WOMEN'S (AMENDMENT) BILL, 2023

A BILL ENTITLED

AN ACT to further amend the Women's Act, and for connected matters**.**

ENACTED by the President and the National Assembly.

[ ]

1. Short title

This Act may be cited as the Women's (Amendment) Act, 2023.

2. Amendment of Cap. 33:01

The Women's Act (hereafter referred to as the "Principal Act") is further amended as set out in this Act.

3. Amendment of section 32A

Section 32A of the Principal Act is deleted.

4. Amendment of section 32B

Section 32B of the Principal Act is deleted.

OBJECTS AND REASONS

This Bill seeks to lift the ban on female circumcision in The Gambia, a practice deeply rooted in the ethnic, traditional, cultural, and religious beliefs of the majority of the Gambian people. It seeks to uphold religious purity and safeguard cultural norms and values. The current ban on female circumcision is a direct violation of citizens' rights to practice their culture and religion as guaranteed by the Constitution.

Given The Gambia's predominantly Muslim population, any law that is inconsistent with the aspirations of the majority of the people should be reconsidered. Female circumcision is a culturally significant practice supported by Islam, with clear proves of the teachings from our Prophet (S.A.W). It is to be noted that the use of laws to restrict religious or cultural practices, whether intentional or otherwise, can lead to conflict and friction.

Interestingly, the continued existence of the ban on female circumcision and penalizing practitioners has directly contradicted the broader principles of the United Nations, which encourages, through its agencies, the preservation and practice of cultural and historical heritages.

It is important to challenge the terminology used by anti-female circumcision movements, who label the practice as "mutilation." Properly conducted circumcision, as per religious guidelines and teachings, is not and cannot be deemed mutilation. Emphasizing this distinction is crucial in addressing concerns raised by activists.

Revoking the ban on female circumcision will allow people to indulge in the practice with all its precautions, guided by religion, diligence and care.

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HON. ALMAMEH GIBBA
NATIONAL ASSEMBLY MEMBER FOR FONI KANSALA