

Summary

Legal Bans and Traditional Practices in Africa: The Effect of Criminalizing Female Genital Cutting on the Practice and Well-being

Hailegabriel Abebe Fenta

National Graduate Institute for Policy Studies

Female genital cutting (FGC), the act of removing some part of the female external reproductive organs for non-medical reasons, has raised concerns about public health and human rights. Consequently, the traditional practice has been subject to eradication through policy. However, systematic evaluation for the effectiveness of these eradication policies has been lacking. Moreover, it remains an important policy question of how much of the recent decline in FGC can be due to these reforms. Further, almost no empirical evidence shows the impact of criminalization on females' well-being, although FGC has long been a prerequisite for marriage in many African families. Using data from Demographic and Health Surveys (DHS) and Multiple Indicator Cluster Surveys (MICS), this dissertation empirically estimates the effect of criminalizing FGC on the traditional practice and female well-being.

This dissertation first discovers that criminalization substantially reduces the likelihood of ever-experiencing FGC. The policy change appears most effective among the younger

females in the region-ethnicity group on the top tercile of the pre-reform FGC prevalence. One potential mechanism behind the effectiveness of the reform could be people's perception of the law as potentially enforceable and fear of possible punishment if they practice FGC even without actual enforcement. Another one might be through the effect of the law in increasing the bargaining and decision-making power of females (most likely the mothers) who are willing to abandon the practice. Moreover, this dissertation shows effect heterogeneity by religion, urbanization, and degree of enforcement. Interestingly, the results also suggest the estimated impact of the reform varies with data sources.

The reduced-form results from estimating the effects of criminalization on female well-being (measured by health, education, and marriage) show that the reform *increases* the risk of early marriage and fertility at the expense of quality marriage. Moreover, the reform *lowers* literacy and educational attainment, mainly the secondary level or above, suggesting that education is not the mechanism for the reform's effects (or FGC) on early marriage. Facing FGC criminalization, parents do not substitute education for FGC as a pre-marital investment to improve the value of their daughters. Instead, they replace FGC with early marriage because young-age girls are more valuable in marriage markets. Criminalizing FGC can lower female education potentially because uncut girls are likely to face stigmatization, discrimination, and peer isolation. Alternatively, the decreased educational achievement by criminalization could come from an increased risk of early marriage, leading them to drop out of school.

Furthermore, criminalization lowers husband quality, measured by educational achievement and engagement in a skilled type of occupation. This result can be related to a

shorter searching time for a quality partner because parents hurry to accept marriage proposals for an uncut daughter. However, the reform does not affect the reproductive health outcomes significantly. Also, the results do not suggest adverse effects of the reform on the general health well-being of females, except leading them to be overweight. The mechanisms could be related to the stress and tension associated with stigma in abandoning FGC and their lower educational achievement.

This dissertation contributes by addressing the external validity concerns of past research. It is the first to pool all the available FGC survey data for entire Africa, including DHS and MICS. Also, it reviews historical and institutional details for Africa on FGC regulations and policy interventions against FGC. This study's key novelty is to exploit further the variation in the exposure to criminalization across *region-ethnicity groups within countries*, in addition to the variation across birth cohorts and countries. This strategy makes it possible to allow the reform's impact to be *nonlinear* in FGC prevalence among region-ethnicity groups. Allowing for nonlinearity is crucial in this empirical task because the standard linear models may not capture the women's complex behavior and attitude towards the custom in the presence of laws.

The findings related to the effectiveness of FGC criminalization have important policy implications aiming to eradicate FGC, such as promoting national bans on the practice. This dissertation provides empirical evidence for the role of laws against deeply enrooted traditional practices, even with limited actual enforcement. The law can be effective by changing people's perception of the reform as potentially enforceable, leading to the fear of punishment. Also, the reform might work through enhancing the bargaining and decision-

making power of those women against FGC. As a result, policymakers may have to consider such possible mechanisms while improving the effectiveness of the interventions. Further, the evidence of the reform effectiveness by cohort and *region-ethnicity groups* helps the policymakers decide whom and where to target and prioritize.

Moreover, this study reveals that criminalizing FGC might promote another custom, *early marriage*, suggesting that policymakers should consider the risk of early marriage while trying to reform FGC. Another finding is that the reform lowers female educational achievement, suggesting the requirement of additional policy compensating the victims of the stigma associated with abandoning FGC.

The findings in this dissertation pass several falsification tests. Also, the event-study results support the validity of the research design in this dissertation. Significant limitations of this study are potential issues with self-reported FGC status and lack of data on parental backgrounds from the same data sources, particularly on maternal conformity to the FGC practice. Because questions related to FGC are sensitive, women may misreport their actual status. However, understanding the direction of bias may be challenging as both under-reporting and over-reporting are possible. Finally, although maternal conformity to the FGC practice is observable in the DHS, it is in a different data frame from data containing their daughters' FGC status. The empirical strategy in this study could continue being applicable only under stronger assumptions. Omitting maternal conformity to FGC might lead the observed relationship between criminalization and women's FGC status to be spurious even given the same region, ethnicity, and birth cohort.