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Hymen Repair on the Arabic Internet

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& THOMAS EICH

Hymen repair is a surgical practice in which the remains of a purportedly formerly intact hymen are tied together. The operation was first developed primarily for customers with Muslim backgrounds, whose hymen had been torn and who were about to get married. In countries of pre-dominantly Muslim populations (among others), the dilation of the hymen of an unmarried woman is widely regarded as proof of her having had premarital sex, and these women sometimes fear serious consequences once their state is discovered.

Opposing views

Hymen repair operations are offered in Middle Eastern countries, as well as in Europe and North America, where they are used primarily by Middle Eastern women who are about to get married. However, in the US, women from South American origins, as well as from conservative Christian milieus where virgin marriages are increasingly valued, are reportedly making use of this operation in rising numbers.¹

The issue of the permissibility of hymen repair operations was discussed for the first time in the 1987 meeting of the Islamic Organization of Medical Sciences (IOMS) in Kuwait. The Egyptian medical doctor, Kamal Fahmi, submitted a short study describing several medical practice situations in which doctors might be asked for a hymen repair operation. In response to Fahmi's incentive, two further studies by religious scholars were submitted. The first by Muhammad Nai'm Yasin argued for the permissibility of the operation, while the second by Izz al-Din al-Tamimi argued against it. Both scholars recognized that there are causes for hymen dilation other than illicit sexual intercourse (*zina*), which Middle Eastern society generally assumes must have taken place. Consequently, girls and women suffer from communal sanctions regardless of the cause of the dilation—a problem for which hymen repair could be a possible solution. Both considered the protection of innocent girls from sanctions to be a form of *sitr*, a legal principle calling to refrain from exposing somebody's weaknesses or faults unless necessary.

The permissibility of hymen repair surgery is a controversial topic in Islamic contexts, as the opposing views of doctors convening at the 1987 meeting of the Islamic Organization of Medical Sciences testified. One would expect to find an even more diverse plethora of voices on the Internet, but the authors show that notwithstanding the image of the net as a decentralized medium that spurs pluralism, in practice it functions as a filter in which only a few dominant voices are heard in tremendous duplication.

poses harsh punishments for false accusations of *zina*. Thus, in his view, to conclude from a dilated hymen that a girl or woman has had illicit sex is against the regulations and spirit of Sharia. Contemporary Muslim societies have gone astray, accordingly, because they make judgments and punish without the required proof. Hymen reconstruction is actually a means to protect women and girls from false accusation and has an educational influence on society. Although only a temporary measure which

would cease to be of any use in an ideal Muslim society, hymen repair can currently help to achieve general goals of Sharia, among which is sexual equality. Yasin discusses the positive and negative effects of hymen reconstructions in various scenarios, deeming it permissible and even advisory in cases where girls did not commit *zina* or committed *zina* just once. Only for those women commonly known as prostitutes or accused of *zina* by four eyewitnesses, can hymen reconstruction be forbidden.

During the discussion that followed the presentation of all three papers at the IOMS conference, Yasin's paper was severely criticized whereas Tamimi's presentation received only minor attention. One argument stood out rhetorically in this legal discussion, because it introduced personal and public opinion into a debate of abstract legal rules: would the doctor want to marry a girl that had hymen repair without him knowing? This argument is based on a hadith laying out the general moral principle to not do to others what one does not want done to oneself. Though already touched upon in Tamimi's paper, it was only during the discussion that it gained a prominent role and incited a rather emotional outburst. The final recommendations issued at the end of the meeting stated that any alteration of the human body aiming at deceit should be forbidden.

The internet filter

In order to assess the subsequent importance of these texts, we analyzed the public debate on hymen repair on the internet. The plan at the outset was simple: we looked for reference to, or traces of the IOMS texts in the internet discussion about hymen repair. To get a sample of this discussion, we made queries with popular search machines.² We limited our close reading to the first twenty hits on Google, and later compared these to the top ten of Yahoo!, looking for overt citations, unmarked quotes, or paraphrases and lines of argument. The outcome was surprising: out of Google's top twenty hits for hymen repair, only three texts were independent and unrelated to the IOMS texts. The rest were either copying, quoting and/or paraphrasing these texts, or drawing heavily from pages that did so. For the first ten hits of the Yahoo! query, only a single page proved unrelated. As to the degree of relations, the web-pages were mostly paraphrases and citations not otherwise indicated or in any other way discernible—the only exception being an online version of a published book with regular footnotes. Seven of the web-pages were mere copies of texts found on other pages listed in our search result.

Fahmi's medical study is the most widely used text. Although the many references to Fahmi formally makes his treatise the central text in this discussion, one has to keep in mind that it does not state an opinion—it is mainly laying out medical facts and the options doctors have in dealing with hymen repair. Opinions, or rather rulings according to the Sharia, are the domain of Yasin's and Tamimi's texts.

Tamimi clearly dominates the online discussion with four pages related to his arguments, among those one finds the important *islamonline*, which is copied and pasted in three other pages. *Islamonline* is also the only page referring to Yasin's arguments, though it rebukes them outright. The text found on *rafed.net* is a shiite legal discussion quoting Fahmi's

Notes

1. See, for example, Sandy Kobrin, "Restoring Virginity Becomes Risky Business," *Women's eNews*, 22 May 2005, <http://www.womensenews.org/article.cfm/dyn/aid/2304/context/archive> (accessed 10 April 2006).
2. Queries performed on 19/01/2006 with Google and Yahoo! for *ghasha' al-bakara*, "hymen," occurring together with any of the following equivalents of "repair": *ratq*, *taslih*, *i'ada*, *islah*.
3. 23 July 2006, http://www.alexia.com/site/ds/top_sites?ts_mode=lang&lang=ar. At the time of our initial search, *islamonline* marginally outranked *arb3*.
4. Thomas Eich, *Islam und Bioethik: Eine kritische Analyse der modernen Diskussion im islamischen Recht*, (Wiesbaden, 2005), 74.
5. http://www.ems.org.eg/who_conf/Backgrounddocuments/MedicalEthicsAr.pdf, p52f.
6. Peter Kandela, "Egypt's trade in hymen repair," *The Lancet* 347 (1996): 1615.

Tamimi weighs this benefit of hymen repair, namely, the protection of innocent women from sanctions, against the negative aspects of the operation. First, he considers hymen reconstruction to be a potential fraud against the future husband. Although this is not explicitly stated by Tamimi, Yasin's and *rafed.net*'s papers (below) make clear that the problem at hand is ultimately framed as a matter of legal contracts and transactions, with hymen repair harming an implicit or even explicit condition of the marriage contract. Secondly, Tamimi argues that hymen reconstruction would lead to an increase of *zina* now freed from the fear of societal sanctions. Similarly he sees a slippery slope leading to abortions based on the same arguments. Tamimi concludes that the expected negative outcomes exceed the benefit, and that hymen reconstruction is not permissible. The harm of false accusations against girls and women, as a matter of principle, could not be remedied by causing harm to someone else.

Yasin takes a different approach. He explains that Sharia accepts only two kinds of proof for *zina*, either confession or four eyewitnesses, and that it im-

text, but, despite similarities to the view expressed by Tamimi, presents an independent view in its own right.

Given the variety of texts and sites within the search results that contain professionally edited texts, as well as chat-like discussion boards, the overall dominance of Tamimi's view and obvious neglect of Yasin's, are even more surprising. The search results include professional psychological counselling by the Arab Socio-Mental Health Network, a site with a regional focus on the Yemenite Hadramaut region, and a bunch of multi-topical sites dedicated to women, youth, newlyweds and couples planning to marry, etc., which often contain discussion boards in which hymen repair is an issue.

To characterize an internet debate, the content of pages and sites alone does not suffice. Just as with printed publications, it is important to know how many people may have read a given text. For books, newspapers, and magazines, this is indicated by circulation, and the number of copies sold, etc. For internet texts things are not quite so easy because the absolute number of users visiting a site or page is usually not readily available. But there are some other relevant data one might use: the number of links referring to a page (back links), sample-based statistics on the users visiting a site (reach), the number of pages the average user views on a site (page views), and a ranking of websites based on the latter two values (page rank). All of these are so called "off-page" criteria, (i.e. information transcending the actual content of a page, which in turn is labelled "on-page"). In looking at off-page criteria we can, for instance, rule out the possibility that the IOMS texts were influential because of the popularity of the site hosting them: islamset is a mediocre site at best, standing out only by a high number of back links. While islamonline's popularity and importance will hardly surprise, arb3.com's ranking does: arb3.com, the site for newly-weds and couples planning to marry, currently ranks twentieth of all Arabic sites according to Alexa (a provider for the analysis of internet sites) making it currently even more popular than islamonline. This already makes clear that off-page criteria are necessary for understanding the structure of a debate.³

For our purposes, off-page criteria and other meta-information illustrate how the online-presence of small but specialized organizations can shape public discussion: the IOMS usually publishes the conference pro-

ceedings comprising the scholarly studies, their public discussion, and the final recommendations in print shortly after the meetings. However, these printed publications used primarily to receive attention in highly specialized circles. This situation changed when the IOMS registered their internet site islamset.com in 2000 and put many parts of their publications online. Therefore, the material we analyzed comprises documentation of an off-line debate (the three studies and their discussion at the IOMS-meeting in 1987) as well as online discussions, which interestingly came to an almost identical result: the refutation or in most cases the outright neglect of Yasin's ideas. It seems highly unlikely to us that this result is pre-ordained by the positions held by Yasin and Tamimi in the "off-line world." Admittedly, Tamimi was the Mufti of Jordan. However, Yasin was dean of the Sharia Faculty at the University of Kuwait for many years and was able to exert considerably influence in other issues of medical fiqh on the national Jordanian level as has been shown elsewhere.⁴ It seems reasonable to assume that Tamimi's study is much more influential in the public debate than Yasin's, because it represents the predominant view of most public opinion makers. In Egypt, for instance, the IOMS recommendations based on Al-Tamimi's arguments made their way into the doctors' syndicate's ethical guidelines concerning hymen repair.⁵ But despite this common notion, hymen repair is also often thought of as a usual way to cover up for pre-marital sex, with prices for the operation being circulated in the media. Therefore, we hypothesize that, first, the demand for hymen repair operations will not decline during the next years, because the broader patriarchal societal discourse forming their background is not questioned in these debates at all. We would further expect that hymen repair will stay an illegal and consequently clandestine operation with all its negative side-effects.⁶

In conclusion, the clear dominance of Tamimi's view on hymen repair, the central role of two IOMS texts in the internet debate, and the neglect of Yasin's considerations, suggest, at least for the topic at hand, that the thesis of the internet as a decentralized medium that spurs pluralism, has to be reconsidered at least in part. A more detailed analysis of the off-page criteria could further illuminate the structure of this debate just as we hope to gain new insights from comparisons with other public debates on the internet.

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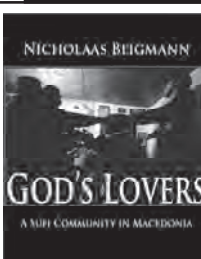
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