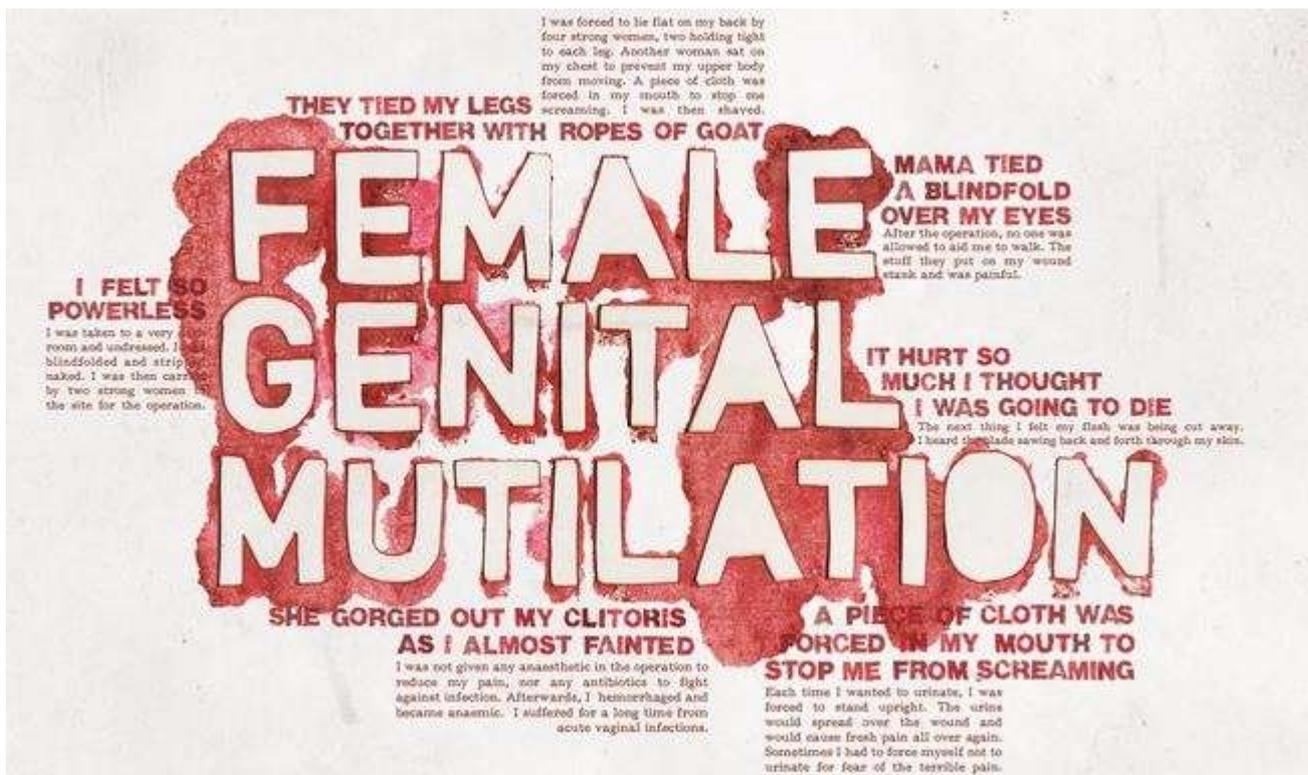


Interrogating the Practice of Female Genital Mutilation in India



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- The Art of Re-Engineering

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Lead Essay

Interrogating the Practice of Female Genital Mutilation in India

What is Female Genital Mutilation?

As per the WHO/UNICEF/UNFPA Joint Statement on Female Genital Mutilation (1997)¹, Female Genital Mutilation (FGM) comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs whether for cultural or other non-therapeutic reasons.

Female Genital Mutilation is classified into 4 different categories² depending on how it is carried out. The extent of tissue cutting generally increases from Type I to Type III (with exceptions). Type IV consists of uncategorised practices that do not remove tissue from the genitals, therefore appearing to be generally less harmful or risky than the previous categories, though more extensive research is required in this regard.

Type I Female Genital Mutilation, which involves the partial or total removal of the clitoris and/or the prepuce (clitoridectomy), is what is apparently practised in India by the Dawoodi Bohra community. They are the only community in India who are known to practice Female Genital Mutilation, also locally known as female circumcision or 'khatna'.

Female Circumcision in India:

The Dawoodi Bohras are a Shia Ismaili sect that hails predominantly from Gujarat. There are 1.5 million Dawoodi Bohras, about half of whom live in India. Mumbai, where the Syedna, the religious head of this community resides, is home to the Bohra world headquarters. Female circumcision is carried out by Dawoodi Bohras on young girls around seven years of age³. Female circumcision is also practised by Dawoodi Bohras abroad – in November of this year, three Dawoodi Bohras were held guilty of circumcising two young girls in Australia's first Female Genital Mutilation trial⁴.

Many Bohra women believe their sect to be egalitarian in matters of education, marriage and basic freedom, and consider female circumcision to be an extension of this, since both men and women in the community are circumcised. However a distinction must be drawn between male and female circumcision. Male circumcision, itself a contentious issue⁵, is ostensibly carried out for the purpose of health and hygiene. Medically-performed male circumcision is widely believed to outweigh its potential risks. The purpose of female circumcision, however, is mainly to curb female sexual desire⁶ and could be construed as a means of societal control over the sexual agency of a woman. The clitoris, referred to as "haraam ki boti"⁷, must apparently be removed to ensure that the woman does not lust after other men. Female

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circumcision has no known health benefits⁸, but carries the risk of complications such as severe pain, shock, haemorrhage (bleeding), tetanus or sepsis (bacterial infection), urine retention, open sores in the genital region and injury to nearby genital tissue. In addition to the inevitable psychological impact, long-term complications could include recurrent bladder and urinary tract infections, cysts, infertility, an increased risk of childbirth complications and newborn deaths, and the need for later surgeries.⁹

Moreover, female circumcision in India is not openly practised – this means that the procedure is carried out at home by a person who is not a registered medical professional, often in unsanitary conditions without anaesthesia, all of which would only compound the likelihood of further complications.

Due to the secrecy surrounding the practice, there are no official figures available for the incidence of female circumcision in India. However, it is estimated that 100-140 million women worldwide have undergone genital mutilation, with 3 million girls and women undergoing the procedure every year.¹⁰

Criticism of Opposition to Female Circumcision:

Western critics of female circumcision have been accused of failing to view the practice in its appropriate historical and cultural context. The term “genital mutilation” is seen as problematic, as it automatically portrays those for whom this is a ritual cultural or religious practice as barbaric and ignorant, even when such circumcision is undergone voluntarily by an adult female. Feminist theorist Obioma Nnaemeka, a vocal opponent of female circumcision, said:

“Female circumcision has also been thrust into the name game – from gruesome sexual castration and female genital mutilation to the “kinder and gentler” female genital surgeries, and now female genital cutting. But in this instance, one must not underestimate the impact of the renaming for people (Africans) whose cultures attach an importance to naming so profound that ceremonies are performed to mark it.

... In this name game, although the discussion is about African women, a subtext of barbaric African and Muslim cultures and the West’s relevance (even indispensability) in purging the barbarism marks another era where colonialism and missionary zeal determined what “civilisation” was, and figured out how and when to force it on people who did not ask for it.”¹¹

Comparisons have also been drawn between female circumcision and other body shaping procedures such as dieting or cosmetic surgery (including Labiaplasties, a form of cosmetic surgery which is undergone to alter the appearance of the Labia), which are as much an outcome of societal pressure as is female circumcision.¹² Philosopher Martha Nussbaum has countered this allegation by drawing a distinction between social pressure and physical force through the analogy of the difference between seduction and rape – a difference that she says is difficult to draw, but is, morally and legally, both real and crucial.¹³

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Lead Essay

Female circumcision is rarely discussed in the public sphere in India. Many women are afraid to go public, for fear of ostracism from the close-knit community.

Female Genital Mutilation and the Law:

In 2012, the UN General Assembly adopted a resolution on the elimination of female genital mutilation that called on states to "complement punitive measures with awareness-raising and educational activities" to eliminate female genital mutilation.¹⁴

Many countries have banned Female Genital Mutilation, including many countries in Africa, where the practice is most widespread, such as South Africa, Tanzania, Ghana, Ethiopia and Egypt. Other countries (mostly recipients of immigrants from countries where Female Genital Mutilation is practised), have passed laws that criminalise Female Genital Mutilation. These include Australia, Sweden, United Kingdom, France and the United States.¹⁵

The Way Forward:

At present, there is no legislation in India that expressly criminalises Female Genital Mutilation. However, a petition to end female genital mutilation in India has recently been circulated online, and currently has 20,160 signatures.¹⁶ The petition, addressed to the Ministers of Women and Child Development, Law and Justice, and Health and Family Welfare respectively, has been circulated by 17 Bohra women (part of a Bohra platform called 'Speak Out on FGM') who have revealed their identities for the first time in signing this petition. A similar petition circulated in 2012¹⁷ which was signed anonymously, received 3000 signatures but was ignored by the clergy at the time.¹⁸

Urgent action is required by the government to amend existing legislation or enact new laws to criminalise the practice, especially on young girls below the age of consent. At the very least, a regulatory mechanism must be put in place to ensure that female circumcision on consenting women is carried out by within certain prescribed frameworks to ensure hygiene and safety.

As Masooma Ranalvi, the first signatory and found of Speak Out on FGM, says, "The whole practice stems from India because this is the spiritual centre. Bohras wherever they are in the world continue practicing FGM, even if the law of the land says it is not allowed."¹⁹

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Prepared By:

Yesha Paul

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Headlines

The High Speed Rail Project could Turn Out to be an Expensive Mistake

(Raghavan Sivadasan, *The Wire*, December 12, 2015)

Before Railway Minister Suresh Prabhu borrows money for the Mumai-Ahmedabad High-Speed rail corridor, a project involving the cost of 98000 crore rupees, there is an urgent need to review the faulty model that his Ministry has prepared.

Read More: <http://thewire.in/2015/12/12/the-high-speed-rail-project-could-turn-out-to-be-an-expensive-mistake-17218/>

Accessed on 12.12.2015

The Art of Re-Engineering

(*Outlook*, December 9, 2015)

The pollutants spread by planes make a significant contribution to global warming, yet they are excluded from international negotiations, such as the conference taking place in Paris at the moment. As a result, aviation's expansion is unchecked by concerns about climate change.

This exclusion is ridiculous, not least because aircraft emissions have a particular role in heating the planet, due to the height at which they are released, and the multiplying impacts of the water vapour and other gases the planes produce.

Read more: <http://www.outlookindia.com/article/the-art-of-reengineering/296082>

Date Accessed: 10.12.2015

Economics

Table 1: General Inflation Rates in Indian States: October 2015 (%)

States	Rural	Urban	General
All India	5.84	4.44	5.08
Northern Region			
Jammu & Kashmir	7.91	3.29	6.03
Himachal Pradesh	9.95	3.24	8.15
Punjab	7.80	6.04	6.88
Chandigarh	18.08	0.33	1.97
Uttarakhand	4.96	5.30	4.77
Haryana	6.99	5.23	5.78
Delhi	8.31	5.94	6.90
Uttar Pradesh	3.84	4.33	3.64
Western Region			
Rajasthan	6.16	8.00	6.53
Gujarat	5.46	4.75	5.05
Maharashtra	8.07	3.85	5.48
Goa	9.13	6.77	6.96
Lakshadweep	14.76	2.42	8.51
Daman & Diu	20.72	9.30	15.59
Dadra Nagar & Haveli	22.38	9.10	15.48
Central Region			
Madhya Pradesh	4.94	6.13	5.31
Chhattisgarh	12.56	5.52	9.36
Southern Region			
Andhra Pradesh	10.90	6.13	8.83
Karnataka	7.74	3.24	5.40
Kerala	3.91	-0.08	2.30
Tamil Nadu	4.87	4.44	4.78
Puducherry	9.64	5.06	6.64
Andaman & Nicobar Island	18.94	4.05	11.31
Northeastern Region			
Arunachal Pradesh	4.85		
Assam	4.54	3.38	3.77
Manipur	20.23	5.26	14.46
Meghalaya	-1.80	5.46	-1.45
Mizoram	7.60	3.97	5.43
Nagaland	12.31	6.09	9.48
Tripura	8.55	5.88	7.40
Sikkim	13.51	1.54	10.73
Eastern Region			
Bihar	5.70	5.49	5.23
Jharkhand	6.74	3.88	5.27
West Bengal	1.44	4.17	2.38
Odisha	7.80	1.09	5.47

- Source: State-wise monthly inflation rates are estimated from year on year Consumer Price Index (CPI) data of MOSPI.
- There is one month time lag in CPI data (From the month February 2015 onwards the New Series is introduced with base 2012=100) provided by MOSPI, Government of India.
- The 2014 October data at state-level with base 2010 is here converted to new base 2012 with linking factors of MOSPI 1.22, 1.20 and 1.21 for rural, urban and combined respectively.

Economics

GDP Stats Mask Economic Reality

(The Asian Age, December 9, 2015)

As it is, the GDP growth rate was tweaked a bit by this government in February 2015, to put India on a higher trajectory, giving itself an added 2.2 per cent growth as a bonus. If this were done in the last year of the Manmohan Singh government, the growth would have been a good-looking 6.9 per cent instead of the dismal 4.7 per cent calculated then. It just means that in the year and a half since the United Progressive Alliance went out, the GDP has grown a mere 0.5 per cent. But this government claims a healthy GDP growth of 7.4 per cent allowing it to crow about outpacing China.

Read more: <http://www.asianage.com/columnists/gdp-stats-mask-economic-reality-321>

Date Accessed: 10.12.2015

Governance & Development

POLITICS AND GOVERNANCE

An Analysis of PMJDY

(The Hindu Centre, 2015)

This report presents the findings of a primary study conducted across four districts in Tamil Nadu about the implementation of the Pradhan Mantri Jan Dhan Yojana (PMJDY) and its implications for achieving full financial inclusion. The study found that several of the problems that earlier attempts at financial inclusion faced, such as bankers acting as large barriers to access, exclusion of the most vulnerable and lack of awareness of programme features, continue to persist even with the PMJDY.

Read more: <http://www.thehinducentre.com/publications/policy-report/article7945190.ece>

Date Accessed: 10.12.2015

Rajya Sabha Refers Anti-Corruption Bill to Select Committee

(Outlook, December 11, 2015)

In the wake of objections by some members, Rajya Sabha today referred to a Select Committee a bill to amend the Anti-Corruption Act of 1988 which provides for enhancing penalty for graft to a maximum of seven years from the present five years.

The 23-member Committee has been asked to present the report by the last day of the first week of next session of Parliament. It will be headed by Anil Madhav Dhawe of BJP. The Bill was introduced in the House on December 1 and it was moved for consideration on December 3 when members raised objections over certain clauses in it, arguing that these overlap with the provisions of the Lokpal Act and more clarity was needed on these.

The Bill, long pending before the Rajya Sabha, provides for more stringent punishment for the offences of bribery, both for the bribe giver and the bribe taker by amending the Prevention of Corruption Act, 1988. It seeks to enhance penalty for graft to a maximum of seven years from five years now, among other new provisions to check the menace.

Read More: <http://www.outlookindia.com/news/article/rs-refers-anticorruption-bill-to-select-committee/923514>

Date Accessed: 11.12.2015

ENERGY

Failed Power Projects Shackle India's Energy Growth

(Himadri Ghosh, India Spend, December 9, 2015)

According to the Power Ministry, about 75 projects in the energy sector worth about Rs. 70,000 crore were terminated over the last seven years. They were stopped because of a range of issues: "from getting land and finance to profitability and local issues. These projects could have generated 30,809 MW of energy- enough to supply 11% of India's annual power generation capacity".

Read more: <http://www.indiaspend.com/cover-story/failed-power-projects-shackle-indias-energy-growth-90531>

Date Accessed: 10.12.2015

ENVIRONMENT

Why Chennai Floods are a Man-Made Disaster

(Down to Earth, December 3, 2015)

There has been total disconnect between hydrology and urban planning in the city that has been experiencing a drop in water table, with saline intrusion due to unplanned extraction of groundwater. Moreover, the groundwater is highly polluted due to unplanned solid waste dumping; the effluents leached from these solid heaps and contaminated the groundwater. The recharge structure like lakes, tanks, ponds and other wetlands in the city have been disregarded and the natural course of water has been tampered. This is

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one reason for urban flooding in the urban and peri-urban areas.

Read more: <http://www.downtoearth.org.in/news/why-chennai-floods-are-a-man-made-disaster-51980>

Date Accessed: 10.12.2015

National Green Tribunal: No New Diesel Vehicles to be Registered in Delhi (*The Times of India*, December 11, 2015)

The National Green Tribunal (NGT) on Friday ordered that no new diesel vehicles would be registered in Delhi.

"As an interim measure and subject to hearing all parties in the case, we direct that diesel vehicles which are more than 10-year old and new diesel vehicles would not be registered in Delhi," a bench headed by NGT chairperson Justice Swatanter Kumar said.

The NGT further directed the Centre and the Delhi government not to buy any diesel vehicles for their departments. The green tribunal also said that there will be no renewal of registration of diesel-run vehicles which are more than 10 years old.

Read more: <http://timesofindia.indiatimes.com/city/delhi/National-Green-Tribunal-No-new-diesel-vehicles-to-be-registered-in-Delhi/articleshow/50136129.cms>

Date Accessed: 11.12.2015

LAW AND JUSTICE

MHA May Ask 'Juvenile' to Sign Legal Bond (*The Asian Age*, December 11, 2015)

Amid concern over the release of the juvenile convicted in the 2012 brutal Nirbhaya rape and murder case, the Union home ministry may advise the Delhi police to contemplate getting a legal bond signed by the person, affirming good behaviour after his release.

Top sources said it is up to the Delhi police to take the measure after the parents of the gangrape victim expressed their apprehension over the release of the juvenile, who was reportedly the "most brutal" of all the six offenders. The juvenile is set to be released this month, Union women and child development minister Maneka Gandhi had also stressed the need to keep a "close watch" on him following his impending release.

Read More: <http://www.asianage.com/delhi/mha-may-ask-juvenile-sign-legal-bond-084>

Date Accessed: 11.12.2015

India and World

INDIA IN THE WORLD

Food & Fuel Prices Skyrocketing in Nepal due to Indian Blockade: UN

(Hindustan Times, December 12, 2015)

The UN World Food Programme raised concern related to border blockade on India-Nepal border. The UN agency said, “the border blockade and disruptions in imports from India are leading to severe shortages of food and fuel and rise in prices of essential items in Nepal.” The WFO warned of “severe shortages of food and fuel in Nepal caused by the ongoing major disruptions in imports across its southern border with India, saying that the landlocked country could face extreme hardship if prices of basic food staples continue to soar.”

Read more: <http://www.hindustantimes.com/world/food-fuel-prices-skyrocketing-in-nepal-due-to-indian-blockade-un/story-FLpjFHI4C7L8m6IWbKtJxN.html>

Date Accessed: 12.12.2015

MIDDLE-EAST

India’s Many Diplomatic Challenges in Saudi Arabia

(Talmiz Ahmad, TheWire, December 14, 2015)

For India, the domestic and regional contentions emerging from the Saudi-Iran divide is fraught with serious concern; India obtains the bulk of its energy from the Gulf, which is also a major economic partner and the home of eight million nationals who send home \$ 35 billion annually. Being a “free rider” in this region on the back of security provided by the United States is no longer possible since the US has made clear its reluctance to intervene militarily in regional conflicts; it has in fact encouraged the idea that other nations that benefit from ties with this region play a more active role to promote its security.

Read More: <http://thewire.in/2015/12/14/indias-many-diplomatic-challenges-in-saudi-arabia-17239/>

Accessed on 14.12.2015

Opinions/ Books

BOOKS

The Oxford Handbook of Indian Foreign Policy

(Edited by David M. Malone, C. Raja Mohan and Srinath Raghavan, 2015)

This handbook of Indian foreign policy is a serious and substantial contribution to the debate on India's foreign policy approach and engagements in an era that is witnessing significant changes: a new world order is emerging and India needs to contribute to shaping this new order and create a place for itself within it commensurate with its historical, political, economic and cultural achievements.

Read more: <http://www.frontline.in/books/india-in-the-new-world-order/article7903631.ece>

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