The Intersection of Human Rights and Culture and the Deconstruction of Stereotypes:

The Cultural Perspectives and Analogous Stereotypes Intrinsic in Genital Modification Surgeries – A Case Study of Female Genital Cutting, Sex Reassignment Surgery, and Surgery on Ambivalent Genitalia

Abstract

Culture and human rights frequently intersect; a phenomenon that will be analysed through the case study of various forms of genital modification surgeries. This research essay examines three forms of genital modification; female genital cutting (FGC), sex reassignment surgery, and surgery on ambivalent genitalia, and compares and contrasts the Western and Muslim cultural perspectives that surround these particular forms of genital surgeries. Stereotypes about these cultural viewpoints are investigated and uniformly broken down in an effort to demonstrate the variability inherent in culture.

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CHAPTER 1: Background of the Study

1. Introduction

Culture is a ubiquitous concept that influences the manner in which each and every individual perceives the world and forms value judgements. The relationship between culture and human rights entails an extensive history comprising of numerous instances of discord. The perception that the oppression of human beings is either explicit or absent in various cultural practices is conditional on the cultural perspectives one possesses as well as the stereotypes that surround said cultures. The stereotypes that envelop these cultural outlooks stem from the belief that cultures are coherent entities with static values and that each individual has a singular cultural identity. This research project studies genital modification surgeries and seeks to dispel stereotypes about the Muslim and Western cultural beliefs that accompany such surgeries. Cultural stereotypes abound about Western culture, which is generalised to have a compassionate viewpoint with regards to both sex reassignment surgeries and surgeries on ambivalent genitalia, while Muslim culture is stereotypically portrayed as a champion of female genital cutting (FGC)[1] as a traditional rite of passage; however, from their cultural counterpart's point of view, the "Other's" cultural practice is deemed unethical and depraved. Contrarily, such stereotypical generalisations are not entirely founded, as will be argued with the support of scholarly literature, questionnaires, and interviews. Ultimately, opinions of support and denunciation can both be found in the realms of Western and Muslim cultures regarding the aforementioned forms of genital modification. Thus, this study strives to promote critical reflection in matters of culture and human rights.

2. Statement of Research Topic

As delineated in the title and the introduction, this research project focuses on the cultural perspectives and analogous stereotypes that are intrinsic in three different forms of genital modification surgeries. The genital modification case studies include: female genital cutting, which is characterised as a 'Muslim/African' form of genital modification, sex reassignment surgery and surgery on ambivalent genitalia, both of which represent 'Western'

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[1] Also known as female genital mutilation (FGM) and female circumcision (FC). The term "female genital cutting" is used in an effort to circumvent value judgments about the practice within this research study.

forms of genital modification. This research project seeks to demonstrate that Muslim and Western cultures harbour multifarious opinions regarding the aforementioned forms of genital modification surgeries, and suggests that these surgeries are often motivated by Muslim and Western cultural prescriptions of what constitute socially accepted norms. In essence, this study endeavours to contribute to the field of Peace and Conflict through a more profound understanding of culture and its relationship with human rights.

3. Research Questions

The primary research questions guiding this research paper are the following:

1) What are the Muslim cultural perspectives and stereotypes surrounding: female genital cutting, sex reassignment surgery, and surgery on ambivalent genitalia?
2) What are the Western cultural perspectives and stereotypes surrounding: female genital cutting, sex reassignment surgery, and surgery on ambivalent genitalia?
3) Are these forms of genital modification surgeries a means of conforming individuals to cultural expectations?

These aforementioned foundational questions are underscored by a variety of sub-questions, which comprise of the following:

1) What is "culture"?
2) What is "Muslim" culture?
3) What is "Western" culture?
4) What is female genital cutting?
5) What is sex reassignment surgery?
6) What is surgery on ambivalent genitalia?

The six sub-questions are answered in section 5, where important terms within this study are defined; however, the sub-questions continue to be addressed at various points throughout this research project. The first two primary questions are addressed principally in the literature review, which can be found in Chapter #2, and in Chapter #4, which discusses the research findings. The last primary question is attended to in the last two chapters, Chapters

#4 and #5, in which both findings are discussed and conclusions from the research are drawn.

4. Significance of Study

Globalisation has made an ignorance of culture and cultural stereotypes not only unfortunate but also hazardous to peace efforts. Striving to understand cultural perspectives foreign to one's own has become essential to founding a culture of peace, which must be preceded by a culture of diversity and multicultural dialogue. The primary purpose of this research paper is to elucidate the complexity of cultures, namely Western and Muslim cultures, in terms of viewpoints on polemical practices of genital modification surgeries and deconstruct the stereotypes pertaining to these cultural perspectives. Essentially, both the "Muslim" practice of female genital cutting and the "Western" practices of sex reassignment surgery and surgery on ambivalent genitalia will be subject to "Western" and "Muslim" perspectives. Through the comparison of these case studies from two different cultural perspectives, I wish to expose the cultural biases that are implicit in our viewpoints as well as dispel the notion that cultures are circumscribed to any single set of values. Moreover, this research study strive to prompt an introspective look into the beliefs we have regarding whether practices are "normal" or "abnormal" and why it is important to critically question them and to attempt to understand other cultural perspectives. Ultimately, the objective of this study is to direct attention to cultural practices in two diverse societies that concern human rights, namely cultural rights, women's rights, and transgender and intersex rights, all while promoting a self-reflection on how one's own culture, not just other cultures, contribute to the oppression and/or promotion of these human rights through these practices. The creation of a culture of peace is contingent on diversity and effective cross-cultural communication; the first step in this direction resides in the deconstruction of stereotypes and understanding various cultural perspectives.

5. Definition of Terms

5. 1. The Concepts of "Culture", "Muslim Culture", and "Western Culture"

5.1.1. Understanding the Term "Culture"

The term "culture" is a contested term that is not homogenous and that has no singular, fixed meaning. "Culture" comprises of a vast plurality of meanings; however, Clifford Geertz's and Kevin Avruch and Peter Black's definitions of culture will be applied throughout this thesis. Clifford Geertz defines culture as "a historically transmitted pattern of meanings embodied in symbols, a system of inherited conceptions expressed in symbolic forms by means of which men communicate, perpetuate, and develop their knowledge about and their attitudes toward life".[2] In a similar vein, Avruch and Black characterise culture as providing "the 'lens' by which we view and bring into focus our world; the 'logic' by which we order it; the 'grammar' by which it makes sense".[3] Thus, ultimately, the concept of culture is used to designate normality for one – culture is the lens through which one perceives the world and provides the foundation for the values that one possesses. Furthermore, it is essential to note that, "culture is a derivative of individual experience, something learned or created by individuals themselves or passed on to them socially by contemporaries or ancestors".[4] Ultimately, individuals identify with a plurality of cultures due to the diversity of social and experiential settings that individuals encounter.[5] Thus, while the terms "Muslim" culture and "Western" culture are referred to in this essay as cultural groupings with particular traits and values pertaining to those identifying themselves as "Muslim" or "Western", respectively, each and every individual has numerous cultural identities and consequently hold numerous cross-cultural values. Values are integral to the concept of culture and are often the features that distinguish cultures from each other.[6] A value is defined as an "enduring belief that a specific mode of conduct and/or state of existence is personally or socially preferable to an opposite or converse mode of conduct or/and state of existence".[7] Values are shared within a given culture and are learned, passed on, shared

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[2] Geertz, Clifford. *The Interpretation of Cultures*. p. 89.
[3] Avruch, Kevin, and Peter W. Black. "Conflict Resolution in Intercultural Settings." p. 133.
[4] Avruch, p. 5
[5] Ibid, p. 5
[6] Carvalho Mukherjee, Eliana. "The Concept and Definitions of Culture."
[7] Ibid.

within a group, and are relatively stable.[8] There exists an onion metaphor for culture: the outer layers of a culture comprise of practices of culture, such as symbols, heroes, rituals, and artefacts, and as one peels away the layers and gets to the core of culture, one finds the values, beliefs, and assumptions associated with a given culture.[9] There exist various types of cultures, which derive from a multiplicity of factors, including kinship groupings, such as ethnicity, race, tribe, and nation, as well as other factors, such as religion, profession, gender, sex, and class. Western culture and Muslim culture are two ambiguous terms that are often cited in various forms of media – these are terms that one may read of in a newspaper, hear about on their television, and generally encounter in one's quotidian life. The values implicit in each of these cultures often diverge, causing a disparity in the cultural viewpoints surrounding different forms of body modification practiced in Muslim and Western culture.

5.1.2. Muslim Culture

Muslims are followers of the Islamic faith and it is estimated that an approximate 1.3 billion people, or nearly one fifth of the world's population, are nominally Muslim, many of which reside in or are from Indonesia, Pakistan, and India.[10] Muslims represent the majority of the population in 52 countries and are represent a diversity of peoples; Muslims can be "Arab and non-Arab; African, Asian, and European; majority populations and minority populations; conservative societies and progressive"[11] among other characteristics. "Islam is not just a religion, and certainly not just a fundamentalist political movement. It is a civilization, and a way of life that varies from one Muslim country to another".[12] The term "Muslim" culture is not only used to refer to religion and the adherents to the Islamic faith, but also to describe societies, civilizations, art and architecture, philosophy, history, and political thought.[13] Islam is also political culture that forms national identities and that unifies the Muslim world across geopolitical state borders.[14] Moreover, Islam in the form of the law is known *Sharia* law; essentially *Sharia* "is not only the expression of the universal principles of Islam but the framework and the thinking that makes for their actualization in human

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[8] Carvalho Mukherjee, Eliana. "The Concept and Definitions of Culture."
[9] Ibid.
[10] Phelps, Stephen. "Critical Literacy: Using Nonfiction to Learn About Islam."
[11] Coughlin, Kathryn M. *Muslim Cultures Today: A Reference Guide*. p. xiii.
[12] Mazrui, Ali. "Islamic and Western Values." p. 118.
[13] Coughlin, Kathryn M. *Muslim Cultures Today: A Reference Guide*. p. xiii.
[14] Mortimer, Edward. *Faith and power, the politics of Islam*. p. 402.

history".[15] *Sharia* law has been institutionalised within certain governments around the world and varies in its application for state to state. Furthermore, it is crucial to note that the terrorist attacks of September 11th, 2001, during which time terrorists who were ethnically Arab hijacked four planes and crashed them in the United States, have led many, particularly Westerners, to prejudicially conflate the terms "Arab" and "Muslim" with a violent and terrorising Islamic religion.[16] Consequently, it is imperative to dispel these dangerous fallacies and divorce the concept of terrorism from Muslim culture, as the terrorist events that unfolded on September 11th were the manifestations of a fanatical fundamentalism that attempted to justify itself through Islam and that does not portray the true nature of Islam or the faith's Muslim adherents.

5.1.3. Western Culture

The "West" is a term commonly understood as synonymous to "an advanced society, either in Western Europe or of Western European heritage, and with democratic institutions, a dynamic and prosperous economy, and technological expertise".[17] The Western identity is constituted by five key components that include: ancient Greek thought, Christianity, liberalism, the industrial revolution, and humanism and individualism.[18] Ancient Greece is foundational to Western culture, namely in matters of democratic politics, philosophy, history, literature, as well as modern science.[19] In terms of religion, Western society is interconnected with Christianity; despite a trend of secularisation in the West, "large numbers of western people even in the most of secular countries still identify themselves as Christian, pointing to an implicit, diffused, and submerged Christian cultural identity".[20] Moreover, liberalism is elemental to the Western identity in that it has been a philosophy foundational to Western politics, particularly with regards to declarations of independence and the drawing of constitutions.[21] The Industrial Revolution of the mid-1700s heralded the industrialisation of the West and symbolised "the most significant

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[15] Ramadan, Tariq. "CHAPTER 3: The Way (Al-Sharia) Of Islam." p. 66.
[16] Coughlin, Kathryn M. *Muslim Cultures Today: A Reference Guide*. p. xiii.
[17] Froman, Wayne Jeffrey, and John Burt Foster. *Thresholds Of Western Culture : Identity, Postcoloniality, Transnationalism*. Page: General Introduction.
[18] Shahramnia, Amir Masoud, and Zahra Tadayon. "Comparative Analysis Identity Components Between An Eastern Society (Islamic Republic Of Iran) And Western Society." p. 312.
[19] Ibid. p. 312.
[20] Ibid. p. 312.
[21] Ibid. p. 312.

ensemble of technological, social, and cultural changes in human history".[22] The industrialisation of the West contributed to power in the West due to astronomical increases in production due to innovative technologies.[23] Furthermore, humanism and individualism are philosophies that ushered in secularism and individual expression in the West.[24] Individualism determines that, "all values are human-centered, the individual is of supreme importance, and all individuals are morally equal. Individualism places great value on self-reliance, on privacy, and on mutual respect".[25]

Ultimately, "Western culture" and "Muslim culture" are a vastly broad terms that can encompass a plurality of meanings and incite a multiplicity of interpretations depending on each individual. Thus, although the aforementioned "definitions" or explanations of "Western culture" and "Muslim culture" that are offered in order to operationalise the terms for the purposes of this study are broad, they are intentionally done so in order to illustrate the comprehensiveness of the terms. This implies that, while certain values are inherent in certain cultures, cultures are not always coherent entities; "Coherence is variable, contested, ever-changing, and incomplete".[26]

5.2.   Female Genital Cutting – A Practice Briefly Summarised

FGC, also recognised under the term female genital mutilation (FGM) by the World Health Organisation, is defined as, "all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons".[27] The practice of FGC is still largely prevalent primarily in North Africa and some Central African countries, though there are records of mild forms of FGC in Asia, as well as in Western countries, where immigrant groups continue the practice.[28]   There are presently an estimated 140 million women and girls who are living with FGC in the world today, and approximately three million girls and women are at risk of undergoing some form of FGC

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[22] Shahramnia, Amir Masoud, and Zahra Tadayon. "Comparative Analysis Identity Components Between An Eastern Society (Islamic Republic Of Iran) And Western Society." p. 312.
[23] Ibid. p. 312.
[24] Ibid. p. 313.
[25] Ibid, p. 313.
[26] Sewell, W.H. The Concept(s) of Culture. p. 57.
[27] World Health Organization (WHO). "Female Genital Mutilation." Fact sheet no. 241.
[28] Kalev, Henriette Dahan. "Cultural Rights or Human Rights: The Case of Female Genital Mutilation." p. 339.

annually in Africa.[29]   There are various forms of FGC, ranging from mild to severe, which are classified into four categories by the World Health Organisation: 1. Clitoridectomy, which is the partial or total removal of the clitoral prepuce, 2. Excision, in which case the clitoris and the labia minora are partially or completely removed in addition to the potential excision of the labia majora, 3. Infibulation, which consists of the removal or repositioning of the inner and/or outer labia as well as the removal of the clitoris in order to narrow the vaginal opening and create a covering seal, 4. Other, which includes any kind of non-medical procedure to the female genitalia, such as scraping, incising, and pricking the genital area.[30] Female genital cutting is traditionally performed before a girl reaches puberty, thus the age varies normally from one week to fourteen years old, and it is carried out by a traditional midwife with the help of the female relatives of the child.[31] Female genital cutting is a highly controversial practice that elicits a plurality of fervent reactions, both for and against. Dominant social stereotypes generally follow a simplistic dichotomy of Western versus Muslim in order to understand whether an individual supports or rejects FGC. Prevailing paradigms regarding FGC weave a correlation between Western societies and their rejection of the practice as a violation of human rights, while Muslim African societies are characterised as perpetuators of FGC due to the traditional implications the practice embodies. The origins of FGC are difficult to demarcate concretely; however, the idea that FGC is a practice central to the Islamic faith and is thus practiced in all Muslim communities is a common misconception as there are "no specific religious mandates for this practice. It is not performed in all Muslim communities and is not derived from any textual base; rather, the practice is a cultural tradition."[32] FGC in its mildest form is oft known as *sunna* in Muslim countries, which fuels the widely held belief that the practice is religiously ordained; conversely, the Qur'an does not explicitly support it, nor is FGC practiced in Saudi Arabia, which is known as the "cradle of Islam".[33] The stereotype that Muslims support FGC is based on the use of Islam to validate the practice as integral to the faith and traditional customs. The sole connection between Islam and FGC is the fact that FGC is practiced in

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[29] Thomas, J. "Female Genital Mutilation Complications Lead to Lost Lives and High Costs." p. 161.
[30] World Health Organization (WHO). "Female Genital Mutilation." Fact sheet no. 241.
[31] Steiner, Henry, and Philip Alston. "Part B: Historical Development, Normative Framework." p. 242.
[32] Kalev, Henriette Dahan. "Cultural Rights or Human Rights: The Case of Female Genital Mutilation." pp. 339-340.
[33] Steiner, Henry, and Philip Alston. "Part B: Historical Development, Normative Framework." p. 243.

"some societies that also claim to follow Islam, almost exclusively in Africa".[34] The practice is characterised as more African than Arab, with roots in pre-Islamic societies.[35] Furthermore, it is important to note that in many communities where FGC is practiced, it is not exclusively Muslim women who undergo some form of female circumcision; "while the practice was most common among Muslims, 47 percent of Sudanese Christian women had also experienced some form of the operation".[36] And although FGC is not explicitly underlined in the Qur'an, it is important to note that many Islamic jurists maintain that the practice is "an Islamic tradition mentioned by the Prophet and sanctioned by Imams (religious leaders) and jurists".[37]   However, in light of the fact that FGC cannot assuredly be considered an expression of religious identity, the concept of culture is crucial to understanding the reasons for which FGC continues to be practiced.

5.3.   Differentiating between Transgender and Intersex Surgeries

The world of sex and gender-related surgeries is a complex one that evokes a variety of reactions and strong emotions. Firstly, it is important to distinguish the difference between sex reassignment surgeries and surgeries on ambivalent genitalia. Sex reassignment surgeries are performed on transgendered persons, who are defined by the National Center for Transgender Equality (NCTE) as, "people whose gender identity, expression or behavior is different from those typically associated with their assigned sex at birth, including but not limited to transsexuals, cross- dressers, androgynous people, genderqueers, and gender non-conforming people".[38] Milton Diamond[39] explains that a transgendered individual is essentially "a male or female individual who thinks he or she is more suited or 'meant' to live as a member of the opposite sex".[40] A male may believe that he is meant to be a female, and a female may believe that she is meant to be a male, thus, these individuals may take recourse to surgery in order to rectify the incongruence between their physical selves and the gender identity that they have in mind. In contrast, surgeries on ambivalent genitalia are performed on intersexed individuals, which, according to the Intersex Society of North America

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[34] Grieve, Paul. *A Brief Guide to Islam: History, Faith and Politics: The Complete Introduction*. p. 257.
[35] Coughlin, Kathryn M. *Muslim Cultures Today: A Reference Guide*. p. 34.
[36] Ibid, p. 179.
[37] Assaad, M.B. "Female Circumcision in Egypt: Social Implications, Current Research and Prospect for Changes." p. 14.
[38] "Transgender Terminology." *National Center for Transgender Equality*.
[39] Dr. Milton Diamond, Ph.D, taught human sexuality and human biology at the University of Hawai'i.
[40] Diamond, Milton. "A Conversation with Dr. Milton Diamond."

(ISNA), is a term used for "a variety of conditions in which a person is born with a reproductive or sexual anatomy that doesn't seem to fit the typical definitions of female or male".[41] Milton Diamond further elucidates that an intersexed person:

> "has recognized combinations of male and female biological characteristics. Often the person with an intersex condition has genitalia that are ambiguously male or female. An intersexed individual might have the sex chromosomes of a male and the body characteristics of a female or vice versa. Or an intersexed person can have male and female gonads, both a testis and an ovary".[42]

John Money explains that intersexuality can be concealed in that "the external genitalia appear to conform to the criterion of being either male or female, but are inconsistent with all or part of the internal reproductive anatomy";[43] however, "more prevalently, intersexuality is visible as ambiguity of the external genitals".[44] It is important to distinguish the language difference between the terms 'hermaphrodite' and 'intersex'. The term 'hermaphrodite' "arguably carries mythological and fetishistic associations that serve to dehumanize and stigmatize the living and real individual to whom the word is applied".[45] The frequency of intersexuality varies greatly in estimations due to a lack of concrete definition and diagnosis of some intersex conditions and to the variability in the definitions of what constitutes a 'typical male' and 'typical female'.[46] The Intersex Society of North America states that, according to experts at medical centres, 1 in 1500 to 1 in 2000 births are "so noticeably atypical in terms of genitalia that a specialist in sex differentiation is called in";[47] however, these numbers do not incorporate individuals born with less overt forms of sex anatomy variations, which may or may not unveil themselves later in life.[48] In sum, both sex reassignment surgery and surgery on ambivalent genitalia are "corrective" forms of body modification that harmonise sex and gender. Sex reassignment surgery aligns one's sex with their perceived gender, while surgery on ambivalent genitalia is an operation that assigns a sex of either female or male to an individual so that they will adhere to either corresponding gender.

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[41] "What is Intersex?" *Intersex Society of North America.*
[42] Diamond, Milton. "A Conversation with Dr. Milton Diamond."
[43] Money, John. *Gay, Straight, and In-between: The Sexology of Erotic Orientation.* p. 29.
[44] Ibid, p. 29.
[45] Harper, Catherine. *Intersex.* p. 2.
[46] Ibid, p. 3.
[47] "How Common Is Intersex" *Intersex Society of North America.*
[48] Ibid.

6. Limitations of Study

As is custom with any research study, there exist certain limitations. Paradoxically, while the fact that this study's data is of a qualitative nature is one of its strengths, it is also one of its limitations in that it is limited in its scope and cannot be generalised to the entire target populations. The limited samples of the target populations do not allow for conclusive answers to the study's research questions, although the qualitative data collected lends itself to observations that contribute to the field of Peace and Conflict. Additionally, the chosen sampling methods for data collection may not be entirely representative of the populations. Due to the fact that qualitative data collection is detailed and lengthy, time was also a constraint for this study. Furthermore, resources were limited, both in terms of funding and human resources. Due to an absence of funding, human resources were unrealistic, thus I conducted my research alone. In turn, a lack of team members may have exposed me further to pre-conceived notions about my topic, although I strived to remain as neutral as possible. Since this research study analyses cultural perspectives, and I belong to one of these cultural groups, "Western" culture, the danger of cultural biases was particularly heightened. A more detailed account of the research limitations is available in Chapter #3, section 9.2.

CHAPTER 2: Literature Review

7. Case Study #1: Female Genital Cutting

7.1. The Muslim/African Perspectives on FGC

The stereotype that accompanies Muslim culture in terms of female genital cutting is that adherents to the Islamic faith are in favour of FGC as it is practiced in Muslim societies, principally in Africa and Asia. Although there are numerous Muslims that believe in the importance of FGC to traditional values, there are also Muslims who equally use their faith to justify their rejection of FGC. This section provides a detailed literature review of the argument for and against female genital cutting from a Muslim/African cultural standpoint. The following figure (Figure 1) and table (Table 1) provide a cadre of reference regarding the

African countries in which FGC is practiced and the rates of prevalence for the reader.[49] According to Figure 1 (below), the World Health Organisation demonstrates that there are high rates of prevalence of female genital cutting primarily in North, East, and West Africa.
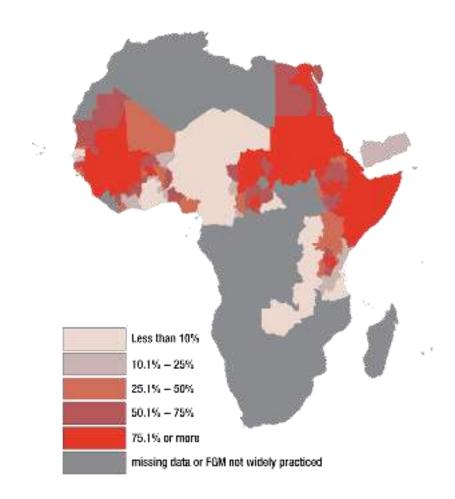

Figure 1: Prevalence of female genital mutilation in Africa and Yemen (women aged 15 - 49)[50]

A more detailed breakdown of the prevalence of FGC by country has been documented by the World Health Organisation in the following table (Table 1).

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[49] N.B. Figure 1 and Table 1 depict and delineate, respectively, the African countries in which FGC is practiced. This figure and table preclude the Western and Asian countries in which it is practiced, with the exception of Yemen, which is included.

[50] United Nations. World Health Organization (WHO). "Female Genital Mutilation and Other Harmful Practices."

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