



# drishti

## SC Questions Female Genital Mutilation

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The Supreme Court expressed concern over the practice of Female Genital Mutilation (FGM) prevalent in the Bohra Muslim community (who are Shia Muslims), saying it compromises and violates the bodily integrity and privacy of a woman in the name of religion.

- The Chief Justice of India (CJI) observed that the practice will fall under POCSO Act and that “these petitions have been filed by women. And if they do not want it, then it cannot be imposed”.
- The practice violates various fundamental rights of the girl child and moreover, such kind of genital mutilation has serious repercussions on their health (WHO).
- The countries like the USA, the United Kingdom, Australia and around 27 African countries have already banned this practice.
- According to the petition, FGM violates both the UN Convention on the Rights of the Child and UN Universal Declaration of Human Rights to both of which India is a signatory.
- While the trust belonging to women of Bohra community, opposed the petitions and said that FGM was in vogue among Dawoodi Bohra women since centuries, and it would be protected under Articles 25 and 26 of Constitution and demanded that the matter is referred to a Constitution bench.

## Female Genital Mutilation (FGM)

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- FGM refers to the practice of complete or partial removal of female external genitalia, apparently in an attempt to keep their sexual desires under control.
- FGM is prevalent in India and is one among the many violations which make our country the world’s most dangerous place for women.
- Despite being perpetuated by small minorities, the prevalence of cultural practices such as FGM is **symptomatic of a larger problem at the root of it**.
- Irrespective of the community or religion, in India, there is an understanding of the female body being ‘impure’, ‘excessive’ and in some cultures, even ‘evil’.

- One can even draw parallels between **cultural ideas of pollution and purity**, wherein many Indian cultures, a menstruating woman is considered 'impure'.
- There are **grave health repercussions** associated with the barbaric act of FGM - in the short-term, there may be a pain, excessive bleeding, fever, infections, shock, or even death.
- In the long term, there may be urinary or vaginal problems and complications at childbirth. Correcting the damage may need surgery.