

Hymenoplasty (Hymen Reconstruction): Shari'ah Rulings and Applicable Guidelines

Dr. Khaled Fouad El-Sayed Abu El-Ala¹

¹Department of Sharia, College of Sharia and Fundamentals of Religion, Najran University, Kingdom of Saudi Arabia

Email ID: kfelsyed@nu.edu.sa, <https://orcid.org/0009-0006-0723-029X>

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ABSTRACT

Contemporary surgical operations have made it possible to reconstruct the hymen of a woman who has been forcibly raped, voluntarily engaged in unlawful intercourse, has suffered from hymenal disease, or experienced an accident or direct uterine injury. This medical intervention has raised an issue concerning deceiving the fiancé, as on the wedding night he believes that his wife is a virgin and chaste, whereas the reality is otherwise. Is there an interest in conducting this delicate surgery for the woman whose hymen was ruptured for one of the aforementioned reasons, or is it incumbent upon her to disclose the matter clearly to the fiancé? The present research discusses these issues, highlighting various rulings and applicable guidelines.

The element of conservatism is deeply rooted in the people of this beloved homeland, the Kingdom of Saudi Arabia, and if such incidents occur, they are indeed rare. The Saudi governance system, based upon Islamic Shari'ah, supports every ijtiḥād (juristic effort) that serves women's interests in accordance with Shari'ah, scientific, and legal standards.

The Research Objectives were summarised as follows:

- 1.To provide privacy and dignity to women and give them the opportunity to enter into a successful marital life.
- 2.To compile scattered rulings and regulations related to this issue in one place.
- 3.To demonstrate the ability of Shari'ah to offer suitable solutions to contemporary human predicaments.

The research has concluded with a number of scientific findings, detailed at the end of the research.

It also offered several significant recommendations closely related to the research topic, enumerated at the conclusion.

Keywords: Hymen – reconstruction – marriage – surgery

1. INTRODUCTION

All praise shall exclusively be due to Allah alone, and may Allah's prayers and peace be upon the one after whom there is no prophet.

To begin with:

Married life is considered a great source of stability for both spouses, and such a life is achieved through a lawful union between a male and a female qualified for marriage, under the framework of a Shari'ah-compliant contract, the pillars of which are offer, acceptance, witnesses, and dowry. In order to ensure transparency due to the prevalence of diseases, it has become preferable in the present age to submit medical certificates proving the couple's freedom from contagious diseases or congenital deformities. This openness constitutes an ideal means for continuing a happy life that began with honesty and shall, with the will of Allah, continue with honesty.

Here arises the issue of the rupture of the hymen due to an immoral act from which the woman has repented, or due to an accident, severe injury, or illness resulting in hymenal rupture. The field of surgery permits the reconstruction of the hymen. From this point, this research seeks to examine a number of significant Shari'ah rulings and scientific guidelines.

Research Problems and Questions:

This research seeks to answer a fundamental question: What is meant by Hymenoplasty (Hymen Reconstruction)?

Branching from this fundamental question are several sub-questions closely connected with identifying the various rulings and guidelines concerning the circumstances of hymenal rupture, clarifying its causes, and elucidating the relevant Shari'ah rulings and guidelines, as well as its impact on physical and psychological health.

Reasons for Selecting the Research Topic:

The reasons may be summarised in two main points:

First: The pressing desire to identify and document the various rulings and guidelines related to hymenal rupture, whether it occurred due to a forbidden cause or a permissible cause.

Second: The frequent questioning regarding this issue by women whose hymens have been ruptured, and who are approaching the stage of marriage, or are currently in a state of engagement.

Research Objectives:

The principal objectives intended by this research may be outlined as follows:

1. Serving the research orientations of Najran University in the field of contemporary jurisprudential issues.
2. Contributing, through this research, to disseminating the rulings and regulations concerning the hymen.
3. Consolidating dispersed issues of this research in one location.
4. Demonstrating the ability of Islamic Sharī'ah to provide appropriate solutions for the issues faced by people, based on its fundamental principles.
5. Contributing to the prevention of health-related harm, both physical and psychological, resulting from misunderstandings associated with this matter.

2. LITERATURE REVIEW

Following careful research and investigation by the researchers, within the limits of their resources, some scattered related articles and individual fatwas were identified, yet these do not rise to the level and substance of this research.

Research Methodology:

The nature of the research necessitated an inductive analytical approach, focused on exploring rules and regulations related to hymenal rupture due to both unlawful and permissible causes.

Research Structure and Procedures:

The research is structured into an introductory introduction, three topics, a conclusion, recommendations, and an index of sources and references as follows:

Introduction: Includes a summary of the research idea, significance, problems and questions, reasons for its selection, objectives, literature review, methodology, and structure.

Topic One: Clarification of the Terms of the Research Title

Topic Two: Causes of the Rupture of the Hymen.

Topic Three: Circumstances of hymenal rupture and their respective rulings.

Conclusion: Presenting the most important research findings and recommendations.

Index of sources and references.

Topic One: Clarification of the Terms of the Research Title

The proposed title of this research is: *Surgical Restoration of the Hymen: Legal Rulings and Observed Regulations*, and this necessitates the clarification of the terms comprising this title.

1. **Al-Rataq:** With the *rā'* pronounced openly and the *tā'* in sukoon, it denotes the mending of a tear and its repair. It is said: *We mended their tear until it was mended*, meaning it joined together. From this is the saying of the Almighty: ³Have not those who disbelieve seen that the heavens and the earth were joined together as one piece, then We parted them?⁴ [al-Anbiyā': 30], meaning, there was no fissure within them [9]. Among the well-known sayings of the Arabs in the context of repairing that which is ruined is: "He patched the tear, and mended the rip" [5]. They also said: *The girl is said to be ratiqat if her private part closed together during urination*, likewise for a she-camel [3]. *Al-Rataq* also denotes the closure of the vaginal passage, and from it is the term *ratqā'* among women, that is, one whose vaginal opening is impervious to penetration by her husband [23], and it is impossible for him to insert his private part due to the defect of *rataq*, which is the closure of the site of sexual intercourse by flesh. In this situation, it becomes impossible for the husband to derive pleasure and satisfy desire in order to attain chastity, which is the purpose of marriage. The husband is required to make every effort during penetration so that the obstructive flesh between him and the insertion into a lawful vagina is removed. However, is he permitted to compel his wife to an incision in a manner that does not cause harm?

Imām al-Nawawī said: "The husband does not have the right to compel the *ratqā'* to incise the area, and if she undertakes it

and intercourse becomes possible, then he has no further option; thus they have stated without restriction.” [12]

Undoubtedly, contemporary surgical techniques facilitate easy removal of surplus flesh obstructing the genital area; resorting to this procedure is purely beneficial for both spouses and takes precedence over the disadvantage of suffering during intercourse due to the obstructing tissue. In contemporary times, the woman herself seeks to achieve this benefit; thus, the non-compulsion mentioned earlier loses its significance, particularly given the precision and safety provided by modern sophisticated surgical procedures.

From these determinations emerge several important implications, most notably:

1. Al-Rataq (suturing) is a process fundamentally based on the rectification of corruption that has afflicted something which was previously sound.
2. The indicator of the realisation of rectification is reunion, adhesion, cohesion, and the removal of rupture.
3. The universality of Al-Rataq in both humans and animals.
4. Al-Rataq refers to a congenital defect in a woman’s private part which renders intercourse impossible, and it also denotes the repair of what has been corrupted thereof, such as the hymen; thus, they are two opposing contradictory meanings, which is amongst the linguistic subtleties.

1. **The hymen:** or the membrane of virginity, also known as ‘Al-‘Udhrah’. Al-Raghib Al-Asfahani stated: "And the membrane of virginity is termed ‘Al-‘Udhrah’ by way of analogy to her prepuce, thus it is said: ‘I deflowered her (‘adhartuha)’ i.e. I ruptured her [hymen]"[26].

And it is — according to contemporary Arabic lexicons — a thin tissue that covers the vaginal opening in a female, which is torn upon the first sexual contact, or upon the entry of any object that penetrates it, and it is also referred to as the membrane of virginity (Ghisha’ al-‘Udhrah)[24].

And the terms *virgin* (al-‘adhra) and *maiden* (al-bikr) are synonymous in linguistic usage; however, from the perspective of legal terminology, there are two distinctions between them:

The first: That the term ‘*adhra* (virgin) is more specific than *bikr* (unmarried), for it refers to one whose hymen has not been removed by any cause, whereas *bikr* refers to one whose virginity has not been lost through sexual intercourse, even if it has been removed due to a fall, intense menstruation, or similar causes [14].

The second: That the maiden (*bikr*) is the one whose consent to marriage is established by her silence, even if her virginity has been lost, whereas the term ‘*adhra* (virgin) is applied specifically to one who is, in reality, a virgin [29].

From the above arise several important implications:

1. That the default presumption concerning a woman is her virginity and chastity, and the preservation of her hymen in its original state is evidence of her modesty and virtue.
2. That the terms ‘*adhra* and *bikr* are general and specific in relation to each other from the linguistic and legal perspectives, respectively.
3. That the hymen is attributed to the woman, and she is charged with its protection, and it must not be compromised by any unlawful means.
4. That the essence of virginity is not nullified except by lawful marital intercourse or for one of several causes, the most significant of which will be addressed in the following topic.

Topic Two: Causes of the Rupture of the Hymen

There are numerous causes which result in the rupture of the hymen; the most significant are as follows:

1. Lawful and valid marital intercourse: This rupture occurs upon consummation of the marriage, and full mutual enjoyment between the spouses is not realised except by means thereof. It is commonly accompanied by the flow of blood and leaves behind fragments of the hymenal membrane due to the defloration of the wife by her husband. *Defloration* refers to the piercing and removal of the hymen, which is accompanied by bleeding and is then referred to as *menses* (*tamth*), as is the case for menstruation (*tamth*). The term *tamth* is not used for all forms of intercourse, but rather for that which involves bleeding [8], i.e., defloration resulting in the emergence of virginal blood. In some communities, there exist pre-Islamic customs associated with this blood, whereby the bride hands to her mother on the morning after the wedding night a piece of cloth stained with the blood from the ruptured hymen, which was torn by the husband. The mother then presents it to relatives and guests to prove that the bride was a virgin and had not been previously deflowered by unlawful means. This practice is prohibited and has no basis in Islamic law; it constitutes exposure, scandal, and the broadcasting of private matters between the spouses in the marital bed. This act of exposure, declaration, and publicising of the woman’s blood before the relatives of both spouses is referred to as *tasfih* (display) of daughters.

Among the Arabs, a man is praised for his ability to deflower, and he is referred to, by way of honour, as *Abū 'udhrāhā* (the one who took her virginity). When he deflowers her on the first night, that night is referred to as *Laylat Shaybā'*, whereas if he fails to do so, the night is called *Laylat Hurrah'* [4]. If, however, he is unable to consummate and deflower, he is deemed, according to them, to be *fasīl* (weak or impotent) [12].

2. Prohibited intercourse by way of fornication, which is defined as: “intercourse with a woman without a lawful marriage contract” [26]. This constitutes one of the gravest transgressions and one of the most severe violations, as the two fornicators commit a major sin amongst the most severe of the major sins, requiring urgent and sincere repentance, and incurring the punishment of lashing if they are unmarried, or stoning if they are married. It entails a severe harm through the rupture of the hymen and the seal of virginity by an unlawful means, resulting in disgrace and shame, and causing psychological harm, particularly to the woman, which may accompany her throughout her life.

3. Another cause unrelated to penetration into a lawful marital vagina or one violated by unlawful intercourse, such as skin disease, jumping from a high place to a lower one, or the insertion of a finger or metal object or similar, heavy menstrual flow, car accidents, slipping and falling, severe sports injuries, forceful water entering into it, prolonged spinsterhood, anal intercourse, or coercive rape, or the girl may have been born without a hymen by natural creation.

Many of these causes occur during childhood, followed by the appearance of blood, which may be the result of a side wound unrelated to the hymen. Examination by a trustworthy Muslim female physician, or by female relatives of the girl who possess knowledge, or by an experienced midwife – known as the traditional birth attendant – will reveal the true condition of the hymen.

This falls within the category of harm inflicted upon the womb primarily and upon the hymen consequentially. The jurists of the Shāfi'ī school stated that if an aggressor cuts the labia of a virgin woman and by this aggression removes the hymenal membrane, then he is liable for the full indemnity for cutting the labia, and a specific *arsh* (financial compensation) for the removal of the hymen; as the *'udhrāh* membrane is not located within the labia, but is separate from them, and the aggression thus necessitates both the indemnity and the compensation [30].

Topic Three: Circumstances of hymenal rupture and their respective rulings.

A woman whose hymen has ruptured is not devoid of the following conditions:

The First Condition: Its rupture through lawful marriage, which is a blessing from Allah upon the spouses, and such hymenal rupture within lawful wedlock results in several consequences, the most important of which are:

1. The confirmation of her chastity, as is the case with righteous women who preserve their private parts, and whose virginity remains intact and unharmed. Some women are afflicted with prolonged unmarried life and are not granted success in marriage, yet they preserve their virginity, and approach Allah as virgins, and it is then said about them: “She died with her virginity intact (bi-jumu'in).” This expression is also applied to a woman who dies while carrying a foetus in her womb, and it is, according to the linguists, among the *addād* (words with opposite meanings). This was mentioned by Ibn al-Anbārī in his book *al-Addād*, and he referred to a Prophetic ḥadīth narrated on this topic, which states: “Any woman who dies with her virginity intact (bi-jumu'in), having never menstruated, shall enter Paradise” [10]. The meaning of “having never menstruated” is: having never been deflowered. Ibn al-Anbārī stated: “It is said about a woman who dies a virgin: she died with her virginity intact (bi-jumu'in), because she died in the state of preservation and complete intactness” [1].

2. The benefit derived from the confirmed rupture of the hymen in the event where the husband denies consummation with his wife in order to evade paying the remainder of the dowry, claiming that divorce occurred before consummation. The testimony of trustworthy women, or a reliable Muslim female physician, confirming the occurrence of hymenal rupture, serves as strong supporting evidence in court.

3. The confirmation of rulings associated with intercourse, such as the obligation of *'iddah* (waiting period) upon the woman, because the rupture of the hymen is the gateway to full penetration. The legal criterion is penetration resulting in the complete concealment of the glans (*hashafah*), followed by the rupture of the hymen.

Ibn Qudāmah stated: “The rulings connected to intercourse pertain to the complete concealment of the glans” [25].

The Second Condition:

Its rupture due to fornication or another cause, such as a fall, heavy menstruation, dubious intercourse, or the insertion of an object or similar. This rupture results in several important implications, including:

1. The dispute regarding her marital status—should she be considered a virgin or a non-virgin?

The scholars have differed on this matter, producing two opinions:

The First Opinion: She is married as virgins are, and her silence suffices as consent. This is the view of Abū Ḥanīfah, Mālik, one view of al-Shāfi'ī, and Aḥmad ibn Ḥanbal [22][13][31][25]. The two companions of Abū Ḥanīfah agreed with him on this, but differed when the hymen was ruptured through fornication, stating that she would then be married as a non-virgin

[22].

Evidence Supporting This Opinion:

- a. Her hymen has been ruptured, which is a characteristic of non-virgins [30].
- b. If her hymen was lost due to a fall or other cause, it was not removed through vaginal intercourse, making her similar to one whose virginity was never lost [25]. Thus, in this situation, the rupture is treated as though it does not exist.

The Second Opinion:

She is married as non-virgins are, and explicit consent is required—silence alone does not suffice. This view was also expressed by al-Shāfi‘ī in another opinion and by the two companions mentioned earlier [29].

Evidence Supporting This Opinion:

- a. Virginity is characterised by the absence of previous sexual experience and familiarity with men, which is not present in this case.
- b. The term “non-virgin” refers to a woman whose first experience of intercourse is in her past, derived from the root meaning “to return.” Conversely, “virgin” refers to a woman for whom the first experience of intercourse is still yet to occur, as the term “virgin” denotes primacy or first occurrence. This is comparable to the first part of the day being called “morning” (bukrah), and the earliest fruit of the season being called “first fruits” (bākūrah) [6][22].

The stronger of the two opinions, as it appears, is the first, for several compelling reasons, the most notable of which are:

- a. The virginity was not ruptured through valid marital intercourse. Thus, she should be married as a virgin rather than as a non-virgin. “The consent of the virgin is her silence, while the consent of the non-virgin is her spoken agreement” [11].
- b. The reasoning that permits reliance on a virgin’s silence remains applicable here because modesty does not disappear simply because the hymen was ruptured by a finger, a fall, or similar causes [27].
- c. According to the jurists, a virgin is one who has not been penetrated under a valid marriage contract or even under a contract that resembles a valid one. Therefore, if her hymen was removed through fornication, a fall, or a marriage not recognised as valid, she remains a virgin in the broader sense of the term, distinct from a chaste maiden [13].

2. The disagreement regarding the surgical restoration of the hymen and its impact on physical and psychological health:

The jurists have differed on this issue, giving rise to two main opinions:

The First Opinion: The absolute prohibition of surgically restoring the hymen, regardless of whether the rupture occurred through licit or illicit intercourse, or due to another cause such as a fall or similar reasons previously mentioned in Topic Two.

A number of contemporary jurists have adopted this prohibition.

The argument for prohibition centres on several key points:

a. Recreating the hymen is, in reality, a form of deception and fraudulent alteration. A woman is not permitted to lie or falsify her state to appear as a virgin when she is not. Restoring the hymen through surgery constitutes a deceitful transformation from a state of being non-virgin to one of virginity [18]. The Prophet [SAW] described such behaviour as deceitful in his statement, narrated by Asmā’ (may Allah be pleased with her): “One who pretends to have what they do not, is like one who wears two garments of falsehood” [15][16].

Abū ‘Ubayd said: “This means one who adorns themselves with more than they possess, appearing wealthy or adorned in falsehood” [17].

This applies precisely to a woman whose virginity has been lost for any of the previously mentioned reasons. It represents a deficiency on her part. Yet she may sew it up or create an artificial hymen to deceive her husband during intercourse into believing she is a virgin who has not lost her hymen before. In doing so, she pretends to possess something she once had but has since lost.

b. Opening the door to hymen restoration through surgical procedures risks facilitating repeated acts of immorality and turning it into a professional form of vice. When such a woman wishes to enter into a legitimate marriage, she may undergo a surgical repair or have an artificial hymen placed that mimics the original. This conceals her history of promiscuity with a fabricated hymen, leading her husband to believe she is a chaste virgin. This practice could spread among women, causing them to shun marriage and pursue immoral behaviours due to weak faith, overwhelming desires, and a lack of available spouses.

c. Such surgical restoration constitutes an improper exposure of a woman’s private area without any compelling

necessity. It also opens the door for unscrupulous doctors to promote these procedures at exorbitant prices.

A medical study has outlined detailed observations about the female anatomy and remnants of the hymen, offering a critique of exploitative medical practices. In summary:

1. A forensic doctor can distinguish between a recent and an old rupture. A recently torn hymen appears reddened, painful, swollen at the edges, and accompanied by clotted blood. In contrast, an old rupture is healed at the edges, not painful, not swollen, and does not obstruct light, unlike a recent one. Forensic experts can also identify signs of incidental or repeated penetration.
2. Hymen repair and restoration surgeries depend on the number and depth of tears and the remaining portion of the violated hymen. Initially, this is achieved by repairing the delicate membrane either through stitching or by creating an artificial hymen using some tissues from the vaginal walls.
3. These surgeries have spread extensively in recent times, to the extent that some gynaecologists have specialised in performing them, revealing significant economic benefits. It has addressed the issue of unemployment for some doctors and resolved problems for women of ill repute.
4. The motivations of doctors performing this procedure vary. While some pursue financial gain, others conduct it out of compassion and empathy, without charging any fee. The cost of such surgeries may reach one thousand US dollars in certain instances.
5. No legal actions are taken against doctors performing such procedures unless a formal complaint is lodged against them.
6. These surgeries contravene the ethics of the medical profession, which is founded upon truthfulness.
7. These surgeries have existed for a long time and are not as recent as some may believe. The doctor takes one or two stitches from the remnants of the hymen and joins them together, resulting in bleeding upon intercourse due to the rupture of the sutures.
8. There is no justification for this surgery, as a gynaecologist can determine the cause of hymen rupture.
9. If we allow such surgeries under the pretext of concealment, they will be misused and will become a licence for social corruption.
10. Insufficient sexual education resulting from the mother's absent role has caused enough ignorance to expose young girls to incidents of hymen rupture without sexual contact.
11. Strikingly, some doctors regard such procedures as cosmetic surgeries[7]. Changing the terminology does not alter the true legal character of the event.

It is worth noting that proponents of this view hold that a woman who has lost her virginity is not obliged to inform her husband if he discovers her lack of virginity. She may choose to speak ambiguously, indicating that the loss of virginity could have resulted from various natural causes, such as repeated menstrual bleeding or a sudden movement. Some suggest that a strong gush of water might also rupture the hymen. Therefore, she has a legitimate excuse to use ambiguous expressions that lead her husband to understand the rupture as being due to natural causes unrelated to fornication.

The tradition reports that Amr ibn al-As (may Allah be pleased with him) said: "Indeed, ambiguity provides an alternative to lying." [2]

Abu Ubayd stated: "He meant that there is in ambiguity what suffices a person to avoid resorting to falsehood. Ambiguity is when a person intends to speak words which, if stated plainly, would be a lie. Instead, he phrases it differently so that the listener assumes it to mean what he did not intend." [17]

The second opinion allows hymen repair without restriction, regardless of whether the rupture was caused by permissible or impermissible intercourse or another non-intercourse reason.

Some contemporary scholars have issued fatwas permitting this, provided two conditions are met:

- a. It must not be used as a means of engaging in immoral behaviour.
- b. The procedure must be performed by a trustworthy Muslim female physician.

The argument for permissibility under these conditions is as follows:

1. It is a procedure that achieves a benefit for a woman whose hymen was ruptured due to an accidental cause such as a sudden movement or severe injury and the like, or whose hymen was ruptured due to an immoral act from which she has repented, regretted, and resolved to a sincere and truthful repentance, intending to begin a new chapter with a man who has proposed to her, with whom she will live in modesty, well-being, and chastity.

2. Refraining from hymen repair may deter men from proposing to the woman if she informs the suitor of the true circumstances. He might even divorce her immediately upon consummation of the marriage when he discovers the truth. This could lead the woman to lifelong spinsterhood and the loss of all suitors. Such a consequence is a greater harm than the harm of surgically repairing the hymen. It is established among scholars of legal maxims that: “When two harms conflict, the greater harm is ward off by committing the lesser one.” [21]

3. Some men may not be convinced by a woman’s explanation for the rupture of her hymen and loss of virginity, even if she is truthful in citing causes such as a strong jump or severe injury or the like. Even if she presents a correct and authenticated medical certificate, he may still accuse her of forgery and lying. This ultimately leads to bad relations due to suspicion, mistrust, and ill-thinking. Any act whose consequence is strife between spouses and poor marital relations must be avoided, and “consideration of the outcomes of actions is an established and intended objective of the Sharia.” [28]

What has become apparent to the researchers after reflecting on the evidence of both sides is the following:

1. Distinction must be made between a chaste and pure woman whose hymen has been lost due to an accidental cause unrelated to fornication; such a woman may undergo hymen repair under the following conditions:

- a. That she does not use the repair as a means to facilitate immorality.
- b. That the surgical procedure is performed by a trustworthy Muslim female doctor.
- c. That it is predominantly presumed she will be rejected by suitors if she discloses the true circumstances.

2. As for the unchaste woman who has indulged in and legitimised immorality, and lives a life of prostitution, she may not undergo hymen repair, for in this case the repair is a means of encouraging repeated immorality and deceiving suitors should they pursue her. However, if her repentance is manifest and the improvement of her state is clear, she is then legally aligned with the chaste woman. She is not obliged to inform the husband of her previous immoral act, for repentance erases what preceded it, and the presumption for both Muslim men and women is to pursue discretion in such matters. Unless she is certain, or it is predominantly presumed, that her suitor desires her greatly due to her good qualities and that he would not consider the rupture of the hymen as a reason to abandon marriage to her; in such case, it is permissible for her to inform him, though it is preferable to refrain from disclosure due to the ensuing suspicions that may spread mistrust and ill-thoughts between the spouses in their future life together.

3. And this distinction between the state of the chaste and the unchaste is a conclusion adopted by the Islamic Fiqh Council in Jeddah, through a fatwa the summary of which is: *“It is permissible to repair the hymen that was torn due to an accident, rape, or coercion, and it is not legally permissible to repair the hymen torn due to immorality, in order to prevent corruption and deception.”* [20]

4. And alongside this distinction adopted by the researchers, they maintain that it is preferable not to undertake repair, and that the woman should employ indirect speech when her husband inquires about her virginity during engagement or after consummation, and clarify to him that rupture may occur for many reasons unrelated to fornication. She may demonstrate to him good character and commendable traits which encourage him to remain with her and not choose separation after knowing of the loss of virginity.

What the research concludes is that it is permissible to repair the hymen that was torn due to an accident, rape, or coercion, because the rupture of the hymen in such cases negatively affects the physical and psychological well-being of the girl, especially upon marriage. It is not legally permissible to repair the hymen torn due to immorality, in order to prevent corruption and deception.

3. RESEARCH FINDINGS

The research recorded several findings, the most important of which are as follows:

1. Repair is a process that fundamentally involves remedying a corruption that befell something previously sound.
2. It is an indication of the occurrence of restoration through reunion, adhesion, integration, and removal of fracture.
3. Repair is applicable to humans and animals alike.
4. “Rataq” refers to a congenital defect in the woman’s private part that renders intercourse impossible, and it also refers to the rectification of what has become corrupted thereof, such as the hymen; thus, they are two opposite and contrasting meanings, which is among the linguistic subtleties.
5. The hymen is a thin membrane that covers the female genital opening, which ruptures upon first sexual intercourse or upon penetration by any object; it is also termed the virginity membrane.
6. The terms ‘virgin’ (al-‘adhra’) and ‘maiden’ (al-bikr) are linguistically synonymous; however, in the context of Islamic jurisprudence, there exist two distinctions between them.

7. The virgin state is the default condition of a woman, and the preservation of her hymen is evidence of her chastity and purity.
8. The terms 'virgin' and 'maiden' are linguistically general yet jurisprudentially specific.
9. The hymen is associated with the woman, and she bears the responsibility for maintaining its integrity and must not cause its rupture through unlawful means.
10. The default condition of virginity and maidenhood is not lost except through lawful marriage or due to any of the various causes, the most important of which are discussed in the following topic.
11. The causes of hymenal rupture are numerous; the research identified three in summary and many more in detail.
12. A woman whose hymen is ruptured falls into one of the following scenarios:

The first scenario: The rupture occurs through lawful marriage, which is a blessing from Allah for the spouses. The research identified several consequences of such a lawful marital rupture.

The second scenario: The rupture occurs through fornication or another cause, such as falling, severe menstruation, mistaken intercourse, inserting an object, or similar incidents. The research detailed the consequences of this type of rupture.

13. There are two differing opinions on the repair of the hymen, but the researchers favour the following distinction:

First: The repair of the hymen is permissible for a chaste woman whose hymen was ruptured due to a non-fornication-related cause.

Second: The repair of the hymen is not permissible for a woman who has deliberately pursued fornication and lives a life of immorality, as the repair in such cases encourages the repetition of fornication and deceives potential suitors.

Third: Despite this distinction, the researchers recommend that repair is generally not the best course of action. Instead, a woman may rely on ambiguous wording if her husband inquires about her virginity during the engagement or after marriage. She may explain that the rupture could have occurred due to a variety of non-fornication-related reasons and highlight her good qualities and virtuous traits, encouraging him to remain with her and not seek separation after learning of the lost virginity.

14. Any woman whose hymen was ruptured due to natural causes, such as severe menstruation or a strong jump, is advised to obtain an official, certified medical certificate. This document can serve as strong evidence if potential suitors inquire about her virginity.
15. The obligation upon parents and the family to caution daughters regarding the grave danger of hymenal rupture by unlawful means, as such an act incurs the wrath of the Almighty Lord, brings shame upon the girl and her family, causes severe complications, and fundamentally undermines the girl's prospects for marriage.
16. Concern for the integrity of a girl's hymen contributes significantly to achieving psychological well-being after marriage, and any natural physical defects in this regard have medical solutions within the field of surgical science.

4. – RESEARCH RECOMMENDATIONS

The researchers have proposed several recommendations which may serve as the basis for further scholarly writing, as follows:

1. Surgical procedures involving the sensitive areas of women: regulations, rulings, and etiquette.
2. Ambiguous speech and its related rulings and etiquette: the context of marriage as a case study.

5. ACKNOWLEDGMENT

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