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The Ties That Bind

Michael Smith[1]

Female genital cutting (FGC), formerly called female genital mutilation, is the current medico-legal term for female circumcision. FGC, the process of removing all or part of the external female genitalia, occurs in twenty-eight African countries and several Middle Eastern countries.[2] The practice, which predates Islam and is not tied to any particular religion,[3] seems to occur most frequently in cultures where women and children are considered property and have very few rights, and where polygamy is prevalent.[4] FGC is a method of control: if a woman does not enjoy sex, she will not be promiscuous. It is a reflection of the status of women.

In its simplest form, only the hood of the clitoris is removed, often at birth or when the victim is a young child. Infibulation, the most severe form of FGC, consists of the removal of the clitoris, its hood, and the labia minora and majora.[5] The vagina is then sutured shut so as to leave only a small opening for urination, menstruation, and vaginal penetration.[6]

In some urban areas, FGC may be performed in hospitals, while in rural areas it is most often performed by the older women in the community.[7] Nonsterile instruments, such as razorblades, pocketknives, or glass are used.[8] Often the same instrument is used on all the girls in an age group. This can lead to infections and contribute to the spread of AIDS. Aside from the long-term physical problems, FGC may leave lasting traumatic effects, including feelings of incompleteness, anxiety, and depression.[9] What follows is the story of Rachel Njoroge. While the name is fictional, the story is similar to that of many African women fleeing from the practice of FGC.

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Rachel grew up in the city. Her parents were educated, both university graduates, and modern in most ways. They lived in an apartment with a stove, a refrigerator, a washer and dryer, and hot and cold running water. They were fashionable and affluent. They wore the latest styles, sent Rachel to an expensive private girls' school, belonged to the Kikuyu Country Club, and on Sundays donned their best clothes to go to the big new church in their upscale neighborhood. Like many urban families, they spent their holidays at Rachel's father's village in the country. Although the village was very different from her city life, Rachel enjoyed those visits as much as her father, and certainly more than her mother. In his village, Rachel's father had a small house, made of wattle and daub, with a packed earth floor. His house was in the family compound where his father had four houses, one for each wife. Rachel's father had only one wife and, therefore, only one house. However, his half brothers had houses for their numerous wives; thus, it was necessarily a large compound.

Rachel had many cousins her own age to play with. As Rachel and her cousins grew older, her cousins began to mock her for her "city ways." They teased her because of her clothes—especially her shoes, because she was an only child, because she always brought books to read, and because she and her mother made the long trek to the little missionary church every Sunday. Although she was raised in the city, Rachel was no different from girls throughout the ages. She wanted to fit in, and she wanted to be like her country cousins. After all, she was tied to them by blood, tribe, and clan.

As she grew up, Rachel began to notice that her parents' relationship was not perfect. They had always argued, but the arguments were occasional and short. As a rule, Rachel's mother was an "obedient woman." Rachel's thoughts about the quarrels were informed by her father's family, who agreed that Rachel's mother was not obedient enough. When she turned twelve, Rachel couldn't help but notice that her parents' quarrels grew more

frequent, louder, and longer. During these arguments, her parents shut themselves in their bedroom because they did not want her to know what they were arguing about.

At age twelve, Rachel was unworldly. She had taken biology in school and had a smattering of knowledge about sex, but like most children, she thought that she knew a great deal about the subject. She and her schoolmates giggled when the teacher mentioned the old-fashioned custom of female circumcision.

Even the worldliest girls in her class, despite their airs of superiority, had but the vaguest idea of what circumcision involved; they knew only that it involved cutting something-or-other "down there." The teacher quickly continued on to health problems caused by this traditional operation—infections, hemorrhaging, difficulty during childbirth (sex was not in the curriculum)—and the girls came away with the belief that because of those problems, circumcision was no longer practiced and they did not have to worry about it. Rachel's mother also briefly mentioned the embarrassing topic of sex, and even more briefly, the embarrassing topic of female circumcision. She only did this to assure her daughter that she would never be circumcised and that she did not have to worry about it. Rachel did not.

Rachel was aware that the belief system of the people in her father's village consisted of a mix of traditionalism, Christianity, Hinduism, Islam, and Judaism. Few of the village elders went to church, and even the young adults who attended church believed in many of the old ways. They believed in magic and witchcraft, and they were afraid of spells and curses. Many of the men practiced polygamy. Rachel knew that some of the girls were circumcised, but she did not worry about it. As a good Christian, Rachel's father had only one wife, and he had promised his wife that Rachel would not be circumcised.

Rachel knew that the circumcision ceremony took place in December for girls who were thirteen. Still, when she and her family went to her father's village for the December holidays following her thirteenth birthday, she did

not worry, and the thought that a circumcision ceremony would take place that month barely entered her consciousness. It had nothing to do with her, and she knew very little about it. She knew that the ceremony would begin in the small hours of the night when she was fast asleep and uncircumcised females were not permitted to watch. Watching the circumcision would surely cause the crops to wither or the cattle to sicken.

One afternoon, Rachel's uncle came to their little house in the family compound to tell Rachel's mother that her mother had been in an accident and was in the hospital. Rachel's mother hurried to catch a ride on a *matatu*, a little van or bus, to go to her mother's town, which was five hours away.

Early that night, after a full day of doing chores and playing with her younger cousins, Rachel fell fast asleep. Long before dawn she was roused by two of her elderly aunties who commanded her to follow them. Rachel, who had been trained from birth to obey, followed. Outside the village they approached a large bonfire surrounded by a dozen girls Rachel's age who were in turn surrounded by half a dozen elderly women. It was a cheery scene, and the girls sang happy songs, songs about growing up and becoming women, songs about husbands, and risqué songs that made the girls laugh. Rachel enjoyed singing and laughing and, like all young girls, wanted to belong, so she willingly joined the happy girls.

Deep down Rachel realized that she was participating in a circumcision ceremony, but she did not believe that she would be circumcised. Hadn't her mother and father promised her that she didn't have to worry about it? Besides, what could she do? She had to obey. She was bound to these girls and these elders by ties too strong to break.

Even when the singing girls were marched single file down to the river by a guard of elderly aunties who held flaming torches to light the way, Rachel did not worry. At the river the elders told the girls to strip and bathe in the water. The girls remained in the river a long time, the cool water numbing their bodies, emerging only when the elders told them to come

out. Cold and dripping, they put on new white shifts given to them by the elders. Only momentarily did Rachel wonder why they had a shift for her. It briefly crossed her numbed mind that her father's family had deliberately gotten her mother out of the way so that they could circumcise her.

When the girls lined up and the elders lit lanterns, Rachel noticed that they were near three newly built huts by the riverbank. Two of the elders took the first girl into the far hut, while an ancient woman emerged from the near hut with a razorblade in her gnarled hand. Rachel recognized the old woman as the clan midwife. Soon after the old women doddered into the far hut, a loud piercing scream startled all the singing girls into silence. Soon the first girl, half-hobbling, half-carried by two elders, emerged from the hut. All the girls watched the first girl's halting progress with the same terrible fascination that a fear-frozen baby bird has when watching a snake dance a few feet away. This first girl, although she wanted to be brave, cried silently, her body convulsed by sobs and pain, the bottom half of her snow-white shift covered with a dark stain.

Rachel, number six in line, was no longer in denial about what would happen to her. Only a few of the elders stood guarding the silent line of girls. These guards held torches that cast an eerily flickering light, but the torches might as well have been machine guns pointed at the trembling girls, so strong were the cultural bonds.

Two elders took the second girl into the hut. Again, a scream that pierced the night was heard. Again, a convulsing girl supported by the elders emerged and was helped into the resting hut. The third girl was Rachel's cousin Mary. Mary was big for her age and led the pack of Rachel's cousins who taunted her for her city ways, her books, and her father who only had one wife—and that wife was too bossy. When Rachel had arrived that December, Mary had bragged that she would soon be circumcised and would become a clean, respected woman, worthy of marriage. Her parents had already accepted a good dowry for her of fifteen cows. Mary taunted Rachel, telling her that she was unclean and would not

be able to find a decent husband. Without knowing exactly what circumcision involved, Mary bragged that she was almost a woman and would experience a pain similar to childbirth, and she was sure that she would endure it without crying.

These memories flashed through Rachel's mind as she watched Mary walk proudly into the circumcision hut. Without actually forming the thought, Rachel competitively decided that she could endure just as much pain as Mary, and that when her turn came, she would walk just as proudly into the hut. But when she heard Mary's scream, which was louder than the previous screams, and when she saw the sobbing, convulsing Mary carried out of the hut by two burly elders, all of Rachel's competitiveness disappeared. She told the nearest elder that she had to relieve herself, and the elder accompanied her to the nearby bushes. Once in the bushes, Rachel took off running. She was young and frightened, and the elder in pursuit had no chance to catch her. Rachel ran through the still, dark forest like a ghost in her pure white shift. She did not stop running until she was far from her father's village. Her terror, finally, was great enough to break her cultural bonds.

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Only recently has the United States government recognized the fear of FGC as grounds for asylum,[10] a form of immigration relief available to individuals fleeing persecution in their home country. It is rare, however, that circumcised women are granted asylum in the United States.[11] Our office, the East Bay Sanctuary, in Berkeley, California, does more FGC asylum cases than any other agency in the Bay Area.[12] We work with Survivors International, an organization of therapists and doctors that treats survivors of torture,[13] and we work with the Center for Gender and Refugee Studies at University of California, Hastings College of Law.[14]

Girls and women usually find us through word of mouth or their churches. Often, they are too humiliated by their experiences to even confide in close friends or relatives. They trust us because we are

sponsored by many different churches. We have half a dozen FGC cases a year, but these cases are rare due to the economic and social status of the victims: Africa is far away, and it is very difficult for poor women to get visas to enter the United States. Paying for airfare presents an additional challenge. Often church groups or a sympathetic relative in the women's home countries help them escape.

Previously, women in Africa had no choice but to remain and suffer. However, as their social situation and awareness improves, they are beginning the struggle against this horrible practice. In some countries women's support groups have formed to combat FGC. The world community also has begun to recognize FGC as a human rights violation.[15] As one client told me, she was against FGC because it was dangerous, extremely painful, and it violated her rights as a woman.

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[1] Michael Smith is the director of the asylum program at the East Bay Sanctuary in Berkeley, California. He has written two books of short stories about refugees titled *Sanctuary Stories* and *The Nun and the Anarchist*.

[2] Alexi Nicole Wood, *A Cultural Right of Passage or a Form of Torture: Female Genital Mutilation from an International Law Perspective*, 12 HASTINGS WOMEN'S L.J. 347, 362 (2001). *See also* Amnesty International, Female Genital Mutilation: A Human Rights Information Pack (§ 1), *at* http://www.amnesty.org/ailib/intcam/femgen/fgm1.htm (last visited Mar. 26, 2005).

[3] *See* Norwegian Church Aid, Female Genital Mutilation: Understanding the Issues, at 17, 27, *at* http://www.nca.no/filemanager/download/699/FGM-report-eng.pdf (last visited Mar. 26, 2005).

[4] *See* Allison Lampert, *The Tradition of Female Genital Mutilation*, Int'l Media Corner–The Link (Feb. 23, 2000), *at* http://www.polygamyinfo.com/intnalmedia%20plyg%2046%20link.htm (last visited Mar. 27, 2005).

[5] *See* REBECCA J. COOK ET AL., REPRODUCTIVE HEALTH AND HUMAN RIGHTS: INTEGRATING MEDICINE, ETHICS, AND LAW 264 (2003).

[6] *See id.*

[7] *See* Wood, *supra* note 2, at 352.

[8] *See id.*

[9] World Health Organization–Media Centre, *Female Genital Mutilation*, (June 2000), *at* http://www.who.int/mediacentre/factsheets/fs241/en/ (last visited Mar. 26, 2005).

[10] *See In re* Kasigna, 21 I. & N. Dec. 357 (BIA 1996), *available at* http://w3.uchastings.edu/cgrs/law/bia/kasinga.html (last visited Mar. 26, 2005).

[11] *See* Wood, *supra* note 2, at 371.
[12] For more information on the East Bay Sanctuary, please visit http://www.eastbaysanctuary.org (last visited Mar. 26, 2005).
[13] For more information on Survivors International, please visit http://www.survivorsintl.org (last visited Mar. 26, 2005).
[14] For more information on the Center for Gender and Refugee Studies, please visit http://www.uchastings.edu/cgrs (last visited Mar. 26, 2005).
[15] *See* Wood, *supra* note 2, at 375–83; Norwegian Church Aid, *supra* note 3, at 26.