



مجمع فقهاء الشريعة بأمریکا
مؤتمر الأئمة العاشر

Islamic rulings of body-piercing for women

A research paper for AMJA's 10th Annual Imams conference 2013
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by

Mufti Ikram ul Haq

President,

Fatwa Center of America

Resident Imam at

Masjid Al-Islam

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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In recent years, body piercing has become one of the most attractive alteration to one's body.

Allah ﷻ has gifted mankind with this body and these bodies are a trust from Allah. Every Muslim is required to remain aware of this fact and must refrain from any alterations to the body that is prohibited by the Islamic Shariah.

I would like to present my research into the topic of body-piercing for the upcoming annual Imam's conference of AMJA. I would like to present Islamic rulings on the issue of body-piercing and various questions related to the subject.

I would like to discuss the following issues of body-piercing in my research paper:

- 1- Body piercing for Muslim men and women in general
- 2- Body piercing for children
- 3- Nose piercing
- 4- Ear piercing
- 5- Belly-button piercing
- 6- Male private part piercing
- 7- Female private part piercing
- 8- Tongue piercing
- 9- Lips piercing
- 10- What kinds of ornaments a woman is allowed to wear?

I hope and pray to Allah that my research proposal for the upcoming annual Imams conference will be approved and I will be able to present my reaserch on this subject Insha'Allah.

May Allah guide me to the truth and help me therewith.

(Mufti) Ikram ul Haq

President of Fatwa Center of America

Resident Imam, Masjid Al-Islam

N. Smithfield RI 02896

Allah Subhanahu Wa Ta'ala created mankind in the best form and best shape. It is stated in verse 4 of Surah At-Teen:

﴿لَقَدْ خَلَقْنَا الْإِنْسَانَ فِي أَحْسَنِ تَقْوِيمٍ﴾ [التين: ٤].

Verily, we have created man in the best of stature

Allamah Ibn-ul Arabi (R.A) said: Human is the best creation of Allah and there is no other creature that is created better than human. Allah created him and made him alive, knowing, able, able to make intention and planning, able to speak, able to listen, able to see and wise.

Human body is a gift from Allah سبحانه وتعالى as it is given to us. We have been instructed to make use of this body in accordance with the instructions of its true Owner (Allah Subhanahu Wa Ta'ala).

Allah سبحانه وتعالى has given us instructions and rights with regard to the use of this body. These instructions may be found within the teachings of Qur'an and the Ahadith of the Holy Prophet Sallallahu Alaihe Wa Sallam.

There are many things that Allah has made Halal (lawful) regarding the use of our body and there are also many things that Allah has made Haraam (forbidden) regarding the use of our body.

We are obligated to fulfill the rights of our body. Among the rights of our body is to protect it from unnecessary alterations. If there is a need for a medical surgery or an alteration to an organ of human body due to a medical need then it is permitted but altering the human body unnecessarily is considered "تغيير خلق" (Altering the design of Allah).

In Verse 119 of Surah An-Nisaa, Allah سبحانه وتعالى stated:

﴿وَلَأُضِلَّنَّهُمْ وَلَأُمَنِّيَنَّهُمْ وَلَأُمُرَّتْهُمْ فَلَئِبَتِكُنَّ ءَاذَانُ الْأَنْعَامِ وَلَأُغَيِّرُنَّ خَلْقَ

اللَّهِ﴾ [النساء: ١١٩].

And I will surely mislead them and I will surely arouse in them false desires and I will surely command them so they will slit the ears of cattle and I will surely command them and they will change the nature created by Allah

Punching holes into one's body is known as piercing in modern language and fashion terminology. There are different ways of how this piercing is done on different parts of the human body.

Below is a brief introduction of piercing and how it is performed on different parts of human body:

Ear piercing:

Ear piercing is sometimes performed using an ear piercing gun. This gun creates an opening in the skin and cartilage for ear jewelry. Piercing guns do not require the insertion of needles by hands.

The other method of ear piercing is to use a hollow needle which is inserted into the earlobe and then it is followed by the jewelry. It takes about 4-6 weeks for the healing to take place.

All forms of piercing is either done by a professional piercer or an individual.

Ear piercing is the oldest form of piercing known in the world.

Fihi ruling of ear-piercing:

Most scholars agree to the permissibility of ear piercing.

Other forms of piercing:

In modern days, piercing of other parts of human body has also been introduced. Many men and women (mostly non-Muslims) have different parts of their body pierced for fashion and beauty.

A sound natured person would always look at these forms of piercing and abhor it because it does not make a man or woman look more beautiful. Rather it makes them look ugly. Unfortunately the fashion of ill natured people have made this appear beautiful to them as well. Allah Subhanahu Wa Ta'ala stated in the Holy Qur'an:

﴿وَزَيْنَ لَهُمُ الشَّيْطَانُ أَعْمَالَهُمْ فَصَدَّهُمْ عَنِ السَّبِيلِ فَهُمْ لَا يَهْتَدُونَ﴾ [النمل: ٢٤].

And Satan made their actions appear to them as beautiful and attractive. Thus he prevented them from the (right) path, hence they are not receiving guidance.

The other body parts that are also pierced include:

Nose, belly button, tongue, lips, clitoris, penis, vaginal lips etc...

All of these body parts are pierced by using a sharp needle. piercing gun is not used to pierce any other part of the body other than ears. When the term body-piercing is used, it refers to the piercing of above mentioned body parts.

Among the Fuqaha, there is a difference of opinion regarding the piercing of nose.

A specific ruling regarding the nose-piercing for women is not found in the books of Fuqaha. Therefore many scholars in general oppose nose-piercing for women due to the absence of evidence from the Sunnah of the Holy Prophet Sallallahu Alaihe Wa

Sallam. However, in Hanafi Fiqh we do find some guidance regarding the ruling of nose piercing.

Shaykh Allamah Al-Haskafi writes in "الدرالمختار":

ولا بأس بثقب أذن البنت والطفل استحساناً. ملتقط.

قلت: وهل يجوز الخزام في الأنف؟ لم أره

Imam Ibn-e Abideen Al-Shami (R.A) writes in his commentary over this statement of Imam Haskafi:

قوله: والطفل، ظاهره: أن المراد به الذكر، مع أن ثقب الأذن لتعليق القرط وهو من زينة النساء فلا يحل للذكور، والذي في عامة الكتب وقدمناه عن التاترخانية: لا بأس بثقب أذن الطفل من البنات، وزاد في الحاوي القدسي: ولا يجوز ثقب آذان البنين، فالصواب إسقاط الواو. قوله: (لم أره) قلت: إن كان مما يتزين النساء به كما هو في بعض البلاد فهو فيها كثقب القرط اه ط. وقد نص الشافعية على جوازه.

(ردالمحتار ج ٩ ص ٦٩٣، كتاب الحظر والاباحة، فصل في البيع).

According to Imam Haskafi's statement, there is no harm in piercing the ears of baby girls but regarding the piercing of nose, he said: I have not seen it. The statement of Imam Haskafi implies that he has either not seen the Fiqhi ruling of nose-piercing or he has not seen any woman having nose-piercing performed.

However, Imam Ibn-e Abideen Al-Shami writes in explaining this comment of Imam Haskafi that: if this (nose-piercing) is something that women do for beautification and ornament purpose as it happen in some places then it will

treated as ear-piercing. Shafi scholars have explicitly stated the permissibility of nose-piercing.

According to the statement of Imam Ibn-e Abideen (R.A), nose-piercing would be permissible just as ear-piercing is permissible if it is performed for the purpose of beauty and ornament in some place.

Hafidh Ibn-e Hajar Al-Asqalani writes in Fathul-Bari regarding ear-piercing:

واستدل به على جواز ثقب أذن المرأة لتجعل فيها القرط وغيره مما يجوز لهن التزين به وفيه نظر لأنه لم يتعين وضع القرط في ثقبه الأذن بل
يُجوزُ أَنْ يُشْبِكَ فِي الرَّأْسِ بِسَلْسَلَةٍ لَطِيفَةٍ حَتَّى تُحَادِيَ الْأُذْنَ وَتَنْزِلَ عَنْهَا سَلْمَنَا لَكِنْ إِنَّمَا يُؤْخَذُ مِنْ تَرْكِ إِنْكَارِهِ عَلَيْهِنَّ وَيَجُوزُ أَنْ تَكُونَ آذَانُهُنَّ ثُقِبَتْ قَبْلَ مَجِيءِ الشَّرْعِ فَيُغْتَفَرُ فِي الدَّوَامِ مَا لَا يُغْتَفَرُ فِي الْإِبْتِدَاءِ وَنَحْوَهُ قَوْلُ أُمِّ زَرْعٍ أَنَسَ مِنْ حِيلِي أُذُنِي وَلَا حُجَّةَ فِيهِ لَمَّا ذَكَرْنَا وَقَالَ بِنِ الْقَيْمِ كَرِهَ الْجُمُهورُ ثَقْبَ أُذُنِ الصَّبِيِّ وَرَخَّصَ بَعْضُهُمْ فِي الْأُنْثَى قُلْتُ وَجَاءَ الْجَوَازُ فِي الْأُنْثَى عَنْ أَحْمَدَ لِلزَّيْنَةِ وَالْكَرَاهَةُ لِلصَّبِيِّ قَالَ الْغَزَالِيُّ فِي الْإِحْيَاءِ يَحْرُمُ ثَقْبُ أُذُنِ الْمَرْأَةِ وَيَحْرُمُ الْإِسْتِجَارُ عَلَيْهِ إِلَّا إِنْ ثَبَتَ فِيهِ شَيْءٌ مِنْ جِهَةِ الشَّرْعِ قُلْتُ جَاءَ عَنِ ابْنِ عَبَّاسٍ فِيمَا أَخْرَجَهُ الطَّبْرَانِيُّ فِي الْأَوْسَطِ سَبْعَةٌ فِي الصَّبِيِّ مِنَ السُّنَّةِ فَذَكَرَ السَّابِعَ مِنْهَا وَثَقْبُ أُذُنِهِ وَهُوَ يَسْتَدْرِكُ عَلَى قَوْلِ بَعْضِ الشَّارِحِينَ لَا مُسْتَدَدَ لِأَصْحَابِنَا فِي قَوْلِهِمْ إِنَّهُ سَنَةٌ

Shaykh Muhammad bin Salih Al-Othaymeen writes in his Fatwa:

وسئل فضيلة الشيخ: عن حكم ثقب أذن البنت أو أنفها من أجل الزينة؟

فأجاب - حفظه الله تعالى - بقوله: الصحيح أن ثقب الأذن لا بأس به، لأن هذا من المقاصد التي يتوصل بها إلى التحلي المباح، وقد ثبت أن نساء الصحابة كان لهن أخراص يلبسها في آذانهن، وهذا التعذيب تعذيب بسيط، وإذا ثقب في حال الصغر صار برؤه سريعاً.

وأما ثقب الأنف : فإنني لا أذكر فيه لأهل العلم كلاماً ، ولكنه فيه مثله وتشويه للخلاقة فيما نرى ، ولعل غيرنا لا يرى ذلك ، فإذا كانت المرأة في بلد يعد تحلية الأنف فيها زينة وتجملاً فلا بأس بثقب الأنف لتعليق الحلية عليه .

Translation

And about the piercing of nose: So I do not remember any discussion about it in the speech of scholars of knowledge. As we see it, there is mutilation and alteration to the natural design in doing so. Perhaps others do not see it that way. Therefore if a woman lives in a city where placing jewelry in her nose is considered a form of ornament and beauty then there is no harm in piercing the nose for the purpose of hanging jewelry to it.

Shaykh Abdul Muhsin Al-Abbad writes in his commentary of Sunan Abi Dawood:

إذا جرت عادة النساء بالتجمل بهذا فلا بأس به، ويكون مثل ثقب الأذن، وكان هذا موجوداً حتى أزمان قريبة، ولكنه ترك في هذا الزمان.

Imam Ghazali (R.A) has forbidden even the piercing of ears for girls. According to Imam Ghazali (R.A), this is considered causing a wound to the human body unnecessarily. According to him, no evidence proves the permissibility of such action from the Shariah.

However, Imam Ghazali's view in light of the evidence presented above is incorrect because the evidence provided above clearly suggests the permissibility of ear-piercing for the purpose of using lawful jewelry for women. This permissibility is exclusively for women. Men are not allowed to pierce their ears unless there is a medical need to do so.

قال الغزالي: وتثقيب أذن الصغيرة لتعليق الحلق حرام لأنه جرح لم تدع إليه ضرورة إلا أن يثبت فيه شيء من جهة الشرع، ولم يبلغنا ذلك واعترض بحديث أم زرع قوله - صلى الله عليه وسلم - كنت لك كأبى زرع إلخ.

(حاشية قليوبى وعميرة، كتاب الصيال وضمان الولاية له)

Imam Ahmed Ibn-e Hanbal has explicitly allowed piercing of ears for baby girls for the purpose of ornament and beauty. However he has disallowed it for boys.

نص الإمام أحمد على جوازه للصبيّة لأجل الزينة، وكرهته في حق الصبيّ.

(حاشية قليوبى وعميرة، كتاب الصيال وضمان الولاية له)

جمهور الفقهاء على أن تثقيب أذن الصغيرة لتعليق القرط جائز، فقد كان الناس يفعلونه في زمن النبيّ صلى الله عليه وسلم من غير إنكار، فعن ابن عباس رضى الله عنهما "أن النبيّ صلى الله عليه وسلم صلى يوم العيد ركعتين، لم يصلّ قبلهما ولا بعدهما، ثمّ أتى النساء ومعه بلال فأمرهن بالصدقة، فجعلت المرأة تلقى قرطها"

(الموسوعة الفقهية الكويتية، الجزء الحادى عشر)

الزينة للنساء مطلوبة للتحسين إلا أن يحمل على ما لا ضرورة إليه لما في نتفه بالمناس من الإيذاء. (ردالمحتار لابن عابدين الشامى، كتاب الحظر والاباحة، فصل في النظر والمس).

ولا بأس بثقب آذان النسوان كذا في الظهيرية، ولا بأس بثقب آذان الأطفال من البنات لأنهم كانوا يفعلون ذلك في زمان رسول الله ﷺ من غير إنكار كذا في الكبرى.

(الفتاوى الهندية ج ٥ ص ٤٣٦).

Can a husband demand from his wife to have body-piercing performed?

It is not the right of the husband to demand from his wife that she has body-piercing performed on any place other than ear and nose. As stated earlier, ear and nose piercing is allowed for woman if she chooses to do so but all other forms of body-piercing is not allowed. The command of Allah supersedes the command of any other. Therefore the husband has no right to demand from his wife that she has her body pierced to please him. The wife should and must refuse such demand even if it comes from her husband.

Tattoo

Tattooing is clearly prohibited through authentic Ahadith of the Holy Prophet Sallallahu Alaihe Wa Sallam. The practice is known as "Washm" in Arabic language. What is important to understand is how Washm is performed.

How Washm الوشم is performed!

A needle is pierced through the desired part of the body for tattooing and then the space created by the needle is then filled by some some color or substance. Although in tattooing the needle used is much thinner but since it causes unnecessary pain to the human body; the Holy Prophet Sallallahu Alaihe Wa Sallam has disallowed it. In using the needle for the purpose of piercing, there is an even more pain to the human body. Therefore by way of analogy if tattooing is prohibited in Islam, body-piercing is even more deserving to be prohibited.

Below are some Ahadith regarding the the prohibition of tattoo practice:

حَدَّثَنِي مُحَمَّدُ بْنُ مُقَاتِلٍ، أَخْبَرَنَا عَبْدُ اللَّهِ، أَخْبَرَنَا سُفْيَانُ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، عَنْ عَلْقَمَةَ، عَنْ ابْنِ مَسْعُودٍ رضي الله عنه قَالَ: «لَعَنَ اللَّهُ الْوَاشِمَاتِ وَالْمُسْتَوْشِمَاتِ، وَالْمُتَمَصَّاتِ وَالْمُتَقَلِّجَاتِ لِلْحُسْنِ، الْمُغَيِّرَاتِ خَلْقَ اللَّهِ» مَا لِي لَا أَلْعَنُ مَنْ لَعَنَهُ رَسُولُ اللَّهِ صلى الله عليه وسلم، وَهُوَ فِي كِتَابِ اللَّهِ. (صحيح البخارى، كتاب اللباس - باب الموصولة)

وفي الفقه المالكي:

لا يحل للمرأة التلييس بتغيير خلق الله تعالى ومنه أن تصل شعرها القصير بشعر آخر طويل وأن تشم وجهها وكف بدنها وأن تنشر أسنانها وأن تنمص فالوشم غرز إبرة أو مشرط أو غير ذلك ثم يحشى موضعه بالكحل فيخضر والنشرتحت الأسنان حتى تتفلج وتتحد أطرافها والتنمص نتف الشعر من وجهها.

(القوانين الفقهية لابن جزي الكلبي الغرناطي المتوفى ٥٧٤١هـ، الباب السابع عشر فيما يفعله الإنسان في بدنه).

وأما الآدمي فيحرم الوشم في وجهه وغيره كما. (حاشية العدوى، باب في العلاج).

قوله: والواشمة، أى التى تغرز الإبرة فى الجسد ثم يذرُّ عليه كحل أو نحوه فيخضرُ

(حاشية العدوى على كفاية الطالب الربانى للشيخ على العدوى، باب فى بيان الفطرة).

Body piercing for children!

Body-piercing for boys is prohibited in all cases and all ages. The scholars have allowed the ears of girls to be pierced for the purpose of using ear-rings and other forms of permissible jewelry.

It is stated in Fatawa Hindiya:

وَلَا بَأْسَ بِثَقْبِ آذَانِ الْأَطْفَالِ مِنَ الْبَنَاتِ لِأَنَّهِنَّ كَانُوا يَفْعَلُونَ ذَلِكَ فِي زَمَانِ رَسُولِ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ - مِنْ غَيْرِ انْكَارٍ كَذَا فِي الْكُبْرَى. (الفتاوى الهندية ج ٥، كتاب الكراهية).

What forms of ornament is allowed for a woman?

Allah سبحانه وتعالى has granted greater permission to women for ornament and beautification. There are many things of ornaments that are allowed for women but remain forbidden for men. Wearing of silk fabric is permissible for women and forbidden for men.

Wearing of gold and silver jewelry is allowed for women and prohibited for men. Men are only allowed to wear a silver ring. They are not allowed to wear any other form of jewelry.

There is no doubt that jewelry made out of gold and silver is permissible for women. This includes ear-rings, bracelets, rings etc...

There are also other forms of jewelry that is quite common among today's women. The permissibility of jewelry made out of any metal other than gold and silver is questionable by some scholars.

Muslim women should avoid using jewelry that is a hallmark of ill-charactered women of the society.

If there is a particular form of jewelry that is predominantly used by women of ill-character then a Muslim woman should refrain from it. A Muslim woman is a reflection of modesty and therefore she should not imitate the ill-charactered women.

If an error was made in rendering of above research then it is my responsibility and I request the scholars to correct me. If no error was made then it is all by the grace of Allah سبحانه وتعالى

May Allah accept this work and make it beneficial. Aameen

(Mufti) Ikram ul Haq

President,

Fatwa Center of America

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