Cultural Relativism vs. Universalism: Female Genital Mutilation, Pragmatic Remedies

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The Universal Declaration of Human Rights (UNDHR) states that as “human beings we are born free and equal in dignity and rights; we possess the inalienable right to freedom of religion in practice and the indispensable social and cultural rights for the dignity and freedom of an individual’s personality.”¹ The theoretical notion of cultural relativism plays a fundamental role that can ultimately be for the benefit or detriment of an individual or a society. The UNDHR also notes the non-derogable “rights to life, liberty, security of persons, the right to an adequate wellbeing as well as the right to education; these rights are applied universally.”

This essay will discuss both universalistic and cultural relativist approaches as applied to female genital mutilation (FGM).² The practice may also be known as, female genital cutting (FGC), a more direct term that does not dehumanize individuals in the way the term FGM does. Although FGM is a more scientifically correct term, the implications of the word profoundly confer a moralizing tone that hastily concludes negative implications before an explanation is offered. Universal and cultural relativist feminists have vastly different views on this matter, my intention is to parallel each view and offer insight on the reason why Western feminists have coined this practice as “mutilation” as opposed to “cutting”. FGM is a ritual commonly practiced in many African countries as well as many Islamic communities, though it is not an Islamic religious requirement, it is deemed by many as a form of religious purity. This issue has been given recent attention as mutilation where it was previously, and still is, regarded by some as ‘female circumcision.’ There are three different version of this practice all of which pose serious health risks that inevitably violate a female’s intrinsic right to life, dignity, and health. These risks extend far beyond the comprehension of circumcision. FGM is in direct violation of three fundamental universal human rights under the UNDHR: the right to health (Article 25 s.1), the right to life liberty and the security of personhood (Article 3), and the right to an adequate education that includes proper knowledge of the cultural practice (Article 26 s.1). Simply abolishing the practice without pragmatic remedies would also be in violation of Article 18 which states that everyone has the right to freedom of thought, conscience and religion. It would also violate Article 27 which notes the

² There are three major forms of FGM/FGC “1. Clitoridectomy: partial or total removal of the clitoris (the small, sensitive and erectile part of the female genitalia) and, in very few cases, only the prepuce (the fold of the skin surrounding the clitoris). 2. Excision: partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora (the labia are “the lips” that surround the vagina). 3. Infibulation: narrowing of the vaginal opening through the creation of a covering seal. The seal is formed by cutting and repositioning the inner, or outer, labia, with or without removal of the clitoris”. United Nations World Health Organization, “ Fact Sheet: Female Genital Mutilation” http://www.who.int/mediacentre/factsheets/fs241/en/index.html.
right to freely participate in the cultural life of a community. Respect for the rights of culture is imperative when seeking potential remedies for the long-standing cultural practice.

The intent of this paper is to explore efficient grounds for abolition while proposing antidotes using both cultural relativist and universalist perspectives. The right to health proves to be a fairly effective ground for the universalist approach while cultural relativism is arguably negated on the basis of violation of one’s overall wellbeing and the general condition of the body pertaining to soundness and vitality. As Mahnaz Afkhami states, “the infringement of women’s rights is usually exercised in the name of tradition, religion, social cohesion, morality, or some complex of transcendent values. Always, it is justified in the name of culture.”

Herein, both approaches will be compared and contrasted to obtain a positive ramification on the issue. I have chosen to place myself in the centre of the cultural relativist and universalist debate; the intent is not to prove one theory as better than another, but simply to use both perspectives in seeking to find a reasonable grounds to argue against the ritual while respecting the norms and traditions of this cultural practice. Discussing origins, the views of cultural relativists, universalists individually and applied to FGM, this essay will confer potential remedies through already instituted actions that supports the abolition of female genital mutilation by peaceful, and pragmatic means.

Cultural Relativism
Cultural relativism:

Holds no particular culture as superior to another when examining issues of ethics, morality, law or politics. It is a philosophical notion that all cultural beliefs are equally valid and that truth itself is relative, depending on the cultural environment. Cultural relativism holds that all religious, ethical, aesthetic, and political beliefs are completely relative to an individual within a society of a particular culture.

Cultural relativism gives each culture the liberty to practice what is native and relevant to that society without, the imperialist imposition from another culture that holds a different set of beliefs and or norms. Cultural relativists assert that moral principles are not necessarily apparent or widely acclaimed; it urges “the need for tolerance and respect of all cultures.” Cultural relativism developed as a result of affluent Western societies and cultures imposing their moral views and values on third world nations, particularly women of the third world.

Origins
The practice of FGM dates back as early as the “second century BC when a geographer, Agatharchides of Cnidus, wrote about female circumcision (FC) as it occurred among tribes residing on the western coast of the Red Sea (now modern-day Egypt). Based on current geographic locations of FGM, the practice seems to have originated in Egypt and has spread south and west. Female circumcision was rooted in the Pharaohnic belief in the bisexuality of the gods. According to this belief, mortals reflected this trait
of the gods; every individual possessed both a male and a female soul. The feminine soul of the man was located in the prepuce of the penis; the masculine soul of the woman was located in the clitoris. For healthy gender development, the female soul had to be excised from the man and the male soul from the woman. Circumcision was thus essential for boys to become men and girls to become women." 7

The current ritual is now considered by many as genital mutilation insofar as the partial or total removal of a female’s genitalia dismantles the original state and overall wellbeing of anyone subject to the practice. There are two prominent theories relevant to the discussion of FGM as a practice. First is the original ancient belief of healthy gender development. Although very few who practice and perform FGM are aware of the early mythology, many believe that uncircumcised girls are more masculine. The second common reason given is that it is a means of controlling women’s sexuality; it is thought that the practice curbs a woman’s desire for sex and thus prevents premarital relations by keeping a woman faithful to her husband. Thus female circumcision is used to make men masters of female sexual function and historically reinforced the idea that wives are their husband’s property. The latter of the two is more prevalent among cultures that practice FGM. Men and women celebrate the act as a ritual of a girl coming of age and becoming pure which is an essential trait for a girl to be desirable to men. The understanding is that girls who are not “circumcised” are not marriage material.

Female genital mutilation (FGM) is a ritual commonly practiced in Muslim cultures although it is not a religious obligation in Islam. 8 It is believed that cutting the clitoris lessens a woman’s sexual urges or desires, so that she would remain a virgin until marriage. After marriage the stitching is removed to show the groom she is still a virgin.

A major health concern is that those who perform the ritual often are not medical practitioners. Unsterilized blades and tools are used to sew the vaginal lips together leaving a tiny hole for urine and menstrual flow, which disrupts the natural genital state. Consequently, many health complications arise from the practice making it a concern of human rights.

Universalism/ Global Feminism
Universalism asserts that all people are linked together by a common cause that is human rights, which are universal. As people we all share in being equal in dignity and in rights and thus we are united together against any form of discrimination, inequality, or any violations of human rights and advocates for the greater development of peoples, a movement of humanitarian rights on a global scale.

Global feminism is primarily concerned with the movement of women’s human rights, being a part of an “international community that now recognizes that women’s rights are human rights and human rights are women’s rights.” This position is recorded in several international documents, including, but not limited to, the Universal Declaration of Human rights (1948), the International Covenant on Economic, Social and Cultural Rights (1966), the Convention on the Elimination of All Forms of Discrimination Against Women (1981), the UN Declaration of Elimination of Violence against Women (1993), and the Vienna Declaration and Programme of Action adopted by the World conference on Human Rights (1994)” 9. The notion is that sisterhood is universal, our rights are universal and our issues are universally relevant. The negation and or violation of any human right of a woman becomes a feminist issues that sparks global interest.

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7 Gruenbaum et al, 38.
8 Statistics show North African nations as the highest practicing region of FGM. The majority of these nations are Islamic ruled, governed, or predominately practicing with Egypt being the top contender and origin of the practice.
9 Afkhami, 243.
Female Circumcision as Mutilation

There are three major forms of FGM all of which pose serious health risk to the woman. The first is a clitoridectomy which is the partial or total removal of the clitoris (a small, sensitive and erectile part of the female genitalia) and in very rare cases the removal of the prepuce (the fold of skin surrounding the clitoris). The second form is excision, the partial or total removal of the clitoris and the labia minora with or without excision of the labia majora (the labia are “the lips” that surround the vagina). The third is infibulations, which is the narrowing of the vaginal opening with a covering seal. The seal is formed by cutting the inner, or outer, labia with or without removal of the clitoris; this is the most dangerous practice and is most likely of all the FGM practices to result in death. 10

FGM procedures are mutilation because they intentionally alter or injure the female genital organs for non-medical reasons. FGM has no health benefits for girls and women. It involves removing and damaging healthy and normal female genital tissue, and interferes with the natural functions of girls' and women's bodies. Immediate complications can include severe pain, shock, hemorrhage (bleeding), tetanus or sepsis (bacterial infection), urine retention, open sores in the genital region and injury to nearby genital tissue. “The long term consequences are far greater and can include: recurrent bladder and urinary tract infections, cysts, infertility, an increased risk of childbirth complications and newborn deaths, and the need for later surgeries. In the case of infibulations, the vaginal opening (type 3) must be cut open later to allow for sexual intercourse and childbirth. In some cases, it is stitched again several times, including after childbirth, and consequently the woman goes through repeated opening and closing procedures, further increasing and repeated both immediate and long-term risks.” 11 No good can come of this procedure as it only entails substantial health complications and risks.

Cultural Relativists on FGM

The reasons given within families and communities for practicing female genital mutilation include a combination of cultural, religious, and social factors. UNICEF conducted a study regarding the social conditions surrounding rituals and practices and stated, “where FGM is a social convention, the social pressure to conform to value system of that society is a strong motivation to perpetuate the practice.” It has become so normative to people living within these societies, an act that is so highly recognized and praised by the elders of the community, that young women and girls are happy to be a part of a the cultural ritual as it will bring them respect and acceptance from their loved ones, peers, and elders. FGM is seen as a “necessary part of raising a girl properly, and a way to prepare her for adulthood and marriage.” Rejecting the practice decreases the likelihood of a girl getting married in the future and brings shame to the young girl and her family. In Islamic cultures, “the practice is often motivated by beliefs about what is considered proper sexual behavior, linking procedures to premarital virginity and marital fidelity.” In these societies “FGM is associated with cultural ideals of femininity and modesty, which include the notion that girls are clean and beautiful by removing body parts that are considered male or unclean.” 12

Cultural relativists state that those working to eradicate FGM have to acknowledge the risk of alienation faced by women and girls who choose to reject the tradition on account of imperialist imposition. The need to feel accepted is a basic human need and what place is it for anyone to displace a human from their own culture or society on the basis of adhering to morally acceptable norms? Respect for the traditions and practices of a culture ought to be at the forefront of debate. The notion that no culture is superior to another is relevant when an external nation with opposing views, values, and traditions seeks to assert or impose their values on another. For example, British colonialists did more than merely trade with Canadian Aboriginals when they invaded their land, they enforced their beliefs on them through mandatory residential schooling in which Aboriginal children were stripped from their families and forced to speak English or French, their style of clothing changed to emulate European dress, and Aboriginal ceremonial rituals (such as the Sundance) were abolished on the grounds that they were “dangerous” in the eyes of the Europeans. Moral values are ones that are not necessarily the common across various cultures; it is one thing if a girl within a society decides by her own accord to reject the practice of FGM and seeks to educate women of her community, but when an outsider outright condemns the practice and argues for abolition this completely negating one’s right to practice the traditions of one’s culture.

Universalists on FGM

The universalist approach might be deemed by cultural relativists as rather pretentious in its approach to the cultural values and beliefs of another culture, especially when that culture practices something considered morally wrong. Universalists attempt to treat all human beings as equals in the name of values, morality and in eyes of the law, especially when discussing issues of women who have a long history of oppression within the context of law, politics, and economics in the public as well as private realm.

Second wave feminism noted that to fight oppression women must come together and fight against issues prevalent to all women employing the notion of unity through sisterhood and the power of combining forces. The recognition that there were various issues affecting women in different parts of the globe but what united them was that of being a woman.

In the 1980s, third wave feminism argued that women are of “many colors, ethnicities, nationalities, religions and cultural backgrounds” and attempted to accommodate diversity and change through the notion that “sisterhood is universal.” The best way to tackle the major economic, humanitarian, political, and gendered issues women face, according to third wave feminism, is to create solidarity among all women using universal human rights to accomplish those goals.

Universal feminists recognize the dangerous health related concerns of FGM and see it as a violation of a woman’s right to health. The reasons given for the cultural practice, that is to preserve a woman’s sexuality and virginity until she is married by the cutting or removal of her genital organs, also defies the sexual rights of women. The very fact that a female must undergo such a painful and harmful procedure to curtail her sexual desire by making her more appealing to a man is another issue of itself.

14 The general idea of cultural relativists is not necessarily to condone practices or rituals that may violate human rights; the idea is that respect ought to be at the forefront of the debate. CRs do not negate the harmful implications of FGM/FGC they hold a neutral position on the debate.
The focus of this paper is the health related concerns and detrimental effects FGM has on an overwhelmingly high rate of “nearly 100 to 140 million girls and women worldwide (especially in Africa) that are currently living with the consequences of FGM.” 16 This is an issue that affects so many women and as universal feminists note, it is their duty to fight for the rights of women on a global scale, because women’s rights are human rights and human rights are universal.17 Due to the overwhelmingly high rates of FGM complications that include both immediate and long term health concerns, it is their intent to find a middle ground in which cultural relativity is not entirely negated in trying to find pragmatic alleviations to a harmful cultural practice.

Susan Okin Moller argues that cultural traditions such as clitoridectomy “aim to control women and render them, especially sexually and reproductively, servile to men’s desires and interests.”18 Moller suggests that “sometimes, moreover, “culture” or “traditions” are so closely linked with the control of women that they are virtually equated.” Moller argues that a possible solution to the issue of oppression due to a cultural norm would be if the oppressive culture was to “become extinct (so that its members would become integrated into the less sexist surrounding culture) or, preferably, to be encouraged to alter itself as to reinforce the equality of women—at least to the degree to which this value is upheld in the majority culture.” 19 Moller’s view is interesting to say the least; that she would argue a solution to the problem would be to conform to the moral values and norms of the “majority culture” is by no means a pragmatic or reasonable solution in eradicating the cultural practice of FGM, it rather further asserts the western imperialist position of arrogance, that the values, norms, and traditions of the west are superior to those of “minority” cultures. As an African woman living in the west, I find her position rather dense; it offers absolutely no means of improvement to the situation. Her view as a universal political activist of women’s rights does not at all support the rights of women, everyone is entitled to freely practice the rituals and traditions of their culture and proposing a “solution” in which conformity is the preferable cure is redundant and ludicrous.

Many universal feminist theorists argue that FGM as a practice should be outright abolished without offering any reasonable grounds for arriving at that conclusion. Yes, the practice is indeed harmful, dangerous and a violation of one’s right to health among others, but abolition is not a solution either. Unless one can offer pragmatic, reasonable remedies for the practice, condemnation of the act is inadvertently states that one culture is superior to another and that adopting the ‘majority’ culture’s traditions would positively alter a tradition that has been taking place for over 2,000 years.

Fundamental human rights must indeed be respected and universally applied; they are not however, universally acclaimed or treated with same level of enforcement as in Western nations, such as Canada, for instance, that as the declaration of human rights guaranteed to all Canadian persons. The political regimes in various parts of the globe have a substantial impact on the way humans are treated and regarded, especially women. In some places they are still not considered autonomous or equally important human beings. That issue must be tackled by those in support of universal feminism before they can condemn the acts of female genital mutilation.

17 Afkhami, 76.
19 Moller Okin, 35.
Respect for a Cultural Practice and Potential Remedies

Madeline Baer and Alison Brysk argue for cultural relativism in their chapter “New Rights for Private Wrongs: Female Genital Mutilation and Global Dialogues” while also stating that traditions or rituals that pose health risks and violate self-determination of bodily integrity should not be practiced.  

Baer and Brysk offer a middle ground approach in which they are neither condoning nor condemning the practice of FGM but simply note the relevance of a cultural norm and the implications it has on a female’s overall health and wellbeing. They have explored the history of human rights and health campaigns as well as a campaign addressing gender, health and rights and found that when addressing a cultural practice, respect is vital especially when trying to find a remedy. Baer and Brysk found that the infringement of the right to health is the strongest argument presented against “the practice of FGM and argue that it is a new rights issue in itself; it is not addressed in human rights as a separate concern and has only recently received attention as a mutilation that makes it human rights violation.”

Baer and Brysk argue that FGM violates the fundamental rights to life, liberty, security of personhood that no one should be subject to cruel or inhuman treatment and finally, the right to health. Female genital mutilation is a cultural practice that defies one’s inalienable right to be free from cruel, inhuman treatment and one’s right to life, liberty, health and security of personhood.

Many women who practice FGM and the men who support it are often led by misconceptions of a practice that has been practiced for centuries without knowing much about its origins or health-related implications. Female genital cutting is not at all like male circumcision in which the excess foreskin is removed; the reasons for each differ. Historically, in Jewish tradition males were circumsised for the purpose of purity and hygiene. The removal of the foreskin is something some doctors support as a healthy and advantageous procedure. Though not necessary, it has benefits. Conversely female genital cutting is done with an entirely different intent. It is done for healthy gender development and to curb a women’s sexual desire in order to remain a pure and chaste virgin for marriage and worthy of marriage. The intent of the latter could be argued as a violation of personal autonomy and sexual rights. The health-related concerns that are consequently involved with FGM make it a violation of health.

FGM continues to be practiced on the basis of myths that have been passed on from generation to generation. Such myths tell men and women that a child will die if the mother’s clitoris touches the infant’s head during child birth, or that child rearing will be easier in the future. These are just two of many myths told in African communities to delude young women and girls to believe that the practice is healthy and beneficial.

The United Nations has made global efforts in over 20 African countries to stop the practice of FGM, with programs and the collaboration of the Inter-African Committee on Traditional Practices (IAC) and local non-governmental organizations (NGOs).

FGM: an Infringement of Women’s Human Rights

Female genital mutilation is essentially the act of dissection between a woman’s body and her sense of womanhood, removing organs that were given for a purpose of sexual purity, but what about a female’s dignity, her freedom of choice?

Young women and girls who have undergone the procedure talk about how painful and humiliating it is to have someone use a sharp object to remove an organ while being fully conscious, aware, and then to

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21 Baer and Brysk, 89.
be confined to bed for 4-6 weeks with restricted mobility all to be deemed “marriage material.” Many have stated had they known about the repercussions and severe risks associated with the practice they would have found a way out or rejected it.

**Grounds to support abolition**

The right to health is reasonable grounds to oppose the cultural act of FGM. FGM poses no health benefits and causes only harm to the overall state and wellbeing of a female’s health. “The health consequences of female genital mutilation are both immediate and long-term. The extent and duration of the consequences depend on the extent of the cutting, the skill of the practitioner, the nature of the tools and the environment and the physical condition of the girl or woman. The physical side-effects are better understood than the effects on mental or sexual health.”

As far as health is concerned, there seems to be absolutely no justification of benefit to the practice. FGM has complications and risks that extend beyond that of the mental state or sexual urge of a woman, the risks are not only detrimental to the overall wellbeing and health of an individual, they can also be life threatening.

Although, however FGM is a violation of fundamental human rights, simply condemning the act and pushing for abolition would be a violation of articles 18 and 22 of the UNDHR. Through research, I have found that the health risks associated with the practice has been the most effective ground in opposition of the practice. Women in Egypt and Sudan responded to a survey conducted by The Facts PATH by saying education would be the best approach for ending the practice. My approach is similar, by understanding the cultural practice and those who practice it then educate the women on the health risks associated with them to draw their own conclusions.

It is no surprise that female genital mutilation as a cultural practice is a direct negation of fundamental human rights essential to the overall vitality of an individual. Thus the right to health is more than reasonable grounds in support of the abolition of the practice of FGM as a whole.

**Potential Remedies**

The study of FGM, its forms, practices, implications, origins, and effects is something many theorists have devoted their lives to and are still seeking new and innovative ways to bring the practice to a halt. It is by no means something that will be eradicated overnight and this paper is not meant to solve it, although I do wish to present a potential remedy that will aid the cause. I denounce the recognition of the practice as “mutilation” and prefer a more direct approach in addressing this practice as FGC. Whether scientifically correct or not, the language we use indicates opinions and or beliefs; mutilation is sternly insolent as it disturbs the journey of self-understanding and personal development with the negative, stigmatizing, overbearing weight of the term “mutilated” to define a female’s coming of age.

I believe in taking the time to not only understand the practice as a form of cultural ritual and religious offering, but to understand those who practice the ritual, what their personal beliefs and reasonings are and in doing so one could come to know these people as individuals and not mere subjects of a cultural practice. One must then develop a remedy unique to the needs and desires of the cultures that practice

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FGC. I propose education as a primary means of eradication. This is a solution proposed by many activists and NGOs. Aumann’s agreement theorem suggests “reasonable people, with equal information, seldom disagree”, if we are equally educated, perhaps then, will the long-standing practice be alleviated, either way, respecting the rights and traditions of individuals in a particular culture is really the only way to institute a universal right. Not by deeming their practices as immoral, or lacking in efficient grounds, but in understanding the ritual and more importantly, those who practice it as moral agents and human beings equal in dignity, in adequacy, and in rights.

**Bibliography**


