

CONVERSION TO HIJRAH (EUNUCH) IS IT NEED BASED OR A CRIME

Dr. J.S.Dalal, DRME (Pb.), State Medicolegal Advisor, Principal, Professor & Head, Forensic Medicine, GMC, Amritsar
Dr. R.K.Gorea, Professor & Head, Forensic Medicine, GMC, Patiala
Dr. Hakumat Rai, Additional Professor, Forensic Medicine, GMC, Amritsar
Dr. Ashok Chanana, Associate Professor, Forensic Medicine, GMC, Amritsar
Dr. Paramjeet Kaur, Associate Professor, Obstetrics & Gynecology, GMC, Patiala
Dr. Gurmanjit Rai, Assistant Professor, Forensic Medicine, GMC, Amritsar
Dr. A.D.Aggarwal, Junior Resident, Forensic Medicine, GMC, Patiala
Dr. Shilekh Mittal, Junior Resident, Forensic Medicine, GMC, Amritsar
Dr. Rahul Chawla, Junior Resident, Forensic Medicine, GMC, Amritsar

ABSTRACT

Young boys were allegedly kidnapped and kept under illegal custody for months together. After demoralization had set in due to prolonged confinement, surgery was done on their private parts and female hormones were given to the persons. The converted person were made to wear female garments and performed in groups as a female dancers and earned money while in captivity. After a few years the person approached the police that this heinous crime had been done against their will.

KEY WORDS: Hijrah, Eunuch, Castration.

INTRODUCTION

In the 8th century BC Chinese emperors kept eunuchs to guard their harems and also used them as domestic servants. [1]. In the Mughal dynasty, the Hijrahs were officially employed to take care of harems as they were castrated males, which could not exploit the females sexually, but were able to carry out all the domestic work. Hijrahs were synthesized by castrating the males at young age and as such, they were neither physically declared as males nor females. With the decline of the Mughal dynasty this system of preparing Hijrahs and using them as source of earning persisted in the society of Hijrahs. Since long there has been a tradition in India that at the auspicious occasions eunuchs go to houses where celebrations are being held. They go to such houses, sing and dance and collect money as "shaguns". Now-a-days they are also seen amusing in trains and asking for money. Usually they take away the child who is born as eunuch from the parents. They train the child to sing and dance. Some unemployed persons also join the group as instrumental musician.

When the old Hijrah is unable to amuse the public by dancing, immediately they keep eye on some vulnerable child, castrate him illegally and then assemble that child in their group by either

threatening the parents of that child or by luring them with money and other daily needs of life. In majority of the cases, if every thing goes alright mutually, then there is hardly any dispute which is reported to the police or legal authorities. But at times the synthesized Hijrah or his parents might report the matter to police or legal authorities contesting the cruel action on their child or it may be money dispute, which brings the matter on the surface.

Some perverted males may join this profession deliberately for earning as well as by transvesting their sex to satisfy their mental aberration of becoming a female. There is another set of perverted males who are called as *Zananas*. They are basically males having intact male organs but behave like females in their garments and habits and even they attract males for sodomy. In metros both Hijrahs and *Zananas* are professionally working as catamites for earning their livelihood.

CASE REPORT - I

On 10.3.04 a case U/S 367, 377, 326, 34 IPC FIR no 51 of dated 5/3/04 of P.S. Phagwara city District Kapurthala, Punjab was referred to the Department of Forensic Medicine and Toxicology, Govt. Medical College, Amritsar with the request to ascertain following queries:

1. Whether the person in charge was castrated or not? Since how long the castration was done?
2. Whether before castration he was male or Hijrah by birth?
3. Whether the act of sodomy has been done or not?

On Examination, Height was 178 cm, scalp hair were brownish black coloured 32 cm long in form of pony tail; small hairs which were brownish in colour above upper lips (Fig. 1), well developed breast (Fig. 2), nipple prominent, brownish black coloured areola, no hair was present on chest and abdomen, brownish colored hair present in axilla. Voice was hoarse in character, and all teeth in both jaws were erupted.



Fig.1



Fig.2



Fig.3

Local Examination of Genitalia (Fig.3): Brownish black coloured coarse hair present in pubic region in the shape of inverted triangle. Penis and testis were not intact. Circular shape urethral opening was present in the pubic region 2.5 cm below pubic symphysis fibrosis and stenosis of urethral opening was present. Irregular, pale, non-tender scar 5 x 1.7 cm with keloid formation was present 1.7 cm below urethral opening.

Examination of anal region: Brownish black hairs were present on anal region. No mark of external injury was present. Two folds of skin in the form of external anal tags were present at 6 O'clock and 12 O'clock positions. Anal sphincter was lax and admitted tip of finger with ease. No tenderness was present, no foreign body or stain was present on anus.

Following investigations were carried out:

1. X-ray shoulders, elbow, wrist, medial end of clavicles, iliac crest and sternum for age estimation.
2. Ultrasound scans for evidence of intra abdominal gonads / other organs of reproductive system.
3. VDRL and HIV
4. Nuclear sexing
5. Karyo-typing and DNA profiling
6. Hormonal assay

The findings were as follows:

- From Radiological Assessment age was between 22-25 yrs.
- Ultra sound scan of abdomen – No sonographic evidence of intra abdominal testes or other reproductive organs of female were seen. Normal prostate and seminal vesicles seen.
- VDRL – Reactive

- HIV – Non-reactive
- Nuclear sexing for sex determination – No drum stick in neutrophils seen. No Barr bodies seen.
- Karyo typing and DNA profiling - reports awaited.
- Hormonal assays – reports awaited.

Provisional Opinion from the available data:

1. Castration was done on the subject.
2. Duration of castration was 6 months to few years.
3. The person was a male before castration.
4. Findings suggested possibility of sodomy

CASE REPORT II

On 30/7/2004 a case was referred to the department of forensic Medicine by DG police to examine a person who was kidnapped from a lonely place and was kept in confinement in a lonely house. He was given intoxicants and after he was demoralized after a long confinement, he was given an overdose of intoxicant. He became unconscious and was taken to a nursing home. There he was castrated. When he regained consciousness, to his horror he found himself castrated. Later he resigned to his fate and learnt dancing and singing. He was also given some female hormones to change his body looks like a female. He remained with the group for three years. One day he had the chance to run away from the captivity and reported to the police.

On Examination: he had 68 long scalp hairs. He was also having beard and moustaches which were 1 mm long. He was wearing *salwar* and *kameez* and *chunni*; a female attire (Fig.4). There was male distribution of hair on chest and abdomen but there was evidence of plucking below the umbilicus. There was moderate development of breasts with prominent nipples and areolae. Areola was 2.5 cm in diameter (Fig.5)

A 7 cm long scar mark with 2 intact stitches in subpubic region was present in midline. Urethra was present in the upper 1/3rd of the scar mark. Scar mark was non-tender and white (Fig.6,7). There was no scar mark on the front of abdomen indicating that no surgery had ever been done to remove the uterus or ovaries.

Ultrasonography was done and no structure resembling ovaries or uterus was seen. An oval hypo echoic structure resembling prostate was



Fig.4



Fig.5



Fig.6



Fig.7

seen inferior to the base of bladder and it measured 30.9 mm x 20.4 x 18.3 mm.

Barr bodies in the buccal smear were negative. Drum sticks on the nuclear lobe of polymorphs were –ve.

Opinion was given that the examined person was a male and he was castrated.

DISCUSSION

Castrating males in such a manner is a heinous crime and invites punishment under section 326 IPC. Of course eunuchs have their own problems in old age when they are unable to earn. Government should take care of them financially so that they do not resort to such horrible crimes to increase their tribe. Whenever somebody is found guilty of such crime that person should be punished to prevent repetition of such crimes. Otherwise we will always find such sporadic cases where castration is done of innocent gullible persons.

REFERENCES

1. The eunuchs of China, http://www.usrf.org/news/010308-eunuchs_china.html