

## **Normative and Contextual Feminism.**

### **Lessons from the Debate around Female Genital Mutilation/Cutting**

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#### **Abstract**

The case of female genital mutilation/cutting (FGM/C) is a touchstone for controversies between universalism and cultural relativism, both within and beyond feminist thinking. Revisiting the discussion regarding FGM/C provides important insights for contemporary feminist thinking because it touches upon issues that are highly relevant to today's discussions involving the question of human rights, individual and collective identity, othering, inequalities between the global North and the global South, the culturalization of gender and the intersection between gender, class, and ethnicity. Discussing feminist universalist and feminist cultural relativist perspectives on FGM/C, the paper reframes the two approaches as mutually constituting and conditioning each other. This mediated model contributes to a normative and simultaneously contextually embedded approach as a basis for a substantial analysis of FGM/C, and for contemporary feminist thinking.

#### **Introduction**

1 Feminist theories have increased manifold over the last decades, feeding into variations of, amongst others, queer theories, postcolonial theories and gender theories. Their perspectives on current topics are as diverse as their disciplinary, theoretical and normative background. What is more, they contain a juxtaposition that is more than a century old: the juxtaposition between universalism, on the one hand, and cultural relativism, on the other. While this juxtaposition presents itself in many faces, forms, and scholarly disciplines, it is particularly crucial for feminist thinking.

2 The case of female genital mutilation/cutting (FGM/C) or female genital excision (FGE) is a touchstone for both feminist reasoning and the controversy between universalism and cultural relativism. From the 1980s up until today, the topic is intimately connected to feminist interventions as well as to intra-feminist controversies that fuel feminist theories and practice. This paper revisits the heated feminist discussion about FGE because it touches upon the very issues that are relevant to feminist discussions today, as they involve the questions of the human rights framework, individual and collective identity, othering, the culturalization of gender, the role of empowerment and victimization, the limits and possibilities of change through state law or through civil society, inequalities between the global North and the global South, and the intersection between gender, culture and ethnicity. Positioning FGE in the juxtaposition between feminist cultural relativism and feminist universalism, this paper reframes cultural relativism and universalism as mutually constituting and conditioning each

other. It, therefore, goes beyond “dead-end arguments regarding universal values versus cultural relativism” (Hernlund and Shell-Duncan, Transcultural Positions 2).

3 After a short introduction into the term female genital excision, the paper introduces feminist universalist and feminist cultural relativist perspectives on FGE. On this basis, it provides a mediation between the two viewpoints. This structure enables a renewed approach to FGE which takes into account the strengths and the pitfalls of both feminist perspectives. In conclusion, the paper develops a normatively and simultaneously contextually embedded approach as a basis for contemporary feminist thinking.

### **Female Genital Excision**

4 Female genital excision refers to the partial or total removal or physical alteration of parts of the female genitalia. The forms and consequences of FGE are extensively documented elsewhere (Shell-Duncan and Hernlund; Hernlund and Shell-Duncan, Transcultural Bodies; WHO; UNICEF). Instead of repeating these facts and figures (cf. Leonard), the present paper is dedicated to analyzing the rational of feminist perspectives, attacking and defending the practice, respectively. These perspectives will be discussed as feminist universalism, on the one hand, an approach that is dedicated to the abolition of the practice, and feminist cultural relativism, on the other hand, an approach that is dedicated to understanding the practice. The controversy around female genital excision is already visible in struggles about its term. The earlier term circumcision, a translation of several local terms (Abdel Hadi 107), is being criticized by feminist and human rights activists for belittling the harms and effects caused by the procedure. It cannot simply be parallelized with male circumcision as the term circumcision would suggest (Dorkenoo 4; Gifford 333). Universalist approaches striving for the abolition of the practice vote for its branding as female genital mutilation (FGM)—a widespread term that had entered into international documents and global campaigns by the end of the 20<sup>th</sup> century. Cultural relativist and contextually sensitive perspectives, in turn, use the terms female genital cutting (FGC), operation, alteration, surgery or modification. The effects of these terms are two-fold. On the one hand, they aim at avoiding insulting the women and communities concerned to lay the foundation for cooperation.

As a physician, I am deeply convinced that the practice is a mutilation of the genital organs. [...] Yet it is very difficult to use the term female genital mutilation in everyday interactions. [...] Implying such deliberate ill-will on the part of the parents, circumcisers, and respected leaders is offensive enough to end

the conversation, short-circuiting any chance of persuading people to reconsider the practice and embrace positive change. (Abdel Hadi 108)

On the other hand, these terms may make the practice appear harmless or even indicate medical necessity (cf. Gifford 333), thereby contributing to its preservation and legalization. In order to use a term that is neither downplaying the practice nor insulting the women and girls concerned, and because “terminology cannot be isolated from the political discourse from which it emanates” (Abusharaf, Introduction 7), the present paper refers to the practice as female genital excision (FGE).

### **Feminist Universalism**

5 Universalist feminist approaches to FGE, developed mainly during the 1980s and 1990s, resemble second-wave feminism. They perceive FGE as a case of universal patriarchy that represents the universal suffering of the global sisterhood of women. The most famous proponents of this universalist view are Mary Daly, Fran Hosken, and Alice Walker.

6 Daly describes FGE as one of many cases of global patriarchy for which cultural or other differences do not play a role, and which exhibits a clear demarcation between men as perpetrators and women as helpless or brainwashed victims. Daly depicts practices of FGE as “unspeakable atrocities” (Daly 153f.) and compares them to contemporary gynecology in the United States, witch burning in Medieval Europe and national-socialist medical experiments in Germany, among others. According to Daly, they are all means to the same end. She aims at showing

how women in various cultures—which are merely multi-manifestations of the overall culture of androcracy—have often been lulled/lobotomized by the myths and habits of their particular social context. Drugged by the prevailing local dogmas and disabled physically, they have not always seen the intent behind the vicious circle of maiming and murder of mothers and daughters. (Daly 224)

Overall, Daly describes universal patriarchy as a male conspiracy aiming to suppress, colonize and murder women (Daly 1, 23, 155ff.).

7 Unlike Daly’s esoteric-philosophical approach, Hosken develops a medical perspective on FGE. She aims at revealing the health risks and consequences of FGE. Her widely quoted study is dedicated to the historical development and forms of FGE and the movements against it in different countries. It provides one of the early categorizations between different physical types of FGE. However, Hosken’s conclusion resembles that of Daly’s, in that she invokes a normatively one-dimensional frame to argue for the abolishment

of the practice. Like Daly, Hosken sketches a clear dichotomy between male perpetrators and female victims, enhanced by a “conspiracy of silence” (Hosken 315). “It is, therefore, clear that men are responsible for the worsening conditions of Africa: women and children are the abused and voiceless victims” (Hosken 69, similarly 5ff., 324ff.).

8 Walker’s personalized and emotionalized representation of FGE represents the third version of universalist feminist approaches.<sup>1</sup> Trying to shed light on the suffering of the girls and women that Walker and her co-author Parmar met during their visits to African countries, their book focuses on the girls’ individual stories. Walker connects them to her own suffering of having lost partial eyesight due to a gunshot wound inflicted by her then ten-year-old brother. Both forms of suffering, she claims, represent a “patriarchal wound” (Walker and Parmar 17). Like Daly and Hosken, Walker and Parmar conclude that girls and women are the helpless victims of FGE as a patriarchal practice, “perfectly indoctrinated and programmed to say nothing” (Walker and Parmar 49).

9 The three approaches represent different perspectives of what came to be known as second-wave feminism. They range from differential feminism that is based on the assumption of fundamental differences between the sexes/genders to equality feminism that assumes the genders to be equal (Kerner).<sup>2</sup> Despite their diverse starting points, the three approaches share decisive aspects. They establish a one-dimensional, normative yardstick for analysis and critique. This yardstick is the patriarchal domination of men over women in which roles of perpetrators and victims are divided between the sexes. This yardstick is being universalized and applied to different contexts, while the differences between these contexts or between women are eschewed. This de-contextualization has two far-reaching effects.

10 First, the equalization of highly different societal mechanisms and the generalization of patriarchy disregards the social, cultural, political and economic conditions of FGE (or of any other patriarchal practice, for that matter) (Gruenbaum, *Cultural Debates* 462; El Guindi 42; Abusharaf, *Virtuous Cuts* 116f.; Walley 418). It thereby not only hinders an adequate analysis and critique of FGE but also jeopardizes the possibility of cooperation and solidarity with the women concerned, since the latter are being misrepresented and not taken seriously in their perspectives, struggles, and incentives.

11 Second, this kind of universalist de-contextualization contributes to an ethnocentric—if not racist—othering. Depicting FGE as an abomination and the women concerned as passive, voiceless or clueless victims, the feminist universalist view introduces a hierarchy of

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<sup>1</sup> See also James 1031f. for a critical discussion of Walker, and Caplan discussing Hosken.

<sup>2</sup> Especially Daly’s esoteric approach and her invocation of goddesses contribute to the former.

insight, knowledge, and enlightenment, “with all the zeal of the old missionaries” (Browne 261). The ‘other’ is denied of having own interests and perspectives. What is more, if it does, and if it differs from the universalized perspective, this is taken as proof of the other’s deficiency (Gunning 199). This stance reproduces patterns of imperialism, (neo-) colonialism and racism in the cloak of feminism: white women save brown women from brown men (Abusharaf, *Virtuous Cuts* 115; Spivak 92; Anthias and Yuval-Davis; Nnaemeka). It thereby undermines its incentive to establish a notion of global womanhood and a common struggle against patriarchy. “For while feminism is definitely about establishing and defending principles, these principles become meaningless if they no longer serve the real-life women in whose name they have been elaborated” (Winter 972). Ultimately, feminist universalism—while motives and incentives differ—utilizes the practice of FGE to strengthen the universalization of its own normative assumptions.

### **Feminist Cultural Relativism**

12 The topic of FGE was not only a matter of top concern for second-wave feminists but led to sharp intra-feminist controversies that paved the way for what came to be known as third-wave feminism. Its relevance is mirrored in the United Nations Decade for Women 1975-1985 and the corresponding World Conference 1980 in Copenhagen where women from the global South threatened to leave, because of “the angry, emotional responses to female circumcision” by women from the global North (Abusharaf, *Virtuous Cuts* 115). As a direct response to the demonization of FGE, approaches were developed that urged not only to contextualize the practice but also to respect it as a cultural tradition or as a free decision of the women involved. The various critiques amount to three forms of response. The first form is dedicated to belittling the harm that supposedly is caused by FGE. It is argued that facts and figures about health consequences and malfunctions are excessively exaggerated (Obermeyer; Ahmadu), if not simply wrong (Shweder).<sup>3</sup>

13 The second form of response puts FGE on one level with diets and epilation (Boddy 16), with Western cosmetic and plastic surgery (Browne 265; Korieh 120), with tonsillectomies and appendectomies (Erlich 156) or even with abortions (Erlich 162; Korieh 119f.; Shweder 225). These responses aim at criticizing a Westernized perception of FGE as an abomination.

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<sup>3</sup> This is not the place to discuss these arguments. Suffice to say that the different forms of FGE cause different degrees of harm and life-long consequences. Cf. WHO, *Eliminating FGM*; Mende, *Begründungsmuster* 84–97.

It is hypocritical, for example, that many Western feminists and governments have devoted themselves to criminalizing female circumcision, while blatantly supporting abortions and pro-choice-extremism. [...] One wonders, for instance, which procedure is more morally shocking, female circumcision or partial-birth abortion. (Korieh 119f.)

Thereby, albeit unknowingly, they resemble Daly's approach in assuming universal mechanisms of domination that merely come in different forms. Neither the degree of medical indication nor the mental and physical effects of each procedure are taken into account here, let alone the vast difference encountered in the debates surrounding abortion.

14 The third form of response states that the universalist argument of patriarchy cannot be applied to FGE at all, because FGE, more often than not, is conducted by women (Abusharaf, Virtuous Cuts 122; Thomas 131; Skinner 196). A variation of this line of thought is to present FGE as an equivalent to male circumcision (Shweder 221; Skinner 196).

15 Feminist cultural relativist approaches are most visibly represented in the third form of perspectives on FGE because they claim to strive for the women's well-being who supposedly agree to, if not embrace the practice. In this spirit, Shweder calls FGE an improvement (Shweder 224), describing infibulation (which is the most invasive form of FGE) as "smoothing out" (218). According to him, women would fully consent to FGE, looking forward to and celebrating the procedure (211, 222, similarly Leonard). He employs a classical account of cultural relativism, demanding that the "values of pluralism" and "tolerance" be upheld (Shweder 212), "instead of assuming that our own perceptions of beauty and disfigurement are universal" (216).

16 A similar argumentation is developed by Ahmadu. She presents her own experience of FGE as empowerment (Ahmadu, Rites 310) that enables her to juggle with different identities in the United States, where she lives, and in Sierra Leone, from where her parents emigrated (305). According to her, the will of the women concerned should be the crucial point of any normative perspective. "Ultimately, it is up to each generation of women to decide whether to continue or to reject this tradition without fear and coercion from outside as well as inside" (294).

17 These accounts of feminist cultural relativism have a crucial aspect in common. They are based on the cultural relativist demand for tolerance of 'other' practices and the imperative not to judge 'others' based on ones 'own' normative assumptions. However, along the way, they dismiss what they initially stood up for: acknowledging the context of FGE. The parallelization of FGE with male circumcision, cosmetic surgery or even abortion ignores



power relations and access to societal resources and participation in decision-making processes. Shweder's assumes consent and free will, without asking for the conditions of free will and possibilities for alternative choices. Ahmadu generalizes her individual experience, without taking her privilege of knowledge into account.

18 Sierra Leone, where Ahmadu's experience is situated, has been one of the regions to which Daly's and Hosken's diagnosis of a "conspiracy of silence" actually applied. Extensive parts of the society in Sierra Leone were (and partly still are) organized in secret societies that are strictly gendered and hierarchically stratified (Rust). Membership in these societies was an uncircumventable precondition for participation in social, political and economic life, and it required undergoing FGE to become an appropriate, worthy, heterosexual woman. Due to the "code of silence" in Sierra Leone (as explicitly invoked by Ahmadu, Rites 292), knowledge about the practice was scarce— before and even after the procedure. After recent information campaigns, knowledge has now grown, with the result that the procedure is increasingly being performed on girls of a younger age (Rust 101ff.). Ahmadu knew the form and the effects of the ritual, she had the choice to undergo the procedure or to refrain, and she had the viable alternative to leave the country. These are three conditions that are usually not available to the women and girls in Sierra Leone.

19 In these regards, the feminist cultural relativist approaches raise an individualized, subjectivist view. Accordingly, Ahmadu states that if women were not keen on continuing the practice, they would simply end it (Ahmadu, Rites 301), while for Shweder, the debate around FGE is mostly just a matter of aesthetics and individual taste. Power relations within the societies concerned that may pressure women (not to mention children) into FGE, or the mechanisms of socialization and internalization that may explain the participation or even consent of women—all these are tremendously important forms of context that are absent from the feminist cultural relativist perspective.

20 What is more, feminist cultural relativism contributes to the mechanism that it meant to overcome. This approach, too, contributes to othering, by setting an exclusive focus on differences between so-called Western and so-called non-Western views. "To suggest that only those who have experienced a practice or those who can lay claim to it on the basis of racial or ethnic identity have the 'right' to speak essentializes both practitioners and nonpractitioners" (Walley 408). The assumption that controversy simply arises between Western views against FGE and non-Western views embracing it fails to acknowledge the

struggles by the latter that largely contributed to a critique of FGE (Thiam; Koso-Thomas; Dorkenoo, also cf. Bekers).

They deserve the recognition, admiration and sympathetic solidarity of other women on an egalitarian basis rather than a condescending reemphasis on 'otherness' that, paradoxically, sacralizes the very 'tradition' such women are intimately involved in changing. [...] That the guise for this attack has been the struggle against assumed-to-be universal patriarchy makes it no less damaging. (Robertson 615)

Eventually, feminist cultural relativism undermines its own incentives, playing off difference against equality.

### **Mediation between Feminist Universalism and Feminist Cultural Relativism**

21 The discussion of feminist universalist approaches, on the one hand, and feminist cultural relativist approaches, on the other hand, shows that both sides provide only a segmental analysis of FGE. What is more, both sides fail to accomplish their own goals. It is, however, interesting to note that both, apparently contradictory, approaches have a common point of reference: the question of free will. In the following discussion, free will as a common point of reference reveals how both sides can be viewed as being intertwined.

22 Universalist approaches claim the lack of free will. Women and girls would not freely and consciously consent to the practice. Instead, they are forced to undergo the procedure by patriarchal societies. Cultural relativist approaches, in turn, base their arguments on the assumption of free will. According to them, FGE fulfills important functions for the women concerned and is therefore welcomed by them. Against this background, the demand to abolish the practice is racist and devaluating, based solely on Western values. Hence, both approaches refer to free will affirmatively. While they differ about the question whether free will is lacking or given, both agree in acknowledging free will as a normative yardstick.

23 Providing both universalist and cultural relativist approaches with a normative point of reference, the question of free will can significantly contribute to a mediated approach that is based upon the intermingling of both sides. In the intermediated model, each side includes aspects from the other side, and it does so necessarily and inherently, as I will show in the following discussion. Shweder explains his acknowledgment of FGE as follows:

African women too have rights to personal and family privacy, to guide the development of their children in light of their own ideals of the good life, and to be free of excessive and unreasonable government intrusion. [...] Seeing the cultural point and getting the scientific facts straight is where tolerance begins.



[...] Tolerance means setting aside our readily aroused and powerfully negative feelings about the practices of immigrant minority groups. (Shweder 226f.)

He thus bases his cultural relativist argument on universalist assumptions. Certain rights, such as the right to privacy and culture, should apply to everyone. However, Shweder fails to explain why it is only these rights that should be applied universally, but not other rights, as the right to bodily integrity or children's rights. Shweder (necessarily) refers to universalist arguments, but he does so in an unreflected and implicit way. This omission and the impression of a non-normative approach leads to a one-sided cultural relativism that integrates some but skips other kinds of context.

24 One-sided universalist approaches, for their part, deny the women concerned any agency and free will.

Those who have endured the unspeakable atrocities of genital mutilation have in most cases been effectively silenced. Indeed this profound silencing of the mind's imaginative and critical powers is one basic function of the sado-ritual, which teaches women never to forget to murder their own divinity. (Daly 155f.)

Even if universalist approaches do not intend to portray practitioners as ill-willed or evil (as it is often alleged by cultural relativists), it is the assumption of global patriarchy and brain-washing that characterizes the women concerned as submissive, ill-guided victims. One of the universalist aims is to analyze FGE as a sexist practice that contributes to gender inequalities. It fails in this, however, if it focuses solely on (personalized) power relations between active men and passive women in a dichotomous and generalizing manner. On the contrary, this line of thought invokes binary gendered assumptions. It idealizes or victimizes women, and it paves the way for the counter argument stating that FGE cannot possibly contribute to gender inequality because it is exercised by women (Skinner 196). Indeed, FGE often is being reproduced by women and performed by female circumcisers. If a universalist approach tackling gender inequalities wants to take this phenomenon seriously, without giving in to the cultural relativist notion of FGE being a harmless and welcomed practice, it cannot stick to a binary perspective that perceives (all) women as victims of (only) patriarchy in the same regards. Accordingly, in her open letter to Daly, Lorde notes:

Your inclusion of African genital mutilation was an important and necessary piece [...]. To imply, however, that all women suffer the same oppression simply because we are women is to lose sight of the many varied tools of patriarchy. It is to ignore how those tools are used by women without [and with, J.M.] awareness against each other. (Lorde 67)

The omission of context and difference leads to a one-sided universalism that addresses some but neglects other inequalities.

25 Consequently, both approaches display blind spots and omissions, while at the same time, both also provide necessary and important features for feminist thinking. Furthermore, both approaches interact in that they fill the other's blind spots. To achieve its aim of tackling gender inequalities, a feminist universalist approach necessarily has to take context into account. To achieve its aim of respecting the women and girls concerned, a feminist cultural relativist approach has to take normative perspectives into account.

26 This constellation enables the mediation between feminist universalism and feminist cultural relativism. It puts the discussion of FGE and the question of free will on a solid basis. The concept of mediation does not mean discarding one of the approaches, thereby one-dimensionally over-emphasizing the other. At the same time, it is not mixing up the two contradictory approaches or treating them as identical, either. Rather, the mediation model implements each side's productive elements by means of reflection on each side's repressive aspects. This is possible because each side contains its opposing moments in itself, and each side can only fulfill its own aims if it explicitly reflects on these very internal, opposing moments.

27 Feminist cultural relativism strives for tolerance, the well-being of women, the acknowledgment of differences, or the end of imperialism, colonization, ethnocentrism, and racism.<sup>4</sup> In any of its forms, it rests upon normative assumptions. One reason for this is that perspectives, critiques, and approaches cannot be entirely neutral or unbiased, but they are always situated and contextually positioned (Mende, Human Right 161ff.). While an implicit bias can be neglected—thereby masking rather than circumventing its effects—it cannot be entirely eliminated. Struggles against colonialism and racism provide even more explicit normative starting points. If feminist cultural relativism neglects its inherent normative aspect, it becomes a tool of oppression. It leads to an indifference in which suffering cannot be addressed, as long as it is culturally approved. It undermines its own demand for contextualization by neglecting power relations within a certain community. If, however,

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<sup>4</sup> Early forms of cultural relativism, developed in anthropology at the onset of the 20<sup>th</sup> century, were demanding respect and tolerance towards non-Western cultures, based on the (universal) assumption of equality between different societies (Boas; Mead; Benedict; Herskovits). Epistemological forms of relativism in the 1970s and 1980s denied any possibility of universal truth or mankind, emphasizing the meaning of context (Geertz, Interpretation). Yet they too knew the necessity of normative distinctions between right and wrong (Geertz, Anti-anti-relativism 275ff.). Contemporary cultural relativist approaches that strive for cultural self-determination, the survival of minority cultures and religions can be situated in the frame of (universal) human rights (cf. Mende, Human Right).

feminist cultural relativism reflects on its normative part, not only can the unwanted effects of bias be revealed and diminished, but differing normative yardsticks, concepts of free will and suffering can be discussed transparently and openly. Power inequalities within communities and intersecting axes of difference can be addressed, without losing gender inequalities out of sight.

28 Feminist universalism, on the other hand, referring to human rights, dignity, global sisterhood or equality, aims at the revelation and ending of mechanisms that contribute to gender inequalities, to suffering or to the submission of women. To do so, it rests upon the ability to take the women concerned seriously. This is only possible, if cultural, social, political and economic contexts, in other words: if differences are taken into account. If feminist universalism does not acknowledge its inherent necessity for context, it becomes repressive. It would then dismiss differing experience, and it would enforce strategies, e.g. the eradication of FGE, that turn against the women concerned. It would use the concepts of human rights or feminism to (re-) produce and simultaneously mask inequalities that lay beyond its focus on patriarchy, e.g., between the global North and the global South. A contextually embedded feminist universalism, however, allows reconciling difference with equality instead of treating the two as mutually exclusive (Müller and Mende). It allows for a recognition of differences within and similarities between the global North and the global South (Hall; Sen), without ignoring dominant power relations. It allows for an analysis of intersectionality, without giving up normative references to, e.g., universal human rights. Finally, it provides a critical assessment of the own normative position, embedded in political, social and theoretical context.

29 The mediation between feminist universalism and feminist cultural relativism facilitates an analysis of FGE and the role of free will that does not hypostatize one of the one-dimensional approaches, ending up with either of their pitfalls and deadlocks. It also builds the basis for a contemporary feminism that is normatively and contextually embedded. Both discussions will be taken up in turn in the following, and in the concluding section.

### **A Mediated Approach to FGE**

30 The discussion of feminist universalist and feminist cultural relativist approaches to FGE demonstrates that any normative evaluation of the practice, just as any question about its eradication and about the free will of the women and girls concerned needs to inquire as to the motives, reasons, structures, and incentives underlying the practice. This seems to pose a

major challenge, because of the enormous differences in how FGE is carried out in different societies. The forms of the physical procedure, the age of the girls or women that undergo the procedure, the accompanying rituals, the surroundings in terms of hygiene, the skills, qualifications and gender of the circumciser, and the health consequences differ as much as the historical roots, the legal status, the social, cultural and sexual meanings and the roles of religion and tradition. Extensive research, however, much of it conducted by anthropologists and physicians, reveals recurring reasons and incentives in the different societies performing FGE. These reasons, which may be interwoven and overlapping, can be summarized as follows:

- 1) tradition (El-Dareer 67; Carr 27; Orubuloye et al. 81; Abusharaf, *Virtuous Cuts* 134),
- 2) religion (Wangila 106ff.; Boddy 15; Hicks 63ff.; Budiharsana et al. 9; Abdalla; Clarence-Smith),
- 3) ethnic distinction (Sharkey 130; Walley 417; Johnson 231; Ahmadu, *Rites* 301; Gruenbaum, *Reproductive Ritual*),
- 4) a rite of passage signifying adulthood or womanhood (Ahmadu, *Rites* 295ff.; Rust 56ff.; Johnson 223; El Guindi 30),
- 5) functions connected to sexuality, including ritual or religious purity (El-Dareer 73; Gordon 13; Abdel Hadi 107), bodily cleanliness (Koso-Thomas 7; Rust 34), beauty (Abusharaf, *Virtuous Cuts* 122), sexual pleasure for men (Gruenbaum, *Cultural Pattern* 50; van der Kwaak 783), but also female control over their own sexuality that promises empowerment (Shell-Duncan and Hernlund 27; Silverman 431)
- 6) the societal control over female sexuality, including the protection of her virginity and fidelity and the prevention of promiscuity, pre-marital sexual intercourse, masturbation and lust (Gordon 9; Hicks 219; Rust 47; Sifuna et al. 344), and the protection of family honor connected to female sexuality (Gruenbaum, *Cultural Debate* 461; van der Kwaak 781; Abusharaf, *Virtuous Cuts* 130ff.),
- 7) marriageability, an explicit, almost ubiquitous reason for the practice, meaning that non-excised women will not be able to get married which often is the precondition for any relevant form of participation in social and economic life (Mackie 270; Shell-Duncan and Hernlund 127; van der Kwaak 777; Abdalla 102; Gruenbaum, *Reproductive Ritual*; Zénie-Ziegler; Leonard).<sup>5</sup>

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<sup>5</sup> For the development and extensive discussion of these seven reasons, cf. Mende, *Begründungsmuster*: 122ff.

The diversity of these reasons, motives, and incentives notwithstanding, virtually all of them share one feature: FGE in its different forms contributes to the constitution of a certain identity, either consciously targeted or unconsciously inscribed in social practices. FGE as a traditionally or religiously motivated act constitutes affiliation to the traditional or religious community. Thus, it is the precondition for participation in communal or religious life, to the effect that a refusal of the practice can lead to implicit (Orubuloye et al. 81) or explicit (Quiminal 183) threats of exclusion. FGE as a marker for ethnic distinction is interwoven with religious and traditional motives, but it is also a function of its own, constituting membership in a collective identity. It facilitates distinction vis-à-vis other ethnically or religiously defined groups or vis-à-vis Western, colonial or imperial powers. In case of the latter, FGE may serve as a marker for cultural and collective self-determination, providing a clear delineation between colonialism and traditional identity. FGE may even be deployed along these lines if it has not been an important cultural trait before (as is the case in Kenyatta). Cultural, ethnic and religious collective identities are thus inscribed in women's bodies. This entails the contempt of women that are not excised, both inside and outside of the collective. This function of distinction is closely interwoven with functions connected to sexuality, marriageability, and rites of passage. In these roles, FGE constitutes the identity of an adult, female, heterosexual woman. It marks the difference between a child and a woman, between a reputable and a despised woman, or between a woman that is allowed to marry, give birth, attend school, get a job, use collective facilities or participate in social life—and a woman who is not allowed or not even considered able to do so.<sup>6</sup>

31 The contextual analysis of the identity-constituting function of FGE builds the basis for several important analytical as well as normative conclusions. First, it shows the close interconnection between collective and individual identity. The recognition of an individual identity as a woman is dependent on collective, often culturally or religiously funded, ascriptions. These are almost never just about the aesthetical or physical alteration of female genitalia but connected to socially shared meanings and ascriptions of what it means to be a woman— regarding behavior, rules, and norms. Vice versa, a collective identity as culturally self-determined, or ethnically or religiously distinct is produced through, and constituted by, the inscription into female bodies and the individual behavior of women. These collective ascriptions are not just superficial, external demands. They also interpenetrate individual perceptions and evaluations of the self, up to the point that notions of internal and external

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<sup>6</sup> Accordingly, in some societies the procedure of FGE is accompanied by instructions about female obedience and appropriate behavior of a wife and woman (Browne 249; Mohamud et al. 81).

ascriptions cannot be dichotomously separated. They constitute both the close relation between individual identity and collective identity (Mende, *Collective Identity*).

32 Second, it shows how deeply the constitution and acknowledgment of both collective and individual identity are embedded in social, political and economic conditions and structures—on local, national and global scales. This embedding exhibits the power of FGE. Undergoing the practice is neither just an individual choice nor a matter of taste, but often, it enables the agency and, eventually, even survival. It is the necessary basis for a socially accepted and economically valid life. This explains why women may very well embrace or at least accept the practice. This is not because they are brainwashed or clueless, but because they are all too well aware of the consequences.<sup>7</sup> On this basis, it is also possible to understand the participation of women in continuing the practice, without thereby skipping notions of gender inequality. Rather, an intersectional analysis of FGE and its interweaving with axes of gender, class, ethnicity, and age is necessary.

33 Third, neither the practice nor its surrounding circumstances nor its justifications are static. FGE is not a natural given that has to be accepted as a matter of tradition, culture or religion. Traditions, cultures, and religions can change significantly, as does the reference to them. This is visible in the different meanings bestowed on FGE within Islamic considerations. There are interpretations of the Quran and fatwas both condemning and embracing FGE, or preferring one form of FGE over the other. Muslim identity can be based on the exercise or the rejection of FGE (El Bashir 155ff.), each employing different assumptions about the position of women (Gruenbaum, *Cultural Debate* 472). Another example concerns the role of education. In some communities, abolition strategies that are based on the education of girls and the empowerment of women are progressing (Abdel Hadi; Mohamud et al.). However, in several Kenyan communities, the rate of FGE increased, while the age of the girls concerned decreased, just because more girls were visiting schools. With FGE, families, and communities wanted to make sure that the girls would not become too independent and ‘indecent’ (Shell-Duncan et al. 121; Thomas 147). This dynamic character of FGE and its functions corresponds to the dynamic aspect of collective identity (Mende, *Human Right* 70ff.; Mende, *Collective Identity*).

34 Fourth, it is possible to aim at the eradication of the practice without skipping context. This is important because, from a feminist perspective, it is normatively insufficient to aim at

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<sup>7</sup> This analysis considers adult women. However, FGE is often performed at under-aged or even very young girls. In these cases, further discussion is necessary, in order to consider to what extent “the person concerned, even if duly informed, will not be in a position to assess the consequences of her decision” (Ouguergouz 106).



the abolition of the practice without considering its larger context. This is visible in eradication strategies that target the physical procedure, but not the accompanying social, cultural and economic conditions, circumstances and meanings.<sup>8</sup> The same applies to the medicalization of the practice.<sup>9</sup> It may reduce suffering from health consequences, but it does not touch upon societal inequalities and disadvantages of women.

Indeed the comprehensive proposals of Somali women groups call for social, economic, and political improvement in the status of women. This improvement is not only key to eliminating traditions that affect their well-being and prosperity but also for the sustainability of attitudinal shifts towards the abolition of female circumcision. (Abdalla 204)

A normatively and contextually embedded approach to FGE provides the basis for re-approaching the question of free will. It recognizes free will as a normative aim that is dependent on access to viable alternatives. Individual choice is deeply interwoven with enabling and disabling conditions that encompass social, economic and political power relations, identity mechanisms and inequalities, from the local to the global level.

35 In effect, a contextual consideration of the practice enables pluralist forms of feminist solidarity that take the women concerned and their struggles seriously. At the same time, this is not possible without normative notions about inequalities and social struggles.

### **Normative and Contextual Feminism**

36 Feminism today has multiple faces. The topic of FGE hardly plays a role in any of them anymore. This is not because FGE as a practice has been eradicated. An estimate of 140-200 million women and girls worldwide have undergone the procedure, with a further 3 million girls and women facing it annually (UNICEF). But it is largely left to be dealt with by international organizations dedicated to health issues, NGOs dedicated to women's issues, and to anthropological and medical discussions. Whether it is the rise of too many other urgent topics, a matter of temporary fashion or because arguments on the topic of FGE have been exchanged exhaustively—the reasons for the decrease of feminist interest vary. Still, feminism(s) today can learn from the debates around FGE. These debates paved the way to

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<sup>8</sup> The ritual without cutting is a strategy with the aim to eradicate the practice, without necessarily abolishing the accompanying rituals and their social functions, including safeguarding female obedience and gender inequality. It is about “offering alternative ways of achieving the same objective” (Mandara 107). But recent versions of the ritual without cutting include accompanying teachings about human rights and health issues (Hernlund 250; Mohamud et al. 99; Sifuna et al. 353).

<sup>9</sup> Medicalization means to perform the practice in hospitals or similar hygienic surroundings and by trained professionals. It is a strategy to reduce the health risks that are due to a lack of hygiene, training or appropriate instruments (Ahmadu 285; Shell-Duncan et al. 111). A version of this strategy is to substitute invasive forms of FGE with non-invasive “de minimis procedures” carried out by medical professionals (Arora and Jacobs).

the elaboration of feminist universalist and feminist cultural relativist arguments that are still being employed today. The mediation between these two approaches allows for feminist perspectives that are normatively and contextually embedded. The integration of these elements is not a simple mix-up but based on a mediated constellation in which each side is prevented from becoming repressive only by the other side, and vice versa. Thus, both are constitutive for a normative and contextual feminism.

37 The necessity of contextual embedding includes several levels and forms that can be summarized as structure, power, intersectionality, and socialization. *Structure* refers to economic, social, political as well as cultural circumstances, from the global to the local level, that build the frames and conditions for the matter of interest. *Power* analyses show that these circumstances do not just explain differences, but that they constitute relations of hierarchy and inequality. They determine what will be decided on in politics, and what will be addressed or not addressed as a matter of interest in the first place (Lukes). Access to economic resources, the possibilities and limits of social participation, the political and legal involvement or neglect of issues, cultural and societal norms about gender identities—they all contribute to gendered forms of power, empowerment, and disempowerment. *Intersectionality* reveals how gender relations intersect with other axes of power, inclusion, and exclusion (Chowdhry and Nair; Klinger et al.). Notions of *socialization* and internalization (Benjamin; Bourdieu) elucidate the limits of subjectivist, individualistic views that discuss a matter as an individual decision that can be changed to suit the need. Rather, societal circumstances on the one hand and individuality and free will on the other are so deeply interwoven and entangled that they are mutually constitutive. Neither exists without the other, each of them forms the other, yet both can gain a certain form of independence from each other in that they are not identical. This means that individuality is socially constituted, but not statically determined, and vice versa (Mende, *Collective Identity* 49ff.).

38 The necessity of normative embedding, in turn, does not imply apodictic normative determination. Quite the opposite is the case. In every context, in every society, religion or controversy, there are different normative perspectives. The question as to which normative perspective a feminist approach agrees or disagrees with, is a normative one. It is therefore not sufficient to base an approach on siding with so-called local or disadvantaged perspectives, because here too, normative assumptions and their effects vary. Only if normative assumptions and their implications are being assessed and revealed, is it possible to put them up for discussion, to argue for or against them, and to reflect on them.

39 In contemporary feminist thinking, normative yardsticks can and do differ. This paper's argument for a contextual and normative feminism does not vote for a single or homogenous normative perspective. While normative and contextual feminism is not about claiming a universal truth, it is about employing tools to address and identify suffering, to differentiate between right and wrong, and to reveal and reflect on the basis for such a differentiation, for it to be open to inquiry.

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