

SPEAK OUT ON FGM

WHY SHOULD 'KHATNA' OF GIRLS BE STOPPED?

Female Genital Mutilation (FGM) is a harmful traditional practice that involves the removal of part or all of the female genitalia. Around the world the WHO & UNICEF estimate that 200 million women and girls across 40 countries have been subjected to FGM. Today FGM is known to occur in Africa, the Middle East, Asia and in practicing communities who reside in North America, Europe, and Australia.

TYPES OF FGM

The World Health Organization (WHO) has classified FGM into 4 types:

- Clitoridectomy: partial or total removal of the clitoris and/or the prepuce
- Excision: partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora
- Infibulation: the most extreme form, the removal of all external genitalia and the stitching together of the two sides of the vulva
- Other: all other harmful procedures done to the female genitalia for nonmedical purposes, for example, pricking, piercing, incising, scraping and cauterizing

GIRLS' KHATNA IN INDIA

In India *Khatna* of girls is practiced by the Bohras, Shiite sub-sects mainly residing in Gujarat, Maharashtra, Rajasthan and Madhya Pradesh. There are an estimated one million people belonging to the Bohra community in India and a considerable number living as expats around the world.

Most Bohra girls and women are subjected to Type 1 FGM (Clitoridectomy) or Type 4 FGM, usually at age 7. Although there is no certainty about prevalence rates in India due to lack of data, we could roughly estimate that hundreds of thousands of girls may be subjected to or are at risk of FGM in the community.

HEALTH IMPACT

FGM is generally performed without anesthetic, sometimes by traditional circumcisers and sometimes in medical facilities. According to the WHO it can have lifelong health consequences. Some of the risks from Type 1 FGM include:

- Severe pain
- Excessive bleeding
- Genital tissue swelling
- Fever infections
- Urinary problems
- Post Traumatic Stress
- Depression
- Anxiety
- Pain during sexual intercourse
- Reduced sexual pleasure

Why is *Khatna* performed on girls?

1. To control women's sexuality, to ensure virginity until marriage and fidelity in marriage
2. *Khatna* reduces girls' and women's sexual pleasure and this is associated with notions of "modesty"
3. *Khatna* increases girls' eligibility for marriage within the community
4. People subject girls to *Khatna* for fear of excommunication by the religious body

5. Undergoing *Khatna* reaffirms a Bohra girl's identity and purity.

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GIRLS'
KHATNA- A
HUMAN
RIGHTS
VIOLATION

Can *Khatna* of boys be compared to *Khatna* of girls?

FGM has long been recognized internationally as a 'Harmful Traditional Practice'. It is acknowledged as a human rights violation, torture and an extreme form of violence and discrimination against women and girls in several international and regional human rights treaties. It violates women's sexual and reproductive rights and their right to bodily integrity.

Having ratified the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) or UN Women's Convention, and the Convention on the Rights of the Child (CRC), India has an obligation to protect girls from Harmful Traditional Practices including FGM or *Khatna*.

States parties to the CEDAW "are obliged to plan and adopt appropriate legislation, policies and measures and ensure that their implementation responds effectively to specific obstacles, barriers and resistance to the elimination of discrimination that give rise to harmful practices and violence against women" (arts. 2 and 3).

The CRC obliges States parties "to take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children (art. 24 (3))."

"It is time to examine harmful practices from a human rights perspective. Children have a right to be protected from practices that have absolutely no health or medical benefits but which can have long-term negative effects on their physical or mental well-being,"

Ms. Hiranthi Wijemanne

No, although the word used for circumcision of boys and girls may be the same (*Khatna*), the procedure, impact and reasons for practicing are vastly different and cannot be compared.

"While male circumcision is the removal of foreskin and does not affect the male sex organ itself, FGM damages the sex organs, inhibiting pleasure and causing severe pain and complications for women's sexual and reproductive health," Equality Now Factsheet on FGM in the United States. A procedure equivalent to FGM in men would involve partial removal of the penis.

Further the underlying ideology behind the two practices also differs. FGM is a patriarchal cultural tradition carried out to control women's bodies and sexual behavior. Male circumcision on the other hand has nothing to do with controlling men's sexual behavior. It is not rooted in an ideology that is fundamentally discriminatory.

Countries that have Outlawed FGM¹

African Nations:

Benin (2003)
Burkina Faso (1996)
Central African Republic (1966)
Chad (2003)
Côte d'Ivoire (1998)
Djibouti (1994)
Egypt (2008)
Eritrea (2007)
Ethiopia (2004)
The Gambia (2015)
Ghana (1994)
Guinea (1965, 2000)
Kenya (2001)
Mauritania (2005)
Niger (2003)
Senegal (1999)
South Africa (2005)
Tanzania (1998)
Togo (1998)
Nigeria (multiple states, 1999-2002)

Industrialized Nations:

Australia (6 of 8 states, 1994-97)
Belgium (2000)
Canada (1997)
Cyprus (2003)
Denmark (2003)
Italy (2005)
New Zealand (1995)
Norway (1995)
Spain (2003)
Sweden (1982, 1998)
United Kingdom (1985)
United States (Federal law, 1996; 17 of 50 states, 1994-2006)

Is Khatna of girls propagated by Islam?

Female excision is not mentioned in the Qur'an which is the highest authority in Islam.

Most Muslim authorities stress that female excision is not the *sunna* (regular practice of the Prophet). Among the Sunni hadith books, only Abu Dawud reports such a practice among the pre-Islamic Arabs, but the commentators state that the tradition reported by Abu Dawud is very weak. However, this custom is practised very irregularly in the Muslim world.

The Pillars of Islam (Da'a'im al-Islam) by al-Qadi al-Nu'man is the most important law book for the Ismailis. It was written under the direction of the caliph-imam al-Mu'izz. Nu'man is the founder of Ismaili school of law, an eminent jurist, and a prolific author. The Pillars of Islam, vol. 1, pp. 154-55 refer for female excision.

According to Islamic scholar Ismail Poonawla who translated and annotated the Daimul Islam both volumes, female circumcision is not an Islamic practice, but must have been a local tribal or cultural phenomenon in North Africa, where Nu'man was born and raised and wrote the Pillars and probably it might have been practiced by the Berber tribes. Male circumcision is reported in two traditions: one on the authority of the Prophet, and the other on the authority of Ali. Female excision is reported only once on the authority of Ali.

Why should the Syedna ban the Dawoodi Bohra community from practicing Khatna of girls?

1. It is a form of violence and discrimination against girls and women
2. It is in direct violation of India's commitments to several international human rights standards.
3. It violates the law of several countries where members of the Dawoodi Bohra community reside.
4. It does not have any basis in Islam, and in fact goes against Islam.

Speak out on FGM is a group of concerned, conscious and empowered Bohra women who have come together to create an awareness on the prevalent practice of FGM in their community, to talk about their experiences, to share the individual battles they have engaged in with their families and elders of the community and to be involved in an outreach program within the community to end this practice.

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¹ Center for Reproductive Rights