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# Mrs. Goundo’s Daughter: The Family Tragedy of Female Genital Cutting

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The World Health Organization [1]: Female genital mutilation (FGM) comprises all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons. FGM is recognized internationally as a violation of the human rights of girls and women. It reflects deep-rooted inequality between the sexes, and constitutes an extreme form of discrimination against women. It is nearly always carried out on minors and is a violation of the rights of children. The practice also violates a person's rights to health, security and physical integrity, the right to be free from torture and cruel, inhuman or degrading treatment, and the right to life when the procedure results in death.

In this piece, Author Nadia Bernstein uses the term "female genital cutting" because some believe "FGM" may be perceived as stigmatizing by women who have been subject to the procedure and who may not consider their bodies to be mutilated. The film uses the more specific term "excision.

Berenstein writes: "I think there are good arguments in favor of either term, and acknowledging the limitations of language underscores the complexity of the issue, and its real-world consequences."

A scene in Mrs. Goundo’s Daughter [2],a powerful new documentary produced and directed by Barbara Attie and Janet Goldwater, where a group of African women are gathered in a Philadelphia beauty parlor giving voice to opinions that they might be persecuted for holding in their home countries. "We were circumcised, but we pray our daughters won’t be," says one woman. "No one wants to see her newborn daughter faced with the blade," another agrees. Mrs. Goundo, the soft-spoken but strong-willed center of the film, (her first name is never used) sits nearby, silent yet wary in her dark headscarf and abaya.

Mrs. Goundo, is an undocumented immigrant from Mali petitioning for asylum in order to remain in this country with her infant daughter, Djenebou. She wants to protect Djenebou from the same fate that she herself experienced as a young girl: the ritual excision of her external genitalia. Twenty-two years old when the film begins, Mrs. Goundo was sent to the U.S. by her parents at age sixteen to

marry a fellow Malian, to whom she had been betrothed when she was a child. Her husband is also an undocumented immigrant who has been in the U.S. since 1990. Because his own petition for asylum has been denied and he lives under the constant threat of deportation, his face is never shown in the film. In addition to Djenebou, the Goundos have two sons. Although all three of their children are citizens by virtue of being born in the U.S. — and thus not subject to deportation — the removal of one or both of their parents could present an impossible choice: allow their family to be torn apart, and perhaps never see their children again, or bring them back to Mali, where Djenebou would almost certainly be cut.

Female genital cutting (FGC) — also known as female genital mutilation and sometimes erroneously compared to male circumcision — refers a range of practices involving the partial or total removal of the external female genitalia. According to the World Health Organization [3], between 100 and 140 million women and girls have been subject to FGC, mostly in Africa, but also in parts of Asia and the Middle East, as well as in communities elsewhere in the world. Mali, Mrs. Goundo's home country, is one of the nations where FGC is most prevalent; it is estimated that approximately 85 percent of girls and women there are subject to genital cutting. The practice is nearly universal among the cultural group that Mrs. Goundo hails from, the Soninké.

The pain of the procedure may not even be imaginable to those who have not experienced it, but viewers vividly witness it in one of the most heartbreaking scenes of the film: the mass excision of sixty-two young girls in Mali. The filmmakers were not permitted to film the procedure itself, but they capture the scene several hours afterwards. A mass of girls walking stiff-legged and cautiously, some wailing openly, others looking dully forward, expressionless. FGC can have lasting, possibly fatal health consequences: infections, abscesses, a significantly elevated risk of serious complications during childbirth, an increase in infant mortality of as much as 55 percent [4], as well as profound psychological trauma. Moreover, the re-use of traditional ritual knives in multiple procedures can spread infectious diseases, including HIV. "When we lived in Africa we had no choice," says Mrs. Goundo, "but now I know this is bad."

The film alternates between scenes showing Mrs. Goundo's life in Philadelphia and her slow progress through the immigration courts system, and footage shot in Mali, including among the Soninké. Rather than framing the question of cutting as a conflict between traditional cultural practices and Western condemnation of those practices, Attie and Goldwater focus on the ongoing, active debate within Mali and among Africans about the legitimacy and continuation of FGC; in these scenes, Malians speak for themselves, without the interpolation or interpretation of any Western commentators. Thus, instead of demonizing a culture for what is admittedly a horrifying practice, Attie and Goldwater succeed in showing how excision (as it is typically called in the movie) fits into a network of customs and traditions that have been passed down over generations. For instance, it is believed that unexcised women will have no hope of marriage, which could leave

them economically vulnerable and socially outcast. (For comparison, Michelle Goldberg provides an insightful account of the debate between those who argue that cutting should be respected as a cultural tradition and those who see it as an affront to human rights here [5].)

Crucially, they also reveal the seeming inevitability of FGC in some areas of the country. One Malian anti-FGC activist recalls how her young daughter was excised by her in-laws without her consent, while she was away at work; even though she is "an educated woman," she says, she was helpless to stop it. It becomes clear that if Mrs. Goundo were to return to Mali with her daughter, she too would be unable to prevent the wishes of her parents, in-laws, and grandparents — the family network that would insist on the practice, and perhaps even shun Mrs. Goundo and her daughter if she resisted.

However, some Malians are increasingly questioning the legitimacy and validity of FGC, and publicizing its lasting health consequences. Although many associate the practice with Islam, an anti-FGC activist counters that proponents of cutting use Islam "to put a veil of respectability on the matter." To explore this claim, Attie and Goldwater film Imams who take a range of positions: those who support and mandate the practice, those who acknowledge that the Koran is ambivalent on the question, and those who actively oppose it — including Mrs. Goundo's Imam in Philadelphia. They also explore the shifting social and cultural beliefs surrounding the custom. But it is clear that one of the chief justifications for the practice is to control and regulate female sexuality; one Imam, arguing for the necessity of excision, claims that without it, women's sexual desire would be unmanageable and insatiable. As one anti-FGC activist says, resigning herself to what seems the insuperable force of traditional notions about women and gender, "It is something that we will continue to do without even knowing why."

Mrs. Goundo's asylum hearing is set for March 1, 2007. With the help of William Maronski, her enthusiastic attorney, and a family friend, who helps with translations, the hearing goes well. A sympathetic immigration judge, Judge Rosalind Malloy, understands and accepts Mrs. Goundo's difficult situation. Although the government attorney argues that Mrs. Goundo has technically passed the deadline for claiming asylum (asylum petitions must be filed within a year of arrival), and that Djenebou is protected as a U.S. citizen that cannot be deported, Judge Malloy rejects his claim. She asks him who he expects would care for the little girl if her parents were deported; he stammers in response. The implicit question is, why should separation be the price that a mother pays for attempting to protect her daughter from harm? Judge Malloy finds Mrs. Goundo eligible for asylum, although the government reserves the right to appeal. A little more than a year later, Mrs. Goundo finally gets her green card, guaranteeing her residency as she applies for permanent citizenship.

This happy ending is a huge relief; by the end of the film, you can't help but care deeply for the fate of Mrs. Goundo and her pig-tailed daughter. During the

screening where I viewed the film, the government lawyer's assertion that Djenabou was in no danger because she could not be deported was met with a collective scoff. The danger of documentaries, however, is that they can make a singular example stand in for a typical case. In asylum cases — and especially in cases that involve gender-based violence — there are no typical cases. Indeed, a recent analysis [6] suggested that the politicization of appointments to immigration courts under the Bush administration has resulted in the appointment of judges significantly less likely to grant asylum, leading to what some call "refugee roulette," where the outcome of cases is disproportionately dependent on the judge hearing the claims.

Moreover, situations like Mrs. Goundo's — petitioning for asylum based on fear of harm to U.S. citizen daughters — are among the most hotly contested areas of FGC asylum jurisprudence, according to Lisa Frydman, Managing Attorney at the Center for Gender and Refugee Studies at Hastings College of Law [7]. In a 1996 case that is generally considered to have laid the groundwork for asylum claims based on gender-based violence, Fauziya Kassindja (her name was misspelled in the case), a 17-year-old native of Togo, was granted asylum by showing that she has a well-founded fear of FGC, and that her home country would be unwilling or unable to prevent it from happening. Later decisions in the Board of Immigration Appeals (BIA) and the Federal Courts have built a growing, if inconsistent, body of case law, finding that past subjection to FGC could constitute a presumption of a well-founded fear of persecution; other decisions have ruled that FGC is not a one-time act, not only because some forms of it could be repeated, but also because constitutes ongoing harm, analogous to cutting out the tongue of a political dissident [8]. Recently, then-Attorney General Mukasey vacated a 2007 BIA decision [9] denying asylum to Malian woman who had been subject to FGC, stating in part that a woman need not fear the exact same persecution repeating itself in order to have a well-founded fear of future harm.

However, a BIA decision published in fall of 2007, Matter of A-K, which denies asylum to a parent (in this case a father) trying to protect his U.S.-born daughters from deportation to Ethiopia has some advocates worried that similar petitions may also be rejected.

Frydman believes that the designation "derivative asylum" — which is often applied to cases like Matter of A-K- and Mrs. Goundo's situation — is blinkered and misleading; it leaves out the real harm that parents may experience when their relationship with their children is severed or interrupted, or when they are helpless to prevent a child from undergoing FGC. The potential injury is not only the irreparable damage that might be done to the child, she says, "This ignores the fact that if the parent opposes FGC, and it's being forced on a child against the parent's will, the parent-child relationship is interfered with in a way that might never recover." This type of emotional harm may rise to the level of persecution,

Frydman argues— "even more so in cases where the mother has already undergone the procedure and knows the level of harm that her child will suffer."

Jeanne Smoot, Public Policy Director of the Tahirih Justice Center [10], agrees. She also notes that the Center has seen cases where relatives have threatened to go as far as to kidnap the child in order to subject her to FGC. "If you deport the parent," Smoot says, "that's one fewer protector between the child and the possibility of being subjected to [FGC] — even in this country. The threat doesn't end just because the child is here." To Smoot, the immigration and citizenship status of the child should be irrelevant in these cases. "All that should matter is that you have a child at grave risk and a parent trying to protect her," she says. "The price of that protection shouldn't be that the parent is ripped apart from the child, who is forced to grow up a world apart."

Mrs. Goundo's Daughter reveals that FGC does not just affect individual girls and women, it affects entire families. Family and group traditions are also what sustain it; it is preserved in part by the differential of power that often exists between younger and older women and men. And in the coin-toss of asylum hearings, families are what is at stake.

**Links:**

[1] http://www.who.int/mediacentre/factsheets/fs241/en/
[2] http://attiegoldwater.com/goundosdaughter/home.htm
[3] http://www.who.int/mediacentre/factsheets/fs241/en/index.html
[4] http://www.who.int/mediacentre/news/releases/2006/pr30/en/index.html
[5] http://www.prospect.org/cs/articles?article=rights_versus_rites
[6] http://www.nytimes.com/2008/08/24/washington/24judges.html?pagewanted=all
[7] http://cgrs.uchastings.edu/
[8] http://www.nytimes.com/2008/06/12/nyregion/12mutilation.html?_r=1&ref=nyregion&oref=slogin
[9] http://cgrs.uchastings.edu/campaigns/matterofat.php
[10] http://www.tahirih.org/