

Summary of karen musalos article when rights and culture collide

[Sociology](#)



**ASSIGN
BUSTER**

Summary of Karen Musalo's Article When Rights and Culture Collide

Karen Musalo is the author of a compelling article titled *When Rights and Culture Collide* which she wrote in a reflection in a case she had handled that concerned human rights. She begins by relating the story of Fauziya Kasinga a girl from Togo who faced a challenge brought about by culture colliding with the rights. After presenting details of the story, Musalo then advances to offer a critical analysis of the application of human rights and the views exhibited by proponents of cultural relativism, ethnocentrism and cultural universalism. She develops her argument backing them up with examples and eventually takes her stand in support of cultural universalism. In a bid to refute cultural relativism, she offers a strong argument against their beliefs. This paper will present a summary of her article.

Karen Musalo was the attorney Fauziya Kasinga who was under the compulsion of undergoing female genital mutilation after she has been betrothed to an old man for marriage. These events occurred after the death of her father and the fact that her aunt exiled her mother and proceeded to betroth her to the old man. However, Fauziya was rescued by her mother and sister and decided to seek help. This is where Musalo intervened, serving as her attorney in her request for an asylum in the United States. Musalo relates this story in her article and highlights how she was constantly questioned on her stand concerning the relevance of culture and her decision to defend Fauziya, who was defying the cultural norms and practices. She then develops her argument, introducing cultural relativism, cultural universals and ethnocentrism (Musalo n. pag).

Cultural relativism denotes the belief that the international convention of

human rights should not surpass a nation's culture. Proponents of this belief have the conviction that there is no moral principle that can apply evenly to all nations and cultures. In their view, the human right convention only seeks to impose western ideals on weaker states. On the other hand, cultural universalism is the belief that the human right convention should be applied to all nations irrespective of their culture and religion. Ethnocentrism denoted the view that one's culture is superior and that he or she should judge other cultures based on the definitions of his or her own culture. In the case of Fauziya Kasinga, cultural universalism and cultural relativism were at loggerheads. Musalo and other proponents of universalism had the conviction that Fauziya was entitled to human rights which prevented her from any form of violence irrespective of her gender or culture (n. pag). However, cultural relativists held the view that, cultural practices were still fundamental aspects of the society and that no moral principle established internationally should apply to all nations evenly.

Musalo explores the foundation of the United Nation and the factors that facilitated its formation. She presents multiple examples of diverse cultures across the globe that does not conform to the international human rights convention. Her examples are not limited to gender based violence, but also to an emerging violence committed against men. Without doubt, Musalo is of the opinion that cultural universalism is a more rational argument which should mean that the human rights of all individuals should be protected. I totally agree with Musalo's argument that the human rights convention should have a universal application because it seeks to protect all the individuals from any form of violence. In the case of Fauziya, I have the

conviction that Musalo did the right thing in ensuring that she got an asylum and was saved from cultural practices that brutally violated her rights as an individual (n. pag).

Work Cited

Musalo, Karen. When Rights and Cultures Collide. Web. 14th June, 2014.