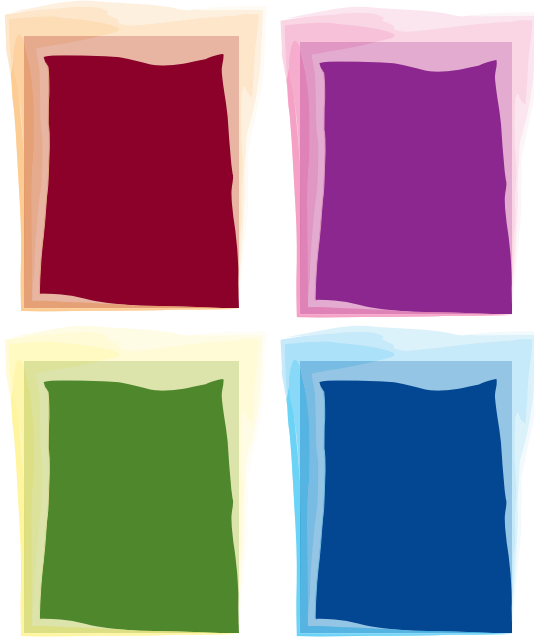


# Religion, Culture and Tradition:

Strengthening Efforts  
to Eradicate Violence against Women



*Authors:*  
Shareen Gokal and Sandra Dughman Manzur

*Copy Editor:*  
Saira Zuberi

*We also gratefully acknowledge the valuable contributions  
of the following people and organizations:*

Cynthia Rothschild

Edna Aquino, Rima Athar and Rochelle Terman,  
*Violence is Not our Culture Campaign (VNC)*

Gita Sahgal,  
*Centre for Secular Space*

Juan Marco Vaggione,  
*Católicas por el Derecho a Decidir (CDD)-Argentina*

Lydia Alpizar, Cindy Clark and Saira Zuberi,  
*AWID*

Mariem Omari and Fatou Sow,  
*Women Living Under Muslim Laws (WLUML)*

Vanessa Brocato,  
*Global Rights Watch, a project of Ipas and PPFA*

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2013

# Introduction

Diverse Human Rights agreements and declarations affirm the rights and freedoms of all individuals, including rights to freedom of expression and freedom of religion. However, they also affirm the right to a life free of violence, and the duty of States, notwithstanding diverse cultures, religions and traditions, to fulfill their obligations.

## Strengthening Efforts to Eradicate Violence against Women

All over the world, diverse anti-rights groups (including States and non-state actors) are increasingly using arguments based on religion, culture and tradition to justify violence and discrimination. This violence is particularly targeted against women, girls, ethnic and religious minorities, people who dissent from or challenge (or are deemed to be challenging) fundamentalist movements, and people expressing (or perceived to be expressing) non-normative gender identities and sexualities.

Justifications based on religion, culture and tradition are also being used to block the progress of laws at all levels, including in the sphere of international law. These justifications must be challenged. The violence they cause is unacceptable and cannot ever be condoned or tolerated.



Religion, culture and tradition are not homogeneous; on the contrary, there are always tensions, pluralism and diversity contained within. However, when powerful anti-rights forces claim ownership over an authentic interpretation of religion, culture or tradition, individuals (in particular those who are targeted because of their gender, ethnicity, religion and sexuality) are denied their fundamental rights.<sup>1</sup>

<sup>1</sup> Violence is Not our Culture: the global campaign to stop violence against women in the name of culture, at <http://www.violenceisnotourculture.org/about/goals#sthash.jx-NaNnA6.dpuf>.

# Key highlights of State obligations to protect women's human rights

Human rights are *universal, indivisible, interdependent and interrelated, and inalienable*. The very basis of the **Universal Declaration of Human Rights (UDHR)**<sup>2</sup> is that human rights are granted for all and apply to all individuals with no distinctions. Therefore, the protection, promotion, enforcement and implementation of human rights prevail even when in conflict with certain cultural or religious beliefs and practices.<sup>3</sup>

## Tradition cannot justify violations of human rights

*Freedom of thought, conscience and religion, and respect for culture, diversity and tradition cannot justify violations of human rights including women's human rights.* Everyone, including those who are targeted because of their gender identity, ethnicity, religion and sexual orientation, has the right to live a life free of violence and discrimination.<sup>4</sup>

<sup>2</sup> Please see the Preamble to the Universal Declaration of Human Rights at <http://www.ohchr.org/en/udhr/pages/language.aspx?langid=eng>.

<sup>3</sup> Ibid.

<sup>4</sup> Please see Article 4 of the Declaration on the Elimination of Violence Against Women, adopted in 1979 by the UN General Assembly A/RES/48/104, 85th plenary meeting, 20 Dec. 1993, <http://www.un.org/documents/ga/res/48/a48r104.htm>.

In accordance with international human rights standards, everyone has the right to freedom of expression, the right to hold and express opinions without interference, and none shall be subject to coercion to adopt a religion or belief.

Freedom of thought, conscience and religion cannot be used as a justification to impose (interpretations of) religion or belief on others; on the contrary, this right seeks to protect individuals against just such impositions and interferences.<sup>5</sup>



Where there is any perceived conflict between States' obligations to respect, protect, fulfill and promote human rights and social, cultural or religious norms, human rights instruments clearly state that the obligation to respect, protect, fulfill and promote human rights, human rights takes precedence.<sup>6</sup>

5 Please see Arts. 18 and 19 of the International Covenant on Civil and Political Rights at <http://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>.

6 Please see UN General Assembly Resolution 63/155; UN General Assembly Resolution 65/187 and Article 16(b) of the Declaration on the Elimination of Violence Against Women.

# Culture, Tradition, and Religion Cannot Justify Any Violations of or Non-Compliance with Human Rights Standards

## A. International Covenant on Civil and Political Rights (ICCPR)<sup>7</sup>

Article 3 of the ICCPR sets forth the obligation for all State parties to "undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant." In General Comment 28, the Human Rights Committee,<sup>8</sup> interpreting Article 3, explains that "*State parties should ensure that traditional, historical, religious or cultural attitudes are not used to justify violations of women's right to equality before the law and to equal enjoyment of all Covenant rights.*" State parties should furnish appropriate information on those aspects of tradition, those aspects of tradition, history, cultural practices and religious attitudes which jeopardise, or may jeopardise, compliance with Article 3, and indicate what measures they have taken or intend to take to overcome such factors. (para. 5)

## Everyone shall have the right to freedom of thought, conscience and religion

According to Article 18, the right to freedom of thought, conscience and religion implies the freedom to hold no religious belief or to hold a non-conformist religious belief including theistic, non-theistic, and atheistic beliefs. A person may choose or not to adopt any belief and manifest (or not) those beliefs free from coercion of any kind. Article 18(1) affirms that "[e]veryone shall have the right to freedom of thought and conscience and religion. This right shall include

7 Adopted and opened for signature, ratification and accession by General Assembly Resolution 2200A (XXI) of 16 Dec. 1966, <http://treaties.un.org/Pages/showDetails.aspx?objid=0800000280004bf5>. Also please see <http://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>.

8 General Comment No. 28: Equality of rights between men and women (Article 3) [http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/13b02776122d4838802568b900360e80?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/13b02776122d4838802568b900360e80?Opendocument).

the right to change his religion or belief, and freedom, either alone or in community and in public or private to manifest his religion or belief in teaching, practice, worship, and observance."

In Article 18(2), the ICCPR affirms that "[n]o one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice. Also, in 18(3) the Convention states, "[f]reedom to manifest one's religions or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals *or the fundamental rights and freedoms of others.*" Also this right cannot be implemented or interpreted in isolation, but in concordance with all other human rights. In this regard, the right to hold and express opinions without interference, enshrined in Article 19 of the ICCPR, says that "[e]veryone shall have the right to freedom of expression; this right shall include *freedom to seek, receive and impart information and ideas of all kinds, regard less of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.*" This right to freely hold and express opinions of any kind without interference regarding any issue also includes the right to hold and freely express opinions on religion, culture and tradition without interference.<sup>9</sup>

Freedom of expression includes the right to freely express opinions on religion, culture, and tradition

<sup>9</sup> General Assembly Resolution 63/155, para 9: "Stresses that it is important that States strongly condemn all forms of violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women, and GA Resolution 65/187, paras. 8 "Stresses that it is important that States strongly condemn all forms of violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women and 16(b): Reviewing and, where appropriate, revising, amending or abolishing all laws, regulations, policies, practices and customs that discriminate against women or have a discriminatory impact on women, and ensuring that the provisions of multiple legal systems, where they exist, comply with international human rights obligations, commitments and principles, including the principle of non-discrimination.



## B. Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)<sup>10</sup>

In CEDAW, State parties hold the obligation "*[T]o take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women*" (Article 2 (f)).

CEDAW imposes a positive obligation on State parties to "*modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women; undertake affirmative steps to modify cultural practices that impair the enjoyment of equal rights between men and women*" (Article 5(a)).<sup>11</sup>

## States Should Condemn Violence Against Women

### C. Declaration on the Elimination of Violence Against Women adopted in 1979 by the UN General Assembly<sup>12</sup>

This declaration sets the following obligation in Article 4: "*States should condemn violence against women and should not invoke any custom, tradition, or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay*

<sup>10</sup> The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly. Entry into force 3 Sept. 1981, in accordance with Article 27(1). As of August 2009, 185 countries have ratified CEDAW. See <http://www.un.org/womenwatch/daw/cedaw/>.

<sup>11</sup> General Recommendation 25 of the Committee on the Elimination of Discrimination against Women explains that CEDAW "targets discriminatory dimensions of past and current societal and cultural contexts which impede women's enjoyment of their human rights and fundamental freedoms. It aims at the elimination of all forms of discrimination against women, including the elimination of the causes and consequences of their de facto or substantive inequality. Therefore, the application of temporary special measures in accordance with the Convention is one of the means to realize de facto or substantive equality for women, rather than an exception to the norms of non-discrimination and equality. General recommendation No. 25 - thirtieth session, 2004 Article 4(1) - Temporary special measures. [http://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20\(English\).pdf](http://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20(English).pdf).

<sup>12</sup> Declaration on the Elimination of Violence against Women, A/RES/48/104, 85th plenary meeting, 20 Dec. 1993 <http://www.un.org/documents/ga/res/48/a48r104.htm>.

a policy of eliminating violence against women and, to this end, should: *"Adopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women."* (Article 4(j))

Cultural diversity can be protected and promoted only if human rights and fundamental freedoms . . . are guaranteed

#### **D. Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005 <sup>14</sup>**

The Convention sets forth the guiding principle "of respect for human rights and fundamental freedoms" where cultural diversity can be protected and promoted *only if human rights and fundamental freedoms, such as freedom of expression, information and communication, as well as the ability of individuals to choose cultural expressions, are guaranteed. No one may invoke the provisions of this Convention in order to infringe human rights and fundamental freedoms as enshrined in the Universal Declaration of Human Rights or guaranteed by international law, or to limit the scope.*

<sup>13</sup> In this regard the UN Report of the Special Rapporteur on Violence against Women also explains that "It is often asserted that cultural rights held by individuals or groups, including minorities, indigenous people or immigrant communities, can be invoked to trump women's human rights and equality. Reference is made in this regard, for instance, to Article 27 of the International Covenant on Civil and Political Rights, which establishes that any person belonging to ethnic, religious or linguistic minorities existing in a given country has the right, in community with other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language. The Human Rights Committee has stated that the minority cultural rights articulated in Article 27 do not authorize any State, group or person to violate the right to the equal enjoyment by women of any Covenant rights. Instead, States are asked to report on measures taken to discharge their responsibilities in relation to cultural or religious practices within minority communities that affect the rights of women. Report of the Special Rapporteur on violence against women, its causes and consequences. A/HRC/4/34, 17 Jan. 2007. Please see <http://www.unhcr.org/refworld/docid/461e2c602.html>.

<sup>14</sup> Entry into force: 18 March 2007, in accordance with its Article 29. See [http://portal.unesco-co.org/en/ev.php-URL\\_ID=31038&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html#-DEPOSITORY](http://portal.unesco-co.org/en/ev.php-URL_ID=31038&URL_DO=DO_TOPIC&URL_SECTION=201.html#-DEPOSITORY).

**E. Vienna Declaration and Program of Action (VDPA) Adopted  
by the World Conference on Human Rights in Vienna,  
25 June 1993<sup>15</sup>**

The VDPA reaffirms the "commitment of all States to fulfill their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law. *The universal nature of these rights and freedoms is beyond question.*" (Section I, para. 1)

The States agree that "[a]ll human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. *While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.*"<sup>16</sup> (Section I, para. 5)

"...[T]he World Conference on Human Rights stresses the importance of working towards the elimination of violence against women in public and private life, the elimination of all forms of sexual harassment, exploitation and trafficking in women, the elimination of gender bias in the administration of justice and the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism." (Section II, para. 38)

- 15 The Vienna Declaration and Programme of Action was adopted by consensus at the World Conference on Human Rights, 25 June 1993. It was endorsed by General Assembly Resolution 48/121, 20 Dec. 1993. Please see <http://www.unhcr.org/refworld/topic,459d17822,459b17a82,3ae6b39ec,O.html>.
- 16 This paragraph has been used by some to justify giving preeminence and attention to culture and religion. However, they do so by strategically omitting its concluding part that limits such use to the promotion and protection of all human rights and fundamental freedoms. Thus, even when attention is given to culture and religion, human rights and fundamental freedoms must be protected and promoted.

## F. Beijing Declaration and Platform for Action (Beijing PoA) adopted at the Fourth World Conference on Women in 1995<sup>17</sup>

When setting up the framework in Chapter II, the Beijing PoA states that "[w]hile the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms. The implementation of this Platform, including through national laws and the formulation of strategies, policies, programmes and development priorities, is the sovereign responsibility of each State, in conformity with all human rights and fundamental freedoms, and the significance of and full respect for various religious and ethical values, cultural backgrounds and philosophical convictions of individuals and their communities should contribute to the full enjoyment by women of their human rights in order to achieve equality, development and peace." (Chapter II, para. 9; this duty was already set forth in The Vienna Declaration and Programme of Action, Section I, para. 5)

**The right to freedom of thought, conscience and religion is inalienable and must be universally enjoyed.**

The Beijing PoA also maintains that "[r]eligion, spirituality and belief play a central role in the lives of millions of women and men, in the way they live and in the aspirations they have for the future. The right to freedom of thought, conscience and religion is inalienable and must be universally enjoyed. This right includes the freedom to have or to adopt the religion or belief of their choice either individually or in community

<sup>17</sup> The Beijing Declaration and Platform for Action was adopted by consensus by all 189 governments participating in the Fourth World Conference on Women in September 1995. More than 5,000 representatives from 2,100 non-governmental organizations and 5,000 media representatives attended the Conference and nearly 30,000 individuals attended the independent NGO Forum '95  
See <http://www.un.org/womenwatch/daw/beijing/plat-form/> and <http://www.un.org/geninfo/bp/women.html>.

with others, in public or in private, and to manifest their religion, or belief in worship, observance, practice and teaching. In order to realize equality, development and peace, there is a need to respect these rights and freedoms fully. Religion, thought, conscience and belief may, and can, contribute to fulfilling women's and men's moral, ethical and spiritual needs and to realizing their full potential in society. However, it is acknowledged that any form of extremism may have a negative impact on women and can lead to violence and discrimination." (Chapter II, para. 24)

With regard to Violence against Women, the Platform for Action asserts that "[v]iolence against women throughout the life cycle derives essentially from cultural patterns, in particular the harmful effects of certain traditional or customary practices and all acts of extremism linked to race, sex, language or religion that perpetuate the lower status accorded to women in the family, the workplace, the community and society." (Chapter IV, para. 118)

**Any form of extremism may have a negative impact on women and can lead to violence and discrimination.**

In Strategic Objective D.1 of the Beijing PoA among the actions to be taken by governments is to "[c]ondemn violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women" (Strategic Objective D.1, para. 124, letter a), and to "[a]dopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women, and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women" (Strategic Objective D.1, para. 124, letter k).

## G. African Union: Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (Maputo Protocol)<sup>18</sup>

This instrument compels State Parties to “combat all forms of discrimination against women through appropriate legislative, institutional and other measures by making sure their constitutions, legislation and policies promote the principle of equality, eliminates forms discrimination, integrates a gender perspective and supports initiatives directed to eradicate gender discrimination. (Article 2(1))

Every woman has the right to be valued and educated

In this same part the protocol set forth the obligation of State Parties to "commit themselves to modify the social and cultural patterns of conduct of women and men through public education, information, education and communication strategies, with a view to achieving the elimination of harmful cultural and traditional practices and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes, or on stereotyped roles for women and men." (Article 2(2))

<sup>18</sup> The Beijing Declaration and Platform for Action was adopted by consensus by all 189 governments participating The Maputo Protocol was adopted by the Conference of Heads of State and Government in Maputo, Mozambi on 11 July 2003. See <http://www.achpr.org/instruments/women-protocol/>.

## H. Organization of American States: Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para)<sup>19</sup>

This Convention establishes the obligation of State parties to respect "[t]he right of every woman to be free from violence . This right includes, among others, "[t]he right of women to be free from all forms of discrimination" and "[t]he right of women to be valued and educated free of stereotyped patterns of behaviour and cultural practices based on concepts of inferiority or subordination.

(Articles 6(a) and (b)).

State parties must respect  
the right of every woman to be free from violence

The State Parties also "agree to undertake progressively specific measures, including programs . . . *to modify social and cultural patterns of conduct* of men and women, including the development of formal and informal educational programs appropriate to every level of the educational process, *to counteract prejudices, customs and all*

<sup>19</sup> Adopted on 9 June 1994 by the General Assembly of the Organization of American States at its 24th session; entry into force; 5 Mar. 1995, in accordance with Article 21. See [http://www.oas.org/en/CIM/docs/Belem-do-Para\[EN\].pdf](http://www.oas.org/en/CIM/docs/Belem-do-Para[EN].pdf).

*other practices which are based of the idea of the inferiority or superiority of either of the sexes on the stereotyped roles for men and which legitimize or exacerbate violence against women;" (Article 8(b)).*

## States should promote cultural change in the pursuit of gender equality

Moreover,

the *Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality*<sup>20</sup> sets the objective "[t]o promote gender equity and equality and women's human rights by strengthening and fostering:



The elimination of cultural patterns or stereotypes that denigrate the image of women, particularly in educational materials and those disseminated in the media" (Section III, para. 8). Within its lines of action the declaration recommends that member States "[p]romote a cultural change whereby all sectors of society will become involved in the empowerment of women and in the pursuit of gender equality, in particular, by engaging men as an active and integral part of this change." (Section IV, para. 1.19)

<sup>20</sup> Adoption and Implementation of the Inter-American Program on the Promotion of Women's Human Rights and Gender Equity and Equality (Resolution adopted at the first plenary session, held on 5 June 2000). See [http://w-ww.oas.org/juridico/english/agres\\_1732\\_xxx00.htm](http://w-ww.oas.org/juridico/english/agres_1732_xxx00.htm).



# Justifications for human rights violations based on religion and culture

**Human rights standards are vital protections for everyone, particularly those who have the least power in societies**

Religion generally holds enormous social, political and institutional power in many countries and communities—power that can be mobilized (especially by those in positions of authority) to control bodies and sexuality and enforce discriminatory, narrow and dogmatic norms. It is this coercive tendency of religious fundamentalisms which often leads to violence and other human rights violations. Human rights standards are vital to the rights of all individuals, but in particular, to address the rights of minorities and those who are afforded least power in particular societies.

## Key concerns

**Religious fundamentalisms are not the same as religion**

In all religions and cultures, there is always a range of different interpretations; a plurality of ideas, practices and beliefs; and the possibility of transformation, evolution and change. Religion has been a source of enormous social and political inspiration for progressive and rights-affirming movements, including in the promotion of economic and civil rights, advocating against the death penalty, in peace movements, and in feminist efforts to reform laws and practices. It is important to remember that these anti-rights movements exist within all religions, in every region of the world, and are just

one tendency within these religions. In many ways they in fact contradict the fundamental spirit and essence of many faiths and religions, which is love, compassion, inner reflection, and to do right by others.

Fundamentalist movements present their subjective moral and social positions as religiously sanctioned "objective truths"

### **Religious fundamentalisms are intolerant, absolutist and coercive**

Religious fundamentalisms are absolutist, monolithic interpretations of religion. These ideologies exist across all regions and are often used to attain or maintain power—political, economic and/or social. They present the world in terms of "right" and "wrong", and present their subjective moral and social positions as "objective truths" that are religiously sanctioned.

Fundamentalist movements are characterized by their intolerance of diversity and plurality and by their coercive nature, which includes the use of violence to enforce norms. All fundamentalisms reinforce patriarchy, gender inequality and heteronormativity.

### **What is contributing to a rise in religious fundamentalisms?**

Religious fundamentalisms arise due to a number of factors that differ depending on political, cultural and historical context. No one reason can explain how or why fundamentalisms arise; these factors are interrelated and often reinforce one another.

However, the interplay between religious fundamentalisms and neoliberalisms, including the growing disparities between rich and poor (relative poverty), the growth of absolute poverty, and the failure of states to meet the basic needs of their populations are among the most significant contributing factors. Others include a rise in identity politics (growing divisions along ethnic, religious, national lines), the loss of certainty and belonging with growing globalization and the onset of modernity, and a concerted backlash to advances in women's rights and sexual diversity (including sexual orientation and gender identity).

In addition, the weakening of democratic rights (such as the right to freedom of expression, education, health, etc.), the undermining of the secularity of the State, and attacks on rights-based religious traditions, all contribute to an environment where fundamentalisms can flourish.

Religious fundamentalisms take advantage of the failure of states to meet the basic needs of their population

### **There is a marked rise in religious fundamentalisms in every religion and region of the world**

All around the world, more progressive movements and tendencies within all religions have been targeted and marginalized by more dominant fundamentalist forces who have positioned themselves as being the authentic representatives of those religions.

In 2007, in a survey of 1,600 women's rights activists from over 160 countries, 76% said they had witnessed a global rise in the strength of religious fundamentalisms,<sup>21</sup> and 8 out of 10 agreed that religious fundamentalisms have had a negative or very negative impact on women's rights. Five years later, these figures have likely seen a rise.

<sup>21</sup> Please see Cassandra Balchin, Towards a Future without Fundamentalisms, AWID: Toronto, 2011, <http://www.awid.org/Library/Towards-a-Future-without-Fundamentalisms2>

## Religion and culture are distinct

Although "culture" and "cultural systems" are seen as inclusive of religion in many human rights instruments, it is important to recognize that culture and religion are not the same. Religion often has a distinct power and privilege in society, politically, economically and symbolically.

Given the power and privilege that religion holds across societies, speaking on behalf of God can carry great influence and weight and can be very hard to challenge. Challenges to religious fundamentalist power often elicit responses that marginalize, stigmatize and punish those who articulate concerns or call for change.

Challenges to religious fundamentalist power often elicit responses that marginalize

**Women's bodies and rights (and those of people marginalized based on their sexuality, ethnicity, and religion) are particular targets of fundamentalist violence**

Women's bodies, often considered to be the bearers or markers of religious, communal, national or cultural identities, are targeted by all kinds of fundamentalisms — religious, traditional, cultural, ethnic, nationalist, etc., and are thus considered to be rightfully subject to various forms of control.

Violence is a manifestation of this control. Often the cost of transgressing the norms of fundamentalist actors (whether they are State or non-state actors, e.g., family or community members, paramilitary or extremist groups) is both physical and sexual violence. Other consequences can include

intimidation, threats to families and colleagues, casting out or social exclusion, defamation, de-funding of women's organizing, or de-registration of women's organizations.

The violence enacted by fundamentalisms is not only targeted at women, but also at groups who are marginalized based on sexuality, gender identity, ethnicity and religion, and aimed at anyone who transgresses (or is perceived to transgress) norms set out by fundamentalist actors including those expressing (or perceived as expressing) non-normative sexuality and gender.

The violence enacted by fundamentalisms also targets groups who are marginalized based on sexuality, gender identity, ethnicity and religion

Women Human Rights Defenders (WHRDs) face heightened risks because they work on issues such as gender-based violence and sexual and reproductive rights; work which frequently challenges cultural, religious and traditional norms. Attacks against WHRDs (which include threats, intimidation, abduction, sexual violence, torture and killings) are often gender-based, with women being targeted both because of their activism and simply because they are women.

## **Fundamentalisms based on religion, culture, tradition, nationalism and ethnicity often work together**

The use of religion for power and control often works closely with other elements of identity such as culture, tradition, nationalism and ethnicity, depending on the context. With the rise of identity politics and fundamentalisms there is a tendency to appropriate, essentialize and define such identities in narrow ways, not tolerating any diversity of expression, redefinition or reclaiming of identities, and refusing to acknowledge that all aspects of identity are evolving, and inherently multiple, evolving and complex.<sup>22</sup>

<sup>22</sup> Global Report on the Situation of Women Human Rights Defenders, a report of the Women Human Rights Defenders International Coalition, Jan. 2012 <http://www.defendingwomen-defendingrights.org/resources.php>. Please see [www.defendingwomen-defendingrights.org](http://www.defendingwomen-defendingrights.org) for more information.



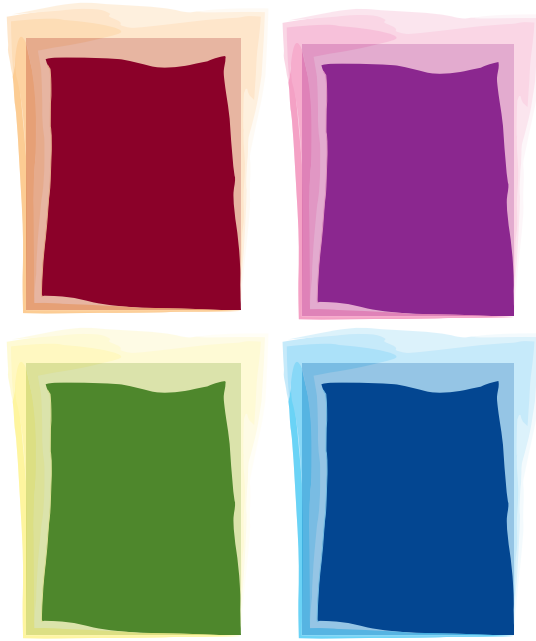
**Everyone has the right to reclaim, reaffirm and participate in all aspects of religious and cultural life**

As Farida Shaheed, UN Special Rapporteur in the field of cultural rights,<sup>23</sup> stated when presenting her 2012 report, "[w]omen also have the right to access, participate in, and contribute to all aspects of cultural life; they have the right to actively engage in identifying and interpreting their cultural heritage, and deciding which cultural traditions, values or practices are to be kept intact, modified or discarded altogether."<sup>24</sup>

As individuals, we need to stand up for our right to celebrate, reject, reclaim, redefine and embrace religions and cultures. We need to collectively ensure that the universality of human rights is affirmed and protected and we must reject any challenges that undermine that principle, including those justified on the basis of religion, culture and tradition. Our hope is that the information contained within this document can contribute to that critical effort.

<sup>23</sup> In accordance with Human Rights Council resolution 19/6.23

<sup>24</sup> "The challenge is to ensure that women own their culture as well as their human rights"– UN rights expert," 2 Nov. 2012. OHCHR website, <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12735&LangID=E>.



**Authors: Shareen Gokal and Sandra Dughman Manzur**  
**Copy Editor: Saira Zuberi**

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