

# Female Circumcision: The Flight of Kasinga: Problem Handouts



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# Female Circumcision: The Flight of Kasinga

## Problem Statement

Only 17 when she fled her neighborhood in Kpalime, Togo, Kasinga claims that her father's death launched a frightful turn of events. She had long been protected from mutilation from her father, a wealthy businessman who had sought out an uncircumcised woman for a monogamous marriage, despite wealthy Tchamba-Kunsuntu men's predilection for polygamy. Because he had prevented the circumcision of his five daughters, he was partially ostracized by other Tchamba-Kunsuntu. And he sent Fauziya to neighboring Ghana for a high school education so she could learn English and help manage his trucking business.

When he died in 1993, his sister took over two-thirds of the estate. Fauziya's aunt pulled her from school and arranged for her to marry a 45-year old politician with three wives. Fauziya refused to sign the marriage contract, but the union nonetheless became legally official. She was sent to a room to wait for the elder woman who would come 'in a few days' to circumcise her.

Meanwhile, Fauziya's mother, banished by the aunt, had put her one-third share of the late father's estate (\$3,000) in the hands of Fauziya's sister, with instructions to help Fauziya leave Togo. In October, 1994, the sister helped her escape and the two fled to an airport in Accra, Ghana, where Fauziya boarded the first plane out of Africa.

For two months in Germany, she survived on the kindness of strangers. After her stay in Germany, hopeful to unite with relatives in the US, and emboldened by her fraudulent possession of a Nigerian woman's British passport, Kasinga flew to Newark, NJ. Arriving on 17 December 1994, she did not try to enter the US via the passport, but instead turned herself over to customs officials and declared her intention to apply for asylum because she feared genital circumcision.

For about 6 months she was detained at a privately-run INS detention facility in Elizabeth, NJ. When riots rocked that facility in June, 1995, she was transferred to Lehigh County Prison in Allentown, PA.

At her first INS hearing, in October, 1995, she was denied parole. The INS continued to seek Kasinga's deportation.

## ***Questions for discussion:***

1. How do you feel about female circumcision?
2. If you were the judge, would you grant Kasinga asylum in the US? State your reasons for or against. What are the implications for granting asylum?
3. Where do we draw the line between freedom of religion and/or cultural traditions and practices such as female circumcision?
4. Is there a difference between male and female circumcision? If so, how are they different?



Taken from news article: Donoghue, K. (1996, January 18). A Rite of passage: A Berkeley lawyer's client could establish precedent for asylum claims based on female genital mutilation. *The Recorder*. Retrieved from: [web.lexis-nexis.com](http://web.lexis-nexis.com)

