarah, but the most authentic one is the one about Ibrahim. And there are other ones about the oath they made. This is history! It is very difficult to prove if it's true or wrong because of the history!

In this extract El-Badry seems to legitimate both male and female circumcision through interpretations of hadiths of Ibrahim and Sarah's circumcisions, and an oath they made to cut part of

<sup>105</sup> Kari Vogt, *Islams hus: Verdensreligion på fremmarsj* (Oslo: Cappelen, 1993), 122.

<sup>106</sup> *Encyclopedia of Islam*, New ed., 12 vols., vol. 9 (Leiden: Brill, 1960), 26-27.

<sup>107</sup> Barbara Stowasser, *Women in Quran, Traditions and Interpretations* (New York and Oxford: Oxford University Press, 1994), 46.

their bodies.<sup>108</sup> Regarding female circumcision he states: “Ibrahim's wife, Sarah, was also circumcised. They (Ibrahim and Sarah) made an oath to cut part of their bodies in order to fulfill Allah's revelation”. He further explains that there is one hadith of the circumcision of Sarah and other hadiths of the oath they made. In his use of the hadith of Sarah's circumcision it is implicitly understood that Sarah is a role model, and because she was circumcised, female circumcision should be performed. In the use of the hadith of the oath Sarah and Ibrahim made, Sarah's promise to cut a part of her body seems more to be understood as an action of intermediated authority. The main authority, which is positioned as the provider of this legitimation, is Allah. The answer to the why-question is through the interpretation of these hadiths rather something like *because Sarah promised to let herself be circumcised in order to fulfill Allah's revelation*. As described before, Allah can be characterized as an *counter-intuitive agent*, and I will thereby more specifically defined this as an example of *counter-intuitive agent authorization*.

El-Badry himself implicitly points out a limitation in the use of the hadiths of Sarah's circumcision and the oath. About the hadiths of Sarah and Ibrahim's circumcisions he states that “the most authentic one is the one about Ibrahim”. Probably referring to both the hadiths of Sarah's circumcision and the oath he says: “This is history! It is very difficult to prove if it's true or wrong because of the history!”. These statements indicate that these hadiths are understood by El-Badry to be less authentic than most of the other hadiths mentioned in the interview. These hadiths are not mentioned in the court papers, something which also can be understood as an indicator that he evaluates these hadiths to have a weaker authenticity. Although this is not mentioned by El-Badry, I here assume that he believes these hadiths consequently can not be used to characterize female circumcision as an obligatory (*wajib*) practice.

### 5.3 The informants' use of fatwas as discursive resources

In this third and last part of the chapter I will focus on how the informants in different ways make use of fatwas as discursive resources. As mentioned, a fatwa is an opinion on a certain topic in *Sharia* given by a *mufti* (deliverer of fatwas). Traditionally a fatwa contains an answer to a question presented to the *mufti*. The question which is answered by the mufti can be asked by different types of actors, and a fatwa can have different functions and be presented through different channels.<sup>109</sup>

<sup>108</sup> Various versions of the mentioned hadith of Ibrahim's circumcision are collected by Al-Bukhari, Muslim, and Ahmad Ibn Hanbal. For detailed references see Arent J. Wensinck, *Concordance et Indices de la Tradition Musulmane*, vol. 2, 11. Regarding the mentioned hadith of Sarah's circumcision and the ones where she and Ibrahim made an oath to cut parts of their bodies, I have not succeeded in finding these hadiths. However, what is of importance for this analysis is how El-Badry interprets these hadiths, and how he through these interpretations legitimates female circumcision.

<sup>109</sup> Vikør, *Mellom Gud og stat: Ei historie om islamsk lov og rettsvesen*, 138.

There are two public institutions for issuing fatwas in Egypt today: *Dar Al-Ifta* (house of fatwas) and the University of Al-Azhar.<sup>110</sup> *Dar Al-Ifta* is the official Fatwa office of the Egyptian state, headed by the State Mufti.<sup>111</sup> The present State Mufti is Ali Goma. The University of Al-Azhar has been a world center of Sunni Islamic learning for over 1000 years, and is by many considered to be the most important university in educating Sunni Islamic scholars. Al-Azhar has since a re-organization in 1961 been a part of the state educational system, and then lost much of its independence.<sup>112</sup> The head of the University is the Shaikh Al-Azhar, and presently that is Shaikh Tantawy, former State Mufti of Egypt. The person who fills the position as Shaikh Al-Azhar is appointed by the Egyptian government.<sup>113</sup> Although *Dar Al-Ifta* and Al-Azhar are to separate institutions, they sometimes coordinate their work, and for Tantawy and several others who have had the title of *Shaikh Al-Azhar*, the position as State Mufti has helped them to achieve the leader role at Al-Azhar.<sup>114</sup> In addition to the two institutions, *Dar Al-Ifta* and Al-Azhar, there are today many independent muftis that issue fatwas in Egypt.<sup>115</sup>

I will begin this part of the chapter by focusing on the informants who support female circumcision, and their use of fatwas in order to legitimate the practice. In the first following section I aim to demonstrate that these fatwas seem to be applied by the informants through the legitimation strategy *expert authorization*. In a second section I will focus on the two informants who de-legitimize female circumcision. These two informants do not make use of fatwas to de-legitimize the practice. There exist both old and new fatwas which are critical towards the practice of female circumcision,<sup>116</sup> and I can of course not give a general answer to why these two informants do not make use of fatwas to de-legitimize female circumcision. However, in this connection I especially find it interesting to note that the two informants in their de-legitimation do not make use of a specific recently issued fatwa, namely the fatwa issued by the State Mufti Ali Goma, the summer 2007. Goma clearly stated in this fatwa that female circumcision is *haram* in Islam, and as mentioned in the introduction of this thesis, this announcement was noticed in both international and Egyptian media. Because of the recent attention to this fatwa, and their knowledge of the public discourse I assumed that my informants had heard of it, and with this in mind they were all asked in

<sup>110</sup> Jakob Skovgaard-Petersen, personal communication, 14 November, 2008.

<sup>111</sup> ———, *Defining Islam for the Egyptian State: Muftis and Fatwas of the Dar Al-Ifta*, Social, Economic, and Political Studies of the Middle East and Asia (New York: Brill, 1997), 1.

<sup>112</sup> *Ibid.*, 182-186.

<sup>113</sup> Gihan Shahine, "A Government Mouthpiece?," Al-Ahram Weekly On-line (2005), <http://weekly.ahram.org.eg/2005/758/fo1.htm> (accessed November 15, 2008).

<sup>114</sup> Skovgaard-Petersen, personal communication, 14 November, 2008.

<sup>115</sup> *Ibid.*

<sup>116</sup> For examples of fatwas which are critical towards the practice of female circumcision see Salim El-Awa, "FGM from an Islamic Perspective."

the interviews what they thought of it. I will on the basis of the informants comments on this fatwa suggest a possible reason for why this fatwa and possibly also certain other recently issued fatwas are not used by the two informants Kotb and Al-Futuh to de-legitimate female circumcision.

### 5.3.1 The use of fatwas through the legitimation strategy *expert authorization*

In the case of *expert authorization*, legitimation is provided by an expert's utterances. In the situations where the informants make use of fatwas in order to legitimate female circumcision this expertise is held by the muftis who issued the fatwas. More specifically the muftis can here be characterized as experts in *Sharia*, and therefore as expert authorities when it comes to deciding whether female circumcision is an Islamic practice or not.

All the four informants who support the practice of female circumcision make use of fatwas as discursive resources. Abd Elfattah says in this connection: “You know there is a fatwa from Shaikh Jadd Al-Haqq. It’s a very important one, and I believe in it so I follow it”. The legitimating expertise is in this quotation held by the previous Shaikh Al-Azhar, Jadd Al-Haqq Ali Jadd Al-Haqq. The specific discursive resource which is used is probably a fatwa issued by Jadd Al-Haqq in 1994. This fatwa was, as already mentioned in the introduction of the thesis, issued in connection with the International Conference on Population and Development, and CNN's broadcasting of a film showing the circumcision of a young Egyptian girl. Jadd Al-Haqq states in this fatwa that female circumcision is an honorable deed for women, and suggests that local religious leaders should encourage families to circumcise their daughters.<sup>117</sup> The same fatwa is used by the informant Habib in his argumentation. He refers to this discursive resource in these words: “The previous Mufti of Al-Azhar, Jadd El-Haqq, said that it (circumcision) is good for women”. We can here see that he, similarly to Abd Elfattah, makes use of Gad Al-Haq as an expert authority in order to legitimate the practice.

A third example of legitimation of female circumcision by referring to a mufti's utterances is found in the interview with El-Badry. He makes use of a fatwa issued by a former State Mufti. He states: “The Mufti Nasr Farid Wasal said that female circumcision is *Sunna* and that it cannot be made illegal”. In this legitimation it is the mufti Nasr Farid Wasal who holds the expertise. This fatwa was issued in November 1996 in the Islamic magazine *Al-Liwa Al-Islami*. In the fatwa it is stated that female circumcision is *Sunna*, and can not be characterized as a crime as long as it is

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<sup>117</sup> Agency France Presse, “New law bans adoption, but not female circumcision in Egypt,” February 24, 1996, quoted in Boyle, Songora, and Foss, “International Discourse and Local Politics: Anti-Female-Genital-Cutting Laws in Egypt, Tanzania, and the United States.”: 532.

performed by a doctor. It further says that if it is performed by a non-specialist the procedure might be harmful, and in such cases it should be characterized as a crime.<sup>118</sup>

Also Fawzy refers to a fatwa in order to legitimate the practice. During the interview he tells me that he has been working on an English article about female circumcision, which he has not finished yet. At one point he finds the unfinished article on his computer and is reading from it. It is in this connection he refers to a fatwa. He refers to the Shaikh Yusuf Al-Qaradawi, and starts reading from a fatwa he has issued on the topic of female circumcision. Fawzy quotes and comments on this fatwa in these words:

“Actually this is a controversial issue among scholars and even doctors. It has sparked of debates in Egypt whereby scholars and doctors are split into proponents and opponents, however the most moderate opinion is the most likely one to be correct. That is in favor of practicing circumcision as a moderate Islamic practice like indicated in some of the prophet’s hadiths.” So this is one of the fatwas. There are so many fatwas. I haven’t finished them.

The legitimation of female circumcision is in this statement provided by the authority of Shaikh Al-Qaradawi. Al-Qaradawi is a well known independent Egyptian scholar and preacher. He is often characterized as the Muslim Brotherhood's spiritual leader, but has several times turned down offers for the official leadership of the Brotherhood<sup>119</sup>. Al-Qaradawi created and supervise the Islamic website Islamonline,<sup>120</sup> and it was on this website, the fatwa, which Fawzy quotes, was issued in July 2002.<sup>121</sup> In addition to what Fawzy quotes from this fatwa, Al-Qaradawi states that it is not obligatory to perform female circumcision, but that he personally recommends this procedure “under the current circumstances in the modern world”. He also makes it clear that it is only the prepuce of the clitoris, and not the clitoris which should be cut. This is legitimated by a reference to the hadith of the female circumciser. Al-Qaradawi states: “The hadith indicates that circumcision is better for a woman's health and it enhances her conjugal relation with her husband. It’s noteworthy that the Prophet's saying 'do not exceed the limit' means do not totally remove the clitoris.”<sup>122</sup>

<sup>118</sup> Muhammed Nasr Farid Wasal, “Khitan Al-Inath Sunna,” *Al-Liwa Al-Islami*, November 28, 1996.

<sup>119</sup> Owen Bowcott and Faisal Al Yafai, “Scholar with a Streetwise Touch Defies Expectations and Stereotypes,” *Guardian* (2004), <http://www.guardian.co.uk/politics/2004/jul/09/religion.immigrationpolicy> (accessed November 10, 2008).

<sup>120</sup> Brian Whitaker, “Fundamental Union,” *Guardian* (2005), <http://www.guardian.co.uk/world/2005/jan/25/worlddispatch.brianwhitaker> (accessed October 23, 2008).

<sup>121</sup> See Fatwa Bank, “Islamic Ruling on Female Circumcision,” IslamOnline, [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-EnglishAsk\\_Scholar/FatwaE/FatwaE&cid=1119503543886](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-EnglishAsk_Scholar/FatwaE/FatwaE&cid=1119503543886) (accessed may 15, 2007).

<sup>122</sup> *Ibid.*

In connection with Fawzy's statement quoted above it should also be noted that Fawzy explains that the fatwa issued by Al-Qaradawi is only one of many fatwas, but that he has “not finished” the others. This probably implicitly means that, although he has not finished his writings of these fatwas in the article, he knows that there are many fatwas which legitimate this practice. This can be described as an implicit legitimation of female circumcision through references to undefined expert authorities.

### **5.3.2 Kotb and Al-Futuh's comments on certain fatwas of muftis associated with Al-Azhar**

I now shift my focus, and will in this last part of the chapter have a look on how the two informants who de-legitimate female circumcision talk about certain fatwas, and then in particular the fatwa issued by the State Mufti the summer 2007. I will in the following suggest that the informants, when commenting on this fatwa, make use of a specific discourse concerning Al-Azhar's authority in the making of fatwas. More specifically, this discourse seems to question Al-Azhar's authority on this point. As a consequence, certain muftis which are associated with Al-Azhar, including Ali Goma, are implicitly defined as non-authorities. It here needs to be mentioned that Abd Elfattah and Abu Al-Futuh in this context do not seem to distinguish *Dar Al-Ifta* and Al-Azhar as two different fatwa institutions, and that they seem to associate the State Mufti with Al-Azhar. I will further suggest the discourse concerning the authority of Al-Azhar as a possible reason for why the two informants who argue against female circumcision chose not to make use of certain issued fatwas in order to de-legitimate the practice of female circumcision. To do this, we first need to take a closer look at the content of the discourse which questions the authority of Al-Azhar.

#### ***A discourse which questions Al-Azhar's authority in the making of fatwas***

When Kotb was asked what she thought of Ali Goma's recently issued fatwa she said:

The credibility is getting down between the people and Al-Azhar because people think they are the voice of the government. Sometimes they are convinced about something.

Sometimes they are just doing it to make the government happy. This is what people think now. Lately a lot of them (the fatwas) are a mess you know.

From the question leading to this statement we understand that Kotb considers the fatwa from Ali Goma to possibly be a fatwa which is issued to please the Egyptian government, and in that I would say that she implicitly defines Ali Goma as a non-authority when it comes to deciding whether female circumcision is an Islamic practice or not. In addition it is indicated in this statement that it

is not only this specific fatwa which is issued to please the government. I will here suggest that Kotb seems to make use of a discourse which positions Al-Azhar as an institution that is partly controlled by the Egyptian government when it comes to the making of fatwas, and which questions Al-Azhar's authority on this basis. Ali Goma's fatwa on female circumcision is in other words only one example of several fatwas which can be said to be issued after pressure from the government. His lack of authority on the issue of female circumcision can therefore be seen as a consequence of a general mistrust in Al-Azhar as an authority in the making of fatwas. Within this discourse the mistrust in Al-Azhar is further represented as a recent development. In other words, the fatwas which are issued "to make the government happy" are recently issued fatwas. In the statement by Kotb this is for example indicated in the last sentence "Lately a lot of them are a mess you know". The other informant who de-legitimizes the practice, Al-Futuh, seems to have a similar view on the fatwa issued by Ali Goma. This is how he comments on this fatwa:

It's a sorry thing that some fatwas from Al-Azhar are from under the pressure of the government. This is why the people doesn't trust this fatwa. It is right this fatwa from my point of view. But when this fatwa comes from Al-Azhar under the pressure of the government the people said it's a governmental fatwa. Not an honest fatwa.

I further asked him why he thinks people do not trust Al-Azhar, and he then says:

Because Al-Azhar is not independent. In the old times Al-Azhar was an independent organization. Now the government are instructing Al-Azhar. When Al-Azhar give a fatwa against female circumcision this is a good thing, but where are Al-Azhar when people are killed at the police station? Why don't Al-Azhar say this is forbidden. Why don't they make a fatwa? When they make false elections where is Al-Azhar? This is why the people not trust Al-Azhar, because it's absent in different things. It's in accordance of the order of the government.

In these statements Al-Futuh seems to make use of the same discourse as Kotb. Similarly, he positions Al-Azhar, regarding the making of fatwas, as partly controlled by the Egyptian government, and seems to question Al-Azhar's authority on this basis. He emphasizes his point by giving examples of situations where he thinks Al-Azhar should have issued fatwas, and implicitly states that this is not done because of the influence the Egyptian government has on the institution. More explicitly than Kotb, Al-Futuh also states that this is a recent development. This is for

example expressed in the sentences “In the old times Al-Azhar was an independent organization. Now the government are instructing Al-Azhar”. The fatwa issued by Ali Goma is also in this case described as a fatwa which can not be trusted, and consequently Ali Goma, who is associated with Al-Azhar, is also by Al-Futuh implicitly defined as a non-authority on the issue of female circumcision. In the identification of the discourse concerning Al-Azhar's authority it is interesting to note that also the informants who legitimate female circumcision seem to make use of a similar discourse when they comment on the fatwa issued by Ali Goma. For instance, Habib states: “Ali Goma issued this fatwa according to what political leaders want. It’s a politicized fatwa. The debate now has been raised because the First Lady, Ms. Mubarak, is concerned about this issue.” Another example is found in the interview with Fawzy. He similarly describes the issue of this fatwa as “politics”, and says: “I don't trust them (scholars connected to Al-Azhar?). They say something, and the next day they say something different”.

***A likely reason for why certain fatwas are not used to de-legitimize female circumcision***

On the basis of the discussion above I will suggest that the applied discourse concerning the authority of Al-Azhar is a likely reason for why Kotb and Al-Futuh do not make use of recently issued fatwas which they associate with Al-Azhar to de-legitimize female circumcision, and then with a special reference to the fatwa issued by Ali Goma. In addition to Ali Goma's controversial fatwa, also another fatwa and another possible non-authority should be mentioned in this connection. The Shaikh Al-Azhar, Sayyid Tantawy, issued a fatwa on female circumcision in 1997 which was published in *Al-Azhar Magazine*.<sup>123</sup> He states in this fatwa that all the hadiths concerning this practice are weak (*daif*), and can not be used to support the practice. Besides this, he leaves it up to the medical science to decide whether this practice is necessary or not. In addition, Tantawy has several times later, more explicitly than in this fatwa, expressed that female circumcision is a non-Islamic practice. For example, at a conference arranged by the German organization Target at Al-Azhar in November 2006, Tantawy stated that circumcision in Islam is only for men. He further said that he could not find any Islamic sources which say that this is a must for women.<sup>124</sup> Tantawy's statements have gotten some attention in the Egyptian media, and I would assume that it is likely that my informants have heard about the Shaikh Al-Azhar's opinions on this topic. I will therefore suggest that Tantawy might be another scholar, associated with Al-Azhar, who my informants would consider to be a non-authority on this topic.

<sup>123</sup> Salim El-Awa, “FGM from an Islamic Perspective.”

<sup>124</sup> See for example BBC News, “Call to end female circumcision,” BBC News, [http://news.bbc.co.uk/2/hi/middle\\_east/6176340.stm](http://news.bbc.co.uk/2/hi/middle_east/6176340.stm) (accessed November 3, 2008).



In connection with the suggestion concerning Tantawy's authority it can be noted that some of the informants who legitimate female circumcision quite explicitly position Tantawy as a non-authority when it comes to the topic of female circumcision. As mentioned, Tantawy is a previous State Mufti, and these informants point out that Tantawy changed his opinion after he took up the position as State Mufti. Further, they seem to interpret this to mean that he can not be trusted on this issue. I will here look at one example from the interview with Fawzy. He states:

The old one (the old Mufti), who is now Shaikh Al-Azhar, Tantawy, has written two fatwas, one before and one after being the Mufti. The one before is written saying that sunna circumcision is Islamic so and so, it has to be practiced and it's good for the people and so on. After being Mufti he wrote exactly the opposite. Again politics, he is now Shaikh Al-Azhar. That is why.

Fawzy is in the statement indicating that Tantawy changed his mind after he became the State Mufti, and it is implicitly understood that he because of this can not be trusted on this point. He also seems to assume that this change of opinion affected the government's decision to appoint Tantawy as Shaikh Al-Azhar. A necessary assumption is here that the Egyptian government, which is trying to fight female circumcision, would not accept a Shaikh Al-Azhar with positive values connected to the practice of female circumcision. The mentioned fatwa which allegedly states that "sunna circumcision is Islamic" and that "it has to be practiced and it's good for the people" might be referring to a Fatwa issued by Tantawy in 1992. According to the web version of the Egyptian Newspaper *Al-Masry Al-Youm* Tantawy states in this fatwa that female circumcision is an Islamic ritual which is mentioned by the Prophet.<sup>125</sup>

#### 4.4. Summary of the chapter

In this chapter I have demonstrated how the informants make use of the primary sources of the *Sharia*, the Quran and the *Sunna*, in order to legitimate and de-legitimate the practice of female circumcision. These are resources which are also used to define female circumcision within the scholarly discourse of female circumcision. We have seen that El-Badry is the only one of the informants who refers to the Quran, while all the informants make use of hadiths, which are considered to express the Prophet's *Sunna*. These two resources are mainly applied through different types of *authorization*. El-Badry's references to the Quran are identified as *counter-intuitive agent*

<sup>125</sup> Ahmad El-Beheiri Saeed Nafea, "Leaflets in Menia: Tantawi Vs. Tantawi on Bank Interests and FGM," *Al-Masry Al-Youm* (2007), <http://www.almasry-alyoum.com/article2.aspx?ArticleID=79315> (accessed November 4, 2008).

*authorizations*. Most of the informants' references to the hadiths are defined as *role model authorizations* or in the cases of de-legitimation *inverted role model authorizations*. The role model who provide the legitimation is in most of the cases Prophet Muhammed. There are some exceptions. For example, El-Badry makes use of hadiths concerning the circumcision of Ibrahim's wife Sarah and an oath she and her husband made with Allah. In the first presented legitimation by references to these hadiths, Sarah herself is the role model, while in the second presented legitimation Sarah can only be characterized as an intermediated authority. In this second legitimation the main authority is Allah, and this strategy can thereby instead be characterized as a *counter-intuitive agent authorization*.

It is further demonstrated that the legitimations and de-legitimations provided by the authorities in the two primary sources of the *Sharia*, contain evaluations, interpretations and categorizations made on the basis of these sources. By identifying these interpretations, evaluations and categorizations, this chapter has also identified possible resources within the public discourse of female circumcision. Concerning the categorizations I have argued that the informants who make such categorizations in this connection make use of certain tools from the Islamic scholarly discourse.

I have also demonstrated that some of the evaluations and interpretations made on the basis of the *Sunna* and the Quran are further legitimated through the use of different legitimation strategies, which further are constructed through various discourses and discursive resources. In this summary I will not repeat all the discursive resources used by the informants in this connection, such as specific studies or books, I will instead focus on the main applied discourses in which these resources also can be found. Discourses, which seem to be invoked by the proponents of female circumcision in this connection, are an Islamic scholarly discourse of female circumcision and medical discourses. Concerning the medical discourses one can more specifically be identified as a specific medical discourse of female sexuality in which, as demonstrated in the previous chapter, female circumcision is described to break series of certain conditional elements concerning female sexuality and gender relations. Another used medical discourse is concerned with how female circumcision should be performed in order not to harm the girl. In addition, the informant Habib refers to a medical discourse which is not further defined.

Further, the Islamic scholarly discourse of female circumcision used by the proponents of the practice seems in this connection to construct legitimations of the following types: *role model authorization*, *counter-intuitive agent authorization*, *expert authorization*, *inverted expert authorization*, and *dependent authorization*. The medical discourses used by the proponents of female circumcision in this connection are either invoked through the use of the strategy *expert*

*authorization* or *scientific rationalization*. The proponents of female circumcision make in some cases use of several types of the mentioned strategies to legitimate an evaluation or an interpretation, other times only one strategy is used. Also, when legitimating an evaluation or an interpretation the proponents sometimes exclusively refer to one of the above mentioned types of discourses or resources belonging to one of these, other times an Islamic scholarly discourse are working together with medical discourses. Regarding the informants Kotb and Al-Futuh, who de-legitimize the practice of female circumcision, they seem exclusively to make use of an Islamic scholarly discourse of female circumcision when they respectively legitimate an evaluation of the hadith of the female circumciser and an evaluation of the hadith concerning the *fitra*. The scholarly discourse seems in this connection to construct legitimations of the types *expert authorization* and *personal authorization*. Al-Futuh combine these strategies, while Kotb exclusively makes use of *expert authorization*.

In connection with Kotb's de-legitimation of female circumcision through the reference to the hadith of the female circumciser, I have in addition demonstrated that she also seems to make use of this discursive resource to legitimate a surgical procedure which she considers to be different from female circumcision. The interpretation of the hadith embedded in this legitimation is further legitimated through the strategy *expert authorization*, and in this strategy it is probably the medical experts behind a mentioned medical study who provide the legitimation. I have further suggested that Kotb in this connection make use of a similar medical discourse as I demonstrated in the previous chapter used by Al-Futuh, namely a discourse of the practice he refers to as a "plastic surgery".

The last part of the chapter focused on the informants' use of fatwas, which are resources produced within the Islamic scholarly discourse of female circumcision. In this connection I have demonstrated that the different proponents of female circumcision make use of various fatwas through the legitimation strategy *expert authorization*. The muftis who issued the fatwas can be characterized as experts within the Islamic scholarly discourse, and it is these muftis who provide the legitimation in the informants' *authorizations*. Concerning the informants who oppose the practice of female circumcision, I have stated that these do not make use of references to fatwas in order to de-legitimize the practice. I have further suggested that they seem to make use of a discourse concerning the authority of Al-Azhar as a fatwa institution when they comment on the fatwa issued by the State Mufti the summer 2007, and that they through using this discourse define Ali Goma and certain other muftis associated with Al-Azhar as non-authorities. Finally, this discourse has been presented as a reason for why Kotb and Abu Al-Futuh do not make use of certain recently issued fatwas to de-legitimize female circumcision. In addition to Ali Goma and the fatwa from the summer 2007, I have suggested Tantawy, the Shaikh Al-Azhar, as a scholar who also might

be by my informants understood as a non-authority, and that his fatwa and other of his utterances therefore are not used to de-legitimate the practice.

## 6. Concluding remarks and reflections

In this thesis I have analysed the language used by six Egyptian informants to legitimate or de-legitimate female circumcision. The main aim of the thesis has been *to reveal the discursive strategies used by the informants to legitimate or de-legitimate female circumcision, and elucidate and discuss what characterizes the discourses and discursive resources that construct these legitimations and de-legitimations*. I have chosen to focus especially on the use of Islamic discourses, and in this connection I have asked the following research questions: *What characterizes the Islamic discourses and discursive resources used by the informants to legitimate and de-legitimate female circumcision, and How are the Islamic discourses and discursive resources that are being used linked to other types of discourses and discursive resources in the legitimations and de-legitimations of the practice?* The analysis of the informants' use of language has been conducted within a theoretical and methodological framework of discourse analysis. *Discourse* has, with reference to Parker, been defined as “a system of statements which constructs an object”. In the thesis I have analysed the private discourses expressed in interviews I did with the six informants during my fieldwork in Egypt in the fall of 2007. These informants can be said to have a special knowledge of a public Egyptian discourse of female circumcision, and on this basis, I have further suggested that the informants make use of resources from the public discourse within their expressed private discourses. The identification of the informants' strategies of legitimation and de-legitimation have mainly been based on a set of analytical categories of legitimation developed by the discourse analyst Van Leeuwen. Finally, in this last chapter, I will present some concluding remarks and reflections on the central findings of the thesis and the theory I have used.

### 6.1 Central findings

Concerning the main aim of the thesis it can generally be said that the analysis has demonstrated that the informants, both those who legitimate and those who de-legitimate female circumcision, seem to make extensive use of different characteristic types of Islamic and medical discourses, and discursive resources from these discourses in their legitimations and de-legitimations of female circumcision. The different discourses and discursive resources construct various legitimations and de-legitimations of the three main types *rationalization, moralization, and authorization*. I will in the following present a summary of what further characterizes the most central discourses and discursive resources which are being used by the informants, and the main types of legitimations and de-legitimations which are constructed through these. This summary will also draw attention to

how the two research questions, which focus especially on the informants' use of Islamic discourses, have been answered in the analysis.

In chapter 4 I demonstrated that three of the proponents of female circumcision seem to legitimate the practice through a medical discourse of female sexuality in which female circumcision is defined as a practice which will break series of negatively valued conditional elements related to sexuality and gender relations. The main elements in the series are that a long or curved clitoris creates a strong female sexual desire, which further will make a woman want to do negatively valued activities related to sexuality and gender relations. This discourse, or specific resources from it, mainly constructs legitimations of the types *instrumental rationalization*, *scientific rationalization*, and *expert authorization*. In the informants' *instrumental rationalizations* the focus is on the purpose or function of female circumcision. For example, in some legitimations it is pointed out that female circumcision will help to prevent negatively valued activities like sex between women, sex outside marriage, and stimulation of the clitoris in order to get clitoral orgasms, or it is stated that the prevention of these activities will be the effects of female circumcision. Other *instrumental rationalizations*, constructed through this specific discourse or resources from it, focus on the positively valued activities which female circumcision will help to achieve or which will be the effects of the practice. The positively valued activities are for example to get married and have children. The presented *instrumental rationalizations* are further embedded in, and legitimated by, either *expert authorizations* or *scientific rationalizations*. In the *expert authorizations* it is referred to medical experts behind written resources from the discourse of female sexuality. The *scientific rationalizations* are based on the "way things are", and in these cases it is the medical science which seems to define the "way things are" and provide the legitimation. I have further argued that through the use of *instrumental rationalizations* the three informants also implicitly position female circumcision as a practice which will break the mentioned series of conditional elements related to sexuality and gender relations.

In the analysis it has also been suggested that the moral evaluations the three informants make of the activities in the expressed *instrumental rationalizations* are elements from an Islamic moral discourse of female sexuality and gender relations. This specific moral discourse constructs various sub-types of the legitimation strategy *moralization*. Concerning the thesis' focus on the use of Islamic discourses and discursive resources, I have by this identified central characteristics of a specific Islamic moral discourse which seem to be used by three of the informants who support the practice, and we have seen that this Islamic discourse is closely intertwined with a specific medical discourse of female sexuality.

In the same chapter I focused on the two opponents' references to the topics of female sexuality and gender relations. Here, I have suggested that the informant Kotb, in order to de-legitimate female circumcision, makes use of a different medical discourse of female sexuality which contain specific theories of the connection between the human nervous system and female sexuality. Also Al-Futuh seems to make use of a medical discourse of female sexuality. However, he does not give as many indications of what this medical discourse might contain in the interview. Although this, on the basis of my data material, can not be said for sure, I have suggested it as a possibility that he refers to a similar discourse to the one used by Kotb. The medical discourse/s of female sexuality used by the two opponents of female circumcision seem to mainly construct de-legitimizations of the types *instrumental rationalization* and *scientific rationalization*. The *instrumental rationalizations* are in this context more specifically of the form *inverted instrumental rationalization*. This form has been characterized as a response to, and rejection of, the opposite legitimating *instrumental rationalization*. The *inverted instrumental rationalizations* which are used by these two informants either point out that female circumcision does not have the effect of a reduced sexual desire or that it does not work as a means to make a girl chaste.

Concerning my focus on the use of Islamic discourses, I have further suggested that Kotb's use of *instrumental rationalization* invokes an Islamic moral discourse of female sexuality and gender relations which contains some of the same elements as the moral discourse used by the proponents. For example, they both contain elements like negative evaluations of activities like sex before marriage, and infidelity. Similar to the three opponents use' of language, I have by this demonstrated that also in Kotb's de-legitimation of female circumcision an Islamic moral discourse works closely together with a medical discourse of female sexuality. Regarding Al-Futuh's use of *instrumental rationalizations*, it has been demonstrated that he, in order to de-legitimate female circumcision, at one point seems to put up a moralized comparison between the practice of female circumcision and "plastic surgeries" on some girls genitalia which is based on these two practices' different function or purpose. One *instrumental rationalization* says that female circumcision will not make a woman "more polite, and not so sexually active". This de-legitimation is implicitly compared with a legitimation which says that a "plastic surgery" will fix a "genital defect" which otherwise might have created psychological problems. The positive and negative values associated with these two practices seem to be connected to the effect and the non-effect of the practices. The *instrumental rationalizations* further seem to be embedded in, and legitimated by, *scientific rationalizations*, and it is probably the medical science which provides these legitimations in this context. Further, I have argued that the moral evaluations of the presented non-effects of female

circumcision are in Al-Futuh's case not explicitly expressed. In other words, the moral discourse is in this case hidden from view.

In chapter 5 it has been demonstrated that all the informants, either in order to legitimate or de-legitimate female circumcision, make use of resources from a scholarly Islamic discourse of female circumcision. Discursive resources which are central in this connection are the Quran, hadiths, and fatwas. Basically these resources respectively construct legitimations and de-legitimations of the types *counter-intuitive agent authorization*, *role model authorization*, and *expert authorization*. The counter-intuitive agent which provides the legitimation in the references to the Quran is Allah. In the *role model authorizations* it is Prophet Muhammed who in most of the cases is positioned as the main role model authority. While in the *expert authorizations* it is the muftis who issued the fatwas who can be considered as experts within the Islamic scholarly discourse of female circumcision. It is mentioned that El-Badry is the only one who makes use of the Quran as a resource. Further, all the informants, both the proponents and the opponents of female circumcision, refer to hadiths, either to legitimate or de-legitimate female circumcision. Regarding the use of fatwas, all the informants who legitimate the practice make use of this type of resources, while none of the opponents of female circumcision make use of resources of this kind to de-legitimate the practice.

Concerning the informants' use of the Quran and hadiths, it has been demonstrated that some of the legitimations and de-legitimations, which are provided by references to these resources, further contain various legitimations of the evaluations and interpretations the informants make of these resources. In the de-legitimations of this kind the legitimations of evaluations and interpretations are exclusively constructed through the Islamic scholarly discourse, for example by referring to Islamic scholars as expert authorities. This is also the case in some of the legitimations of female circumcision which contain such legitimations of evaluations and interpretations of the these resources. In other legitimations of this kind the Islamic scholarly discourse is linked to, and works together with, medical discourses, or the legitimations are exclusively constructed through medical discourses. That some of the informants combine an Islamic scholarly discourse and a medical discourse in this connection can be seen as another example of how an Islamic discourse is used together with medical discourses to legitimate the practice of female circumcision. One medical discourse which is used in this connection is the medical discourse of female sexuality mentioned above, namely a discourse which positions female circumcision as a practice which will break series of negatively valued elements concerning the topics of sexuality and gender relations. Another medical discourse which is used is a medical discourse which is concerned with the harmful effects of excising too much in a female circumcision procedure.



## 6.2 Some theoretical reflections and suggestions for further research

### *Reflections on the theory of legitimation and de-legitimation*

In this thesis I have defined legitimation and de-legitimation of social practices as answers to the questions *Why should we* or *why should we not do this?* or *Why should we or why should we not do this in this way?* In the analysis of my data material it has been pointed out that this definition does not take into account that there might be several levels of legitimation and de-legitimation. This is pointed out in connection with two of my informants' use of specific tools from an Islamic scholarly discourse, namely categories of levels of what is right and wrong according to the *Sharia*. As mentioned, within an Islamic scholarly discourse practices are often positioned in one of the following categories/levels: *wajib* (obligatory), *mandub* (recommended), *mubah* (neither recommended nor advised against doing, meaning that it is allowed), *makruh* (advised against doing), and *haram* (prohibited). With a reference to these levels/categories, El-Badry states that female circumcision is obligatory (*wajib*), while Habib explains that it is allowed (*mubah*). I have suggested that El-Badry in his legitimations, which contain such a categorization, more specifically answers the question *Why is it obligatory to practice female circumcision?*, while Habib in his legitimation answers the question *Why is it allowed to practice female circumcision?* I would say that these findings demonstrate that within an Islamic scholarly discourse we will find different levels of legitimation and de-legitimation, based on the different categories/levels of what is right and wrong. As we have seen, these tools of legitimation and de-legitimation can also be used in other contexts outside the scholarly discourse, and by persons who not necessarily participate within this discourse. In addition, I have argued that other legitimations presented by El-Badry and Habib, instead of an order or a permission, contain what seem to be a recommendation of female circumcision, and I have suggested that the question they answer in these situations are something like *Why do we ought to practice female circumcision* or *Why do we ought to practice female circumcision in this way*. I would from these findings suggest that there possibly exist, besides the Islamic scholarly system, various social system of levels of legitimation and de-legitimations that are used in different contexts. For further research I will recommend an elaboration and specification of the theory of legitimation and de-legitimation on this point.

### *Do the six informants make use of resources from a public Egyptian discourse?*

Discourses and discursive resources that the informants make use of, and the legitimations and de-legitimations these discourses and discursive resources construct, have in this thesis been suggested as possible resources from a public Egyptian discourse of female circumcision. As mentioned in chapter 2, I investigated, during my fieldwork in Egypt in the fall of 2007, a part of the Egyptian

media discourse of female circumcision. In the gathered material from the three Egyptian newspapers *Al-Ahram* (The Pyramids), *Al-Masry Al-Youm* (The Egyptian today), and *Al-Wafd* (The delegation) I found an extensive use of a human rights discourse, a feminist discourse, a medical discourse, and a legal discourse. Regarding my focus on the use of Islamic discourses in legitimation and de-legitimation of female circumcision, I found few references to such discourses. However, it is important to emphasize that the examinations of these three newspapers only can be used to describe a small part of the Egyptian public discourse within a short period of time. With this in mind, I would suggest it as an interesting topic for further research to study legitimation and de-legitimation of female circumcision, with a focus on the use of Islamic discourses, in other texts existing within the public discourse. Only through such studies may we find out whether the discourses, discursive resources, and the legitimation and de-legitimation strategies used within my informants' private discourses do indeed correspond with discourses, discursive resources, and strategies used within the public Egyptian discourse of female circumcision.

## Bibliography

- Abdel-Haleem, Muhammad A.S. *The Qur'an: a New Translation*. Oxford, UK.: Oxford University Press, 2004.
- Agency France Presse. "Barber arrested after CNN films female circumcision." September 12, 1994.
- . "Government prepares law banning female circumcision." September 26, 1994.
- . "Imam of al-Azhar goes on trial for urging female circumcision." May 6, 1995.
- . "New law bans adoption, but not female circumcision in Egypt." February 24, 1996.
- Al-Bayhaqi, Abu-Bakr. *Al-Sunan Al-Kubra*. Beirut: Dar Al-Kutub Al-Ilmiyyah, 1994.
- Al-Bukhari. *Al-Adab Al-Mufrad*. Translated by Aisha Bewley: SunniPath The Online Islamic Academy, n.d., [www.sunnipath.com/library/Hadith/H0003P0051.aspx](http://www.sunnipath.com/library/Hadith/H0003P0051.aspx) (accessed October 5, 2008).
- Aldeeb Abu-Sahlieh, Sami A. *Male & Female Circumcision: Among Jews, Christians and Muslims: Religious, Medical, Social and Legal Debate*, Marco Polo Monographs. Warren Center, Pa.: Shangri-La Publications, 2001.
- Bakhtin, Mikhail. *The Dialogical Imagination*. Austin, TX.: University of Texas Press, 1981.
- Barakat, Abeer Abdou Mohammed. "Profile of Female Genital Mutilation among Attendants of Gynecology and Obstetrics Outpatient Clinics in Kasr-El-Aini." Master's Thesis, Cairo University, 1997.
- BBC News. "Call to end female circumcision." BBC News. [http://news.bbc.co.uk/2/hi/middle\\_east/6176340.stm](http://news.bbc.co.uk/2/hi/middle_east/6176340.stm) (accessed November 3, 2008).
- Berger, Peter L., and Thomas Luckmann. *The Social Construction of Reality*. Harmondsworth, England: Penguin, 1966.
- Bowcott, Owen, and Faisal Al Yafai. "Scholar with a Streetwise Touch Defies Expectations and Stereotypes." *Guardian* (July 9, 2004), <http://www.guardian.co.uk/politics/2004/jul/09/religion.immigrationpolicy> (accessed November 10, 2008).
- Boyer, Pascal. *Religion Explained: The Evolutionary Origins of Religious Thought*. New York: Basic Books, 2001.
- Boyer, Pascal, and Charles Rambleb. "Cognitive Templates for Religious Concepts: Cross-Cultural Evidence for Recall of Counter-Intuitive Representations." *Cognitive Science* 25 (2001): 535-564.
- Boyle, Leger E., Fortuna Songora, and Gail Foss. "International Discourse and Local Politics: Anti-Female-Genital-Cutting Laws in Egypt, Tanzania, and the United States." *Social*

*Problems* 48, no. 4 (November 2002): 524-544, <http://www.jstor.org/stable/3097174> (accessed January 15, 2008).

Brodal, Per. *Sentralnervesystemet*. 3. utg. ed. Oslo: Universitetsforl., 2001.

CBS News Interactive. "Egypt Officials Ban Female Circumcision." CBS News Interactive. <http://cbs11tv.com/health/Egypt.Health.Female.2.285899.html> (accessed October 12, 2008).

Edward, Raymond. "MB Parliamentary Bloc Castigates Child Law." *Al-Masry Al-Youm* (June 5, 2008), <http://www.almasry-alyoum.com/article2.aspx?ArticleID=108059> (accessed August 10, 2008).

El-Badry, Yusuf. "Deposition in the Egyptian Supreme Administrative Court 1997." Cairo, 1997. Translated by Basim Mardan.

El-Beheiri Saeed Nafea, Ahmad. "Leaflets in Menia: Tantawi Vs. Tantawi on Bank Interests and FGM." *Al-Masry Al-Youm* (October 14, 2007), <http://www.almasry-alyoum.com/article2.Asp?ArticleID=79315> (accessed November 4, 2008).

El-Mehwar TV. "90 Minutes." Egypt, June 24, 2007. Translated by Nesrine Basheer.

El-Zanaty, Fatma, and Ann Way. "Egypt Demographic and Health Survey 2005." Cairo: Ministry of Health and Population, National Population Council, El-Zanaty and Associates, and ORC Macro, 2006.

———. "2003 Egypt Interim Demographic and Health Survey." Cairo: Ministry of Health and Population, National Population Council, El-Zanaty and Associates, and ORC Macro, 2004.

Encyclopedia of Islam. New ed. 12 vols. Leiden: Brill, 1960.

Essam El-Din, Gamal. "Children Accorded Greater Rights." *Al-Ahram Weekly On-line* (June 12-18, 2008), <http://weekly.ahram.org.eg/2008/901/eg4.htm> (accessed August 10, 2008).

Fatwa Bank. "Islamic Ruling on Female Circumcision." IslamOnline. [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-EnglishAsk\\_Scholar/FatwaE/FatwaE&cid=1119503543886](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-EnglishAsk_Scholar/FatwaE/FatwaE&cid=1119503543886) (accessed may 15, 2007).

Guided Ways Technologies Ltd. "The World's most Advanced Quran Search Engine." Guided Ways Technologies Ltd. [http://www.guidedways.com/quran\\_search\\_engine.htm](http://www.guidedways.com/quran_search_engine.htm) (accessed August 5, 2008).

Ibn Hanbal, Ahmad. *Musnad Ahmad*. System Al-Alami CD-ROM. Jeddah: Company Sakhr Al-Alami, n.d.

Kahle, Werner, and Michael Frotcher. *Nervous System and Sensory Organs*. 5th ed. 3 vols. Vol. 3, Color Atlas and Textbook of Human Anatomy. Stuttgart: Thieme, 2002.

- Lofland, John, David A. Snow, Leon Anderson, and Lyn H. Lofland. *Analyzing Social Settings: A Guide to Qualitative Observation and Analysis*. 4th ed. Belmont, Calif.: Thomson Wadsworth, 2006.
- Malik Ibn Anas. *Muwatta*. Translated by F. Amir Zein Matraji. Ibn Kathir ed. Beirut: Dar Al-Fikr, 1994.
- Moheet Shabakat Al-Elam Al-Arabyia. "25 November Al-Hukum fi Dawa Waqf Mana Kithan Al-Inath." Moheet Shabakat Al-Elam Al-Arabyia. [http://moheet.com/show\\_news.aspx?nid=176612](http://moheet.com/show_news.aspx?nid=176612) (accessed November 1, 2008).
- Mumisa, Michael. *Islamic Law: Theory and Interpretation* Maryland: Amana, 2002.
- Nasr Farid Wasal, Muhammed. "Khitan Al-Inath Sunna." *Al-Liwa Al-Islami*, November 28, 1996.
- Parker, Ian. *Critical Discursive Psychology*. Houndmills, Basingstoke, Hampshire New York: Palgrave Macmillan, 2002.  
<http://site.ebrary.com/lib/bergen/Docid=10076965&ppg=157> (accessed October 6, 2008).
- . *Discourse Dynamics: Critical Analysis for Social and Individual Psychology*. London: Routledge, 1992.
- Rayyan, Ahmad Ali. *Sunan Al-Fitra*. Cairo: Dar Al-Huda, 1980.
- Reuters World Service. "Egyptian producer held over CNN circumcision film." September 12, 1994.
- . "Police free Egyptian TV producer." September 12, 1994.
- . "Egypt says female circumcision in decline." April 4, 1995.
- Roald, Anne Sofie. *Women in Islam: The Western Experience*. London: Routledge, 2001.
- Saif El Dawla, Aida. "The Political and Legal Struggle over Female Genital Mutilation in Egypt." *Reproductive Health Matters* 7, no. 13 (May 1999): 128-136, <http://www.jstor.org/stable/3775715> (accessed March 10, 2008).
- Salim El-Awa, Muhammed. "FGM From an Islamic Perspective." In *FGM Free Village Model Project*. Cairo: NCCM, UNDP, and DAG Egypt, n.d.
- Shahine, Gihan. "A Government Mouthpiece?." *Al-Ahram Weekly On-line* (September 1- 7, 2005), <http://weekly.ahram.org.eg/2005/758/fo1.htm> (accessed November 15, 2008).
- Skovgaard-Petersen, Jakob. *Defining Islam for the Egyptian State: Muftis and Fatwas of the Dar Al-Ifta*, Social, Economic, and Political Studies of the Middle East and Asia. New York: Brill, 1997.

- Stowasser, Barbara. *Women in Quran, Traditions and Interpretations*. New York and Oxford: Oxford University Press, 1994.
- Talja, Sanna. "Analyzing Qualitative Interview Data: The Discourse Analytical Method." *Library and Information Science Research* 21, no. 4 (November 1999): 459-477, [http://www.sciencedirect.com/science?\\_ob=MIImg&\\_imagekey=B6W5R-3YCN3MX-G1&\\_cdi=6577&\\_user=596755&\\_orig=search&\\_coverDate=11%2F30%2F1999&\\_sk=999789995&view=c&wchp=dGLzVtzzSkWz&md5=e0b81f55ccda007fde4ba9eb188234c7&ie=/sdarticle.pdf](http://www.sciencedirect.com/science?_ob=MIImg&_imagekey=B6W5R-3YCN3MX-G1&_cdi=6577&_user=596755&_orig=search&_coverDate=11%2F30%2F1999&_sk=999789995&view=c&wchp=dGLzVtzzSkWz&md5=e0b81f55ccda007fde4ba9eb188234c7&ie=/sdarticle.pdf) (accessed September 3, 2008).
- The World Factbook. "Egypt." Central Intelligence Agency. <https://www.cia.gov/library/publications/the-world-factbook/geos/eg.html> (accessed November 20, 2008).
- Van Leeuwen, Theo, and Ruth Wodak. "Legitimizing Immigration Control: A Discourse-Historical Analysis." *Discourse Studies* 1, no. 1 (1999): 83-118, <http://dis.sagepub.com/cgi/content/abstract/1/1/83> (accessed June 15, 2008).
- Van Leeuwen, Theo. "Legitimation in Discourse and Communication" *Discourse and Communication* 21, no. 1 (2007): 91-112, <http://dcm.sagepub.com/cgi/content/abstract/1/1/91> (accessed June 15, 2008).
- . *Discourse and Practice: New Tools for Critical Discourse Analysis*, Oxford Studies in Sociolinguistics. Oxford: Oxford University Press, 2008.
- Vaara, Eero, Janne Tienari, and Juha Laurila. "Pulp and Paper Fiction: On the Discursive Legitimation of Global Industrial Restructuring." *Organization Studies* 27, no. 6 (2006): 789-813, <http://oss.sagepub.com/cgi/content/abstract/27/6/789>.
- Vikør, Knut S. *Mellom Gud og stat: Ei historie om islamsk lov og rettsvesen*. Oslo: Spartacus, 2003.
- Vogt, Kari. *Islams Hus: Verdensreligion på fremmarsj*. Oslo: Cappelen, 1993.
- WBZ-TV. "Egypt Officials Ban Female Circumcision." WBZ-TV. <http://wbztv.com/health/Egypt.Health.Female.2.285899.html> (accessed November 8, 2008).
- Wensinck, Arent J. *Concordance et Indices de la Tradition Musulmane*. 8 vols. Leiden: Brill, 1992.
- Whitaker, Brian. "Fundamental Union." *Guardian* (January 25, 2005), <http://www.guardian.co.uk/world/2005/jan/25/worlddispatch.brianwhitaker> (accessed October 23, 2008).
- World Health Organization. "Classification of Female Genital Mutilation." World Health Organization. <http://www.who.int/reproductive-health/fgm/terminology.htm> (accessed August 4, 2008).

- . “Female Genital Mutilation.” World Health Organization. [http://who.int/topics/female\\_genital\\_mutilation/en/](http://who.int/topics/female_genital_mutilation/en/) (accessed August 10, 2008).
- . “Female Genital Mutilation.” World Health Organization. <http://who.int/mediacentre/factsheets/fs241/en/index.html> (accessed August 10, 2008).
- . “Female Genital Mutilation (FGM): Prevalence and Age.” World Health Organization. <http://who.int/reproductive-health/fgm/prevalence.htm> (accessed August 10, 2008).

## Appendix

### A list of the people I interviewed during my fieldwork in Egypt

#### People with a special knowledge of the Egyptian public discourse of female circumcision:

- Abdel Monem Abu Al-Futuh, medical doctor and member of the Guidance Council, The Muslim Brotherhood.
- Muhammed Habib, First Deputy Guidance office, The Muslim Brotherhood.
- Shaikh Yusuf El-Badry, independent Islamic shaikh who fought against the Egyptian legal prohibition of female circumcision in 1996 and in 2007 planned a another lawsuit to fight a new minister decree from the summer 2007.
- Mounir Muhammed Fawzy Elhao, medical doctor and Professor of Obstetrics and Gynecology, Ain Shams University. Went to court with Shaikh Yusuf El-Badry to fight the minister decree from 1996.
- Heba Kotb, medical doctor and sexologist, hosted the TV-show *Kalam Kabir*, assistant professor at Cairo University, Department of Forensic Medicine.
- Nafisa Abd Elfattah, journalist in the Egyptian weekly *Al-Usboa* (The week).
- Iqbal Baraka, Egyptian writer and feminist.
- Vivian Fuad, Training Coordinator for the FGM-Free Village Model Project, Dalia El-Mo'taz, Youth Coordinator for FGM-Free Village Project and Shahenda, UNDP-volunteer (United Nations Development Program). All working in The National Council for Childhood and Motherhood (NCCM).
- Israh, UNDP-volunteer, working inside NCCM.
- Simona Galbiati, UNDP Program officer in Egypt. The UNDP cooperates with the Egyptian NCCM.
- Rafiq Habib, Coptic, Egyptian thinker and writer.
- Gihan Abu Said, Egyptian feminist.
- Iman Hamza, editor of *Hawwa* women's magazine, and Amal Mabrouk, journalist and assistant in the same magazine.
- Manal Kasban, Girls' Dream project Manager at Association for the Development and Enhancement of Women, and Mai El Zeini, Donor officer in the same organization.
- Christiana Scoppa, Head of communication activities, Aidos (Italian organization).



- Jasmine and Angie, employees at The Egyptian Center for Women's Rights

**People outside the public discourse:**

- Fatima, unmarried girl in her 20s, from Tanta but lives in Cairo, circumcised at the age of 11.
- Amina, Norwegian convert to Islam since 25 years, married with 4 children, lived in Egypt for 12 years, not circumcised.
- Muhammad, working in his own book stand at a bookmarked in Cairo, middle-aged.
- Said, working in his own book stand at a bookmarked in Cairo, middle-aged.
- Ibrahim, working in an Islamic bookshop in Cairo, middle-aged.