Female Genital Cutting: a case study in the meaning of Human Rights from a religious perspective
My initial responses to this issue were ambivalence and confusion. As a woman, I felt rage that the practice helps solidify and preserve a society by the violation of female bodies; as a black, I felt perverse pride that an African tradition had managed to hold its own amid invasive values of beauty, morality, and self-worth; and as a mother of a little girl at the age of most who are circumcised I felt threatened by a vividly imagined, but never-to-be-known loss.

-Kay Boulware-Miller, 1998

This paper will examine the use of Female Genital Cutting (FGC) in the context of religion and cosmopolitan human rights. Using the writings of Mary Nyangweso, this paper will look at the various religious justifications used to condone the practice, specifically those from Ancient or Traditional, Islamic, and Judeo-Christian faiths. It will argue that culture and religion are inherently intertwined and that both must be considered in a discussion of traditions and social norms. FCG, which is often viewed as a barbaric practice by most western nations, is a cultural norm originating from years of social construct in the Middle East and Africa. This norm informs a specific cultural identity. This identity has been a constant in both pre- and post-colonial times. It cannot be simply dismissed.

In addition, and in contrast to, religious justification for FGC, this paper will explore those justifications against it as cited by the United Nations (UN) and other international organizations as they condemn these practices from the perspective of social, health, political, gender, and development issues. In so doing, it will touch on some of the underlying implications of gender and economic development that are experienced in many of the communities where this practice is prevalent.

The religious justifications for FGC versus the secular nature of the United Nations condemnation of the practice presents an opportune case study demonstrating the tension between religion and cosmopolitan human rights in the 20th and 21st century. Through this study, this paper will explore the meaning and definition of human rights from a religious standpoint.
This paper argues that religious rights and cosmopolitan human rights create between them an inherent tension and that this often-unresolved tension is necessary to protect the inclusion of all cultures and identities in the secular aspiration to develop international human rights.

This paper does not intend to devalue the immense abuse and violence women and girls have suffered. It does, however, intend to question the assumptions made by religious organizations, humanitarian workers, and individuals concerning women’s bodies, especially those made in the 20th and 21st century. This paper commends the work of the United Nations and so many others who have worked tirelessly to save the lives and dignity of many women. This paper is an experimental analysis that questions the justifications and reasoning behind the condemnation of FGC, as well as those condoning and encouraging it, to open a discussion of culture, religion, and the meaning of human rights. It does not wish to encourage the use of violence or discrimination towards women, or to diminish those who have experienced such abuses.

Mary Nyangweso writes on the religious justifications of FGC. She looks at three religious categories, namely the Ancient or Traditional, the Islamic, and the Judeo-Christian (Nyangweso, 2014, p. 101). This paper uses her categories to give an overview of religious views on the practice, but wished to acknowledge that there are many versions of each of these religions, as well as many more that will not be discussed here. Nyangweso’s extensive research finds that the origins of FGC predate the Bible and the Quran by thousands of years (Nyangweso, 2014, p. 101). She finds that these origins involve themes of Androgenetic human nature (where male and female characteristics are combined in one person), as well as Bisexuality and Hermaphroditism (which is when an organism has reproductive organs usually associated with male and female sexes. This is a form of reproduction where either partner can
act as the ‘male’ or ‘female’, such as in many plants) (Nyangweso, 2014, p. 101). These themes have been traced to Egyptian Pharaonic mythology, which involves the belief that special characteristics of the gods are possessed in a human being at birth. One of these is bisexuality. It was believed that this hermaphrodite ability was worthy only of the gods, and that a human had to be circumcised to define one’s sexuality (Nyangweso, 2014, p. 102). The foreskin represented the female part of the male, while the clitoris represented the male part of the female. It was believed that without circumcision, a person’s bisexualities would compete with one another, and result in infertility (Nyangweso, 2014, p. 103).

In Nyangweso’s research, she notes that most people she interviewed attributed the practice of FGC to Islam. Yet she also found many Muslim communities that are opposed to the practice. She notes the importance of understanding that this was often a common practice in Middle Eastern and African countries before Islam (Nyangweso, 2014, p. 109). However, among the justifications in the Islamic faith, she found two common themes. The first is the story of Abraham’s wife Sarah, and her servant Hagar. Sarah was unable to bear Abraham a son, and offered him Hagar to bear him children instead. Hagar bore Abraham’s first-born son, named Ishmael. Abraham grew to love Hagar. Sarah, overcome with jealousy, threatened to harm Hagar by cutting her. Abraham begged her to only pierce her ears and circumcise her. According to Islamic tradition, when God realized what Sarah and Abraham had done, he ordered them to circumcise themselves as well (Nyangweso, 2014, p. 109).

The second main theme of FGC justification in Islam comes from the Prophet Muhammad’s advice to Um-Habibah – a woman famously known for her profession as a circumciser (Nyangweso, 2014, p. 110) The Prophet asked her if she still practiced her profession, to which she replied that she did and that she would continue to, unless it was forbidden (Nyangweso,
The Prophet told her that it was allowed, but he asked her not to “overdo it” for the sake of the women (Nyangweso, 2014, p. 110). Advocates for FGC translate this as a sanctioning of the practice by the Prophet, while others feel that he was intending to make a prevalent social custom milder and less invasive to women’s health -with the intent of ending it over time (Nyangweso, 2014, p. 110).

Although FGC is not mentioned in the Hebrew Bible, Nyangweso finds overwhelming evidence that it was practiced among some Jews in Egypt before Christ (Nyangweso, 2014, p. 104). Male circumcision plays an important role in the Jewish faith, stemming from the story of Abraham. In the Hebrew Bible however, his wife Sarai is only asked to change her name to Sarah. No mention is made of her cutting (Nyangweso, 2014, p. 105). Nyangweso discusses how some contemporary Jews have instituted a ceremony involving naming for baby girls parallel to the ceremony surrounding male circumcision. This is intended to correct the perceived inequality between men and women that have been raised in discourses around Jewish male circumcision. (Nyangweso, 2014, p. 105).

Like Judaism, the Christian Bible has no mention of FGC. Described as one of the religions most opposed to FGC, nonetheless, this practice can still be found among some Christians (Nyangweso, 2014, p. 107). One justification for FGC in the Christian faith is derived from the story of the Virgin Mary. Many communities believe that a woman’s virginity can only be ascertained if she has been cut (Nyangweso, 2014, p. 107). It is argued that this is the only way the Virgin Mary’s virginity was confirmed as intact, and her family’s reputation salvaged in light of her being an unmarried woman. This would then confirm that she miraculously bore the son of God (Nyangweso, 2014, p. 107). Some Christians take this as clear direction to practice FGC.
It can be argued that none of these religions are presented with a clear mandate to practice FGC, and yet there are circumstances where each legitimizes it. This fascinating commonality can only be attributed to the formation of tradition and cultural norms. Religions change and mold into the cultures within which they exist, just as culture and social norms shift to include dominant religions. Nyangweso’s example of Jews practicing FGC in Ancient Egypt is a perfect example of culture molding religious practices. Through her research on the origins of FGC, we know that Egyptian mythology has a great deal to do with the practice (Nyangweso, 2014, p. 104). The Jewish religion and the Egyptian practice of FGC were both traditions that become important to the lives and identities of some Jews as they migrated from Egypt across the world. Similar results are seen with all these religious justifications. Yet at the same time, others of the same religions across the world are fiercely opposed to the practice.

In its 2008 resolution to end FGC, the United Nations justified its condemnation of the practice on the basis of three arguments: that it violates and impairs or nullifies the enjoyment of human rights of women and girls; that it is an irreparable, irreversible abuse, and that it seriously threatens their health - psychological, sexual, reproductive, and vulnerability to HIV/AIDS (UN website, 2008). It also produced data, where available, that found the majority of women and girls in countries where FGC is practiced think FGC should be eradicated (UN website, 2017). It notes that the practice is most often found in communities where women live in conditions of poverty, underdevelopment, and dependency.

Cultural relativism is a term used for the belief that every culture should be understood from the point of view of one’s own culture, rather than judged against the criteria of itself. Cultural relativism has historically played a leading role in relations between colonizing empires and the colonized remainder of the world. It was thought to be eradicated with the end of
colonialism. In contemporary times, it still exists, although perhaps its presence is measured in more subtle ways. In a recent TedTalk, “The Danger of the Single Story”, (2009) Chimamanda Adiche, discusses how Western societies paint a “single story” of the African continent - one of war, poverty, and beautiful empty lands. As a Nigerian author, she laments how so much diversity and ingenuity is lost by such an underdeveloped narrative of the multiple vibrant cultures of this continent (Adiche, 2009). Western values of morality and self-worth have long dominated the media, fashion industry, and geo-politics. Values of Western individualism, capitalism, and secularism are proclaimed as irreversible truths by the West. Fashion and advertising is dominated by Western beauty standards, a phenomenon that leads to Western standards of self-worth, particularly for women (Lim, 1998, p. 379). This trend, as portrayed in Joseph Conrad’s book *Heart of Darkness* (1899), creates a narrative where non-whites are considered exotic and abnormal (Conrad, 1997, p. 291). This attitude, adopted in various forms, continues in subtle narratives of racism, cultural relativism, and global beauty standards. The creation of a ‘norm’ for values and practices necessarily creates an exotic ‘other’ to which this norm is compared. ‘Culture’ seems to imply ‘other culture’, while the West is perceived as culture-free, because it is the norm (Lim, 1998, p. 385). Edward Said called this Orientalism. He argued that an ongoing aspect of this system is that the ‘other’ is always patronized and considered backwards, uncivilized, and representative of all that the imposing culture wishes not to be (Said, 1978). This ongoing narrative of relations between the ‘West vs the rest’ creates an added level of complication when addressing the validity of the practice of FGC.

Kate Lim, in her article “What is This Thing about Female Circumcision” (1998), seeks to understand why FGC has become a prime example in the Western debate over universal human rights. She argues that FGC is accepted as a barbaric practice without any justification by
Western cultures. It is seen as one single form of abuse, within one culture, practiced on one
timeless victim (Lim, 1998, p. 365). Here again we see the ‘single story’ narrative because this
victim is the most oppressed, repressed, deformed, and suffering of us all: The Black African
Woman. At the same time, Lim argues, this also continues the Western myth of the ‘Exotic
Female Other’- the sexually desiring and always-available black African woman. Lim argues
that, for some, FGC is a fundamental aspect of dignity and religious honour, and an essential
gendered ‘belonging’ to one’s community (Lim, 1998, p. 387). Because of this identification
with a community, imposing Western beliefs about what is appropriate for any women’s bodies
and sexuality is a facile and insensitive solution to a complex problem. Instead, Lim suggests
that existing practices and beliefs must be reformed to ensure the safety and autonomy of the
women involved. Understanding the complex social and cultural significance of FGC could be a
beginning to creating a new narrative for intercultural understanding and education.

The World Health Organization (WHO) estimates that there are 200 million women from
at least 30 countries who have undergone FGC in some form (WHO website, 2017). The UN and
WHO alike state that women in these communities wish to end the practice of FGC. James
Stephen looks at the history of deep-rooted inequality between the sexes that gave birth to this
practice. FGC is associated with ideals of femininity and modesty, where women are only clean
and beautiful after the removal of body parts that are considered male. Stephen compares this
practice to the removal of body hair in the West as a form of cultural beauty (Stephen, 1994, p.
82). While discussing only the mildest forms of FGC-that is, those that do not affect a woman’s
sexual or reproductive health- he challenges the Western way of thought that inculcates this
culture of the ‘other’ (Stephen, 1994, p. 82). He points out that the practice of FGC has been kept
in place by systems of gendered inequality, as well as conditions of poverty, underdevelopment,
and dependency. Combined with local discourses of respectability, honour, and community surrounding religious belonging, FGC has the potential to become a symbol of oppression as much as a symbol of commonality and belonging.

Religious belonging is one piece to the mosaic that makes up cultural and individual identity. In a discussion of human rights, many argue that religions created the origins of human rights, and that without religion, 20th and 21st century human rights language becomes too Western and liberalized. Liberalism is a political philosophy that is based on post-enlightenment ideals of cosmopolitanism, individualism, freedom, and equality (Adrian, 2017). Liberal values also focus on the divide between the public and the private spheres. In the public sphere, individuals are expected to put aside their differences and unite to achieve the ‘common good’. In the private however, individuality and choice free from regulation is encouraged (Adrian, 2017). It is in this private sphere that religious beliefs are often placed. In this way, liberalism and secular values can polarize community identity when addressed vis-à-vis religion.

In line with the liberal emphasis on individualism, the discourses around human rights have shifted. Traditionally, international human rights were based on the nation state: the rights given to the individual came from the state, and that individual owed the state the corresponding responsibilities (Merry, 2003). More recently, the philosophy of cosmopolitan human rights has challenged international human rights. Cosmopolitan human rights discourse holds that every human being matters morally, and that all humans are part of one community, to be allocated the same rights and responsibilities evenly and fairly (Merry, 2003). International human rights and cosmopolitan human rights have many similarities, including their aspirational nature: it is a practical truth that all humans do not yet enjoy full access to these rights, but they are seen as a goal nonetheless. Sally Engle Merry, a professor of Anthropology at New York University, gives
a useful example defining the difference between international human rights and cosmopolitan human rights. Her example of international human rights is that of the Rwandan genocide of the 1990s, where state-to-state relations and respect for state sovereignty took precedence over the lives and dignity of so many individuals (Merry, 2003). On the other hand, an example of cosmopolitan human rights would be a humanitarian intervention, where state sovereignty is defied, and individual lives held as equally important, regardless of their statehood (Merry, 2003).

These cosmopolitan human rights do not have room for nation state sovereignty, but they create a tension with religion as well. Here we see the Western values of secularism, separation of church and state, and individualism being portrayed as irreversible truths, defying any group that would challenge it based on difference – in meaning, in definition, and in practice. The cosmopolitan human rights discourse claims that it is an objective good: universally valid and applicable (Adrian, 2017). It argues that religion is a subjective good, which may or may not be universally valid, and arises from only specific situations (Adrian, 2017).

Religious communities often understand human rights through their own religious precepts (Adrian 2017). There are multiple approaches to this, including taking concepts from a religion and fitting it into human rights discourse, tracing the history of the religion, or analyzing how it relates to human rights (Adrian, 2017). For example, many Christian faiths see rights as relational. Human rights, then, are a social relationship. They argue that rights cannot be based on individuality because human rights are relational by nature (Adrian, 2017). Hannah Arendt, a human rights philosopher from the mid-20th century, argues similarly. She writes that human rights are not inalienable, but rather conditional (Arendt, 1966). “We are not born equal, we become equal” (Arendt, 1966, p. 301). In this quote, she is arguing that rights are social
constructs that are agreed upon in a political community (Arendt, 1966). For many Christians, human rights come from the concept of Natural Law, where moral knowledge is given to human beings from God (Adrian, 2017). A broadly defined difference in cosmopolitan human rights rhetoric and religion-based rights rhetoric describes part of the tension between them: while religion holds that rights are given to humans by a Higher Being, cosmopolitism argues that rights are inherent in a human, and not granted by anyone or anything.

This tension is not a simple monolithic issue. It involves nuanced layers of culture, history, global order, individualism, community, and identities. This is similar to FGC. And, again similar to FGC, a deeper understanding of the complex cultural significance involved in the issue could lead to a deeper understanding of the human condition. In the context of cosmopolitan human rights versus religion in the 20th and 21st century, this tension is needed to quicken these discussions. To give way to one or the other would have negative results for human rights. Cosmopolitanism without religious challenge could instill a Western secularism in all rights rhetoric, alienating many cultures and communities that may need rights recognition more than ever. However, to abandon cosmopolitanism and rely on each religious and political community for rights-recognition could destroy the inclusive nature of international rights rhetoric. We cannot afford to lose the religious cultures and their challenges to cosmopolitanism, nor can we lose the aspirational aspect of human rights discourse by subsuming it to religious rights. This tension is inherent and necessary for any discussion of rights, and although each can be explored to allow for more understanding, neither can be conceded.

This paper has looked at the practice of Female Genital Cutting (FGC) as a case study to examine the tension between cosmopolitan human rights and religion in the 20th and 21st century. It has looked at some of the religious justifications for FGC, as well as some of the
condemnations of the practice. It has outlined a discussion of cultural identity and Cultural Relativism. Finally, it explored cosmopolitanism and religion in the context of human rights, to conclude that there is an inherent and necessary tension between the two. This tension is necessary because both the aspirational nature of human rights as well as the challenges to historically dominant cultures and beliefs keep any discussion of rights and freedoms from stagnating. The answer is not in “either-or” but in a yet to be discovered synthesis of the two.
Sources:


Nyangweso, Mary. 2006. Female genital cutting in industrialized countries. Santa Barbara, California: Preager


