

Debating Virginity-testing Cultural Practices in South Africa: A Taylorian Reflection

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Abstract

In January 2016, a perennial row over virginity testing was renewed, pitting traditional adherents of Zulu cosmology and cultural practices against human rights advocates. The paper does not position itself within this debate. Rather, it adopts a meta-perspective in order to understand why the debate arises in the first instance. Using Charles Taylor as a guide, it argues that the pre-modern porous self in the West was innately tied to a cosmology. The self was porous precisely because it saw itself as part of that cosmology. But with the onset of modernity, the self becomes increasing 'buffered', as a self that does not belong to that cosmology but is self-owned and self-regulated. This paper contends that the practice of virginity testing has to be seen in the light of the porous conception of the self and opposition to the practice in the light of the buffered conception. And as such, the opposition at base is seeking to preserve its specific view of the world against a practice it sees as undermining its implicit 'theological' perspective.

Keywords: Virginity testing, Zulu culture, Charles Taylor, cosmology, human rights, social imaginary, secular theology

Introduction

Virginity testing is not an African issue, it is a component of harmful practices aimed at subjugating the bodily integrity of women (Minister Bathabile Dlamini 2016).

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We parents have been marginalised: I am not renting children owned by the government. If my ancestors tell me to do this [virginity testing], I can't argue with them (Mrs. Luthuli, IRIN 2005).

In January 2016 a row over virginity testing was reignited when the mayor of uThukela district in Kwazulu-Natal, Dudu Mazibuko, instituted a Maiden's Bursary program. Sixteen scholarships for tertiary study were awarded to virgin females. These girls had undergone virginity testing previously. Their scholarships would be renewed as long as they maintained their virginity during their studies and to prove this they would need again to periodically undergo the test.

The mayor's awards sparked off another intense discussion around the issue of virginity testing. The issue has been a fraught one in recent years, particularly in the Kwazulu-Natal region, where the test is associated with the traditional Zulu Reed Dance ceremony. The mayor's intent was practical: she felt that far too many girls ruin their education by falling pregnant and so the award would incentivize them to focus on their studies. There was also the need to curb the high levels of HIV and simply abstaining from sex would certainly appear to promote that goal (Ngcobo 2016). But for those who subscribed to the Reed Dance ceremony, virginity testing had an added and more fundamental cosmological significance. Transcending pure concern with the physical body, it is seen as a practice that sustains the land and livelihood of the nation through appeasement of the supernatural entity, Nomkhubulwane ('Mother Nature'). Nomkhubulwane is the daughter of Mvelinqangi, the Zulu divinity in female form. Kunene points out that,

Nomkhubulwane is the most central symbol of creation. She establishes the female principle as philosophically the primary force in creation. Through the female principle, the seemingly irreconcilable elements are brought together. Thus the conciliation of opposites and the establishment of balance become the very essence of growth and creation (Quoted in Masondo 2013:35).

Predictably, though, the practice of virginity testing has met stringent opposition by liberals and feminists, including the African National Congress's Women's League. They argued that it is a violation of a woman's body, that it

is unconstitutional and that linking the practice with the provision of scholarships is ‘unethical’. (Burch 2016) The practice is also ‘unscientific’ (there is no infallible method to establish virginity) as well as discriminatory (boys appear to be exempted from such testing) (Kale 2016, IRIN 2005).

This paper is not positioning itself within this debate. Rather, its objective is to help sketch a picture of why these different positions arise in the way they do. And we are of the opinion that the historical analysis of Charles Taylor, as contained in his *magnum opus* ‘A Secular Age’ (2007) is pertinent in this regard. His analysis compels us, we believe, to reflect on why we ask the questions that we do in relation to a particular issue. We ask particular questions but elide others. Such asking and eliding around a religio-ethical issue- and virginity testing is certainly such an issue- relate to the way our ethical quandaries have evolved historically. As is clear from Taylor’s narrative, these quandaries cannot be viewed in isolation from the dominant social imaginary of modernity. They do not exist in an abstracted space but were born in the cauldron of tumultuous historical events, new cultural practices and new social theories that combined to produce this imaginary. It is an imaginary, which among other things, has effectively rejected cosmology and is focused on shaping the human being in terms of a secular, historically evolving template. In this shaping, the human being engages instrumentally with the cosmos, not as an integral part of it. And so, among other things, the human being constructed by this imaginary receives virginity testing as an affront, as an attack on the integrity of the individual self, and on the body that belongs only to that self. In contrast, in a cosmology, the self belongs to the wider order and is not self-owned. And so its body is part of that order and is to be deployed for the good as conceived by that order.

But there is another associated theme to Taylor’s thought which we think further illumines the nature of the debate: the introduction of what we call trans-localism. Cosmologies are rooted in localism. They are engaged by, and exist for the guidance of, local communities- communities that materially engage this cosmology in terms of a designated hierarchy. The community is indeed embedded in this cosmology. This cosmology serves to structure the everyday lives of its members in accordance with a particular, ‘timeless’, conception of human flourishing. The community has to think in local terms- in terms of its own, immediate and palpable well-being within this cosmology. Virginity testing is an element among elements in this wider interplay- one believed to be conducive to the maintenance of cosmic well-being.

However, discourses that spring from the modern social imaginary typically view such elements discretely. They separate them from this wider interplay- they disembody them¹- and they now need to be measured against a new matrix of elements that compose the imaginary. In this matrix the human being is trans-local: he or she does not innately belong to a material community that is connected to a cosmological order; rather, in the absence of such an order, they become connected to each other in terms of their rights and obligations across horizontal time and space. The main question now for virginity testing is not whether it functions effectively as an element among others to bring about the community's understanding of human flourishing and well-being- that is, its effectiveness in the local context- but whether, now as a disembodied element, it violates the rights that are seen as belonging to a trans-local class of human beings. We will now explore these themes in greater depth.

On our Construal

A primary target of Taylor's 'A secular age' is our 'the way we naively take things to be'. Our contemporary lived understanding of reality is construed in a particular way with particular underpinnings and particular historical trajectory. But it is 'the construal we just live in, without ever being aware of it as a construal, or- for most of us- without ever even formulating it' (Taylor 2007:31).

It is within this construal of reality that we ask the questions we ask. And those questions are naturally informed by the underpinnings and trajectory that shape this construal. So certain questions become conceivable within this construal that may not have been conceivable in one with different underpinnings. In a now somewhat famous quote from his book, Taylor asks:

Why is it virtually impossible not to believe in God in, say, 1500 in our Western society, while in 2000 many of us find this not only easy, but even inescapable? (Taylor 2007:25).

¹ Of course, in the process of disembodying them, they start re-embodying them in new ways. On the notion of the embodiment in general see Mahmood (2005).

For Taylor, the question is tied to the way our search for a sense of fullness has evolved. Pre-moderns necessarily sought fullness with reference to a divine whereas subsequently alternative, non-divinely related modes of fullness become conceivable. The major part of his book is devoted to how this evolution took place.

The central feature of this modern construal is the division between the mind and the cosmos. In the pre-modern construal, spirits, demons and moral forces exist objectively in a cosmos. They have an existence independent of our mind. The world is enchanted. But in the disenchanting, modern understanding, these forces are defined by our mind. And so the mind is the true locus of our thoughts, feelings, desires and meaning in general. In this new construal we exist as, what Taylor calls, buffered selves: our minds provide the buffer against imputing independent meaning to cosmic forces. In contrast, the pre-modern porous self does not view the human being as a meaning-making entity; rather, meanings exist outside of human beings within the cosmic whole.

The buffered self, then, ‘in the way it naively takes things to be’, elides the cosmological question altogether. The questions it sets before itself—that is, the way it structures debate—are, on the contrary, informed by the assumptions of the modern social imaginary.

A critical assumption here is the integrity of the body. The individual’s capacity to filter and decide meaning presupposes the self-ownership of the body and the sovereignty of individual choice. This becomes a key theme in the discussion around virginity testing. And so Bathabile Dlamini invokes Section 12 of the South African Constitution to assert ‘that everyone has the right to bodily and psychological integrity, which includes the rights to make decisions concerning reproduction and to security and control over their body’ (Dlamini 2016). In a similar vein, the Democratic Alliance called on the South African Human Rights Commission to investigate the ‘constitutional soundness’ of the test. Its spokesperson, Nomsa Marchesi stated that the practice ‘strips young women of their dignity, freedom of privacy and choice’ (Church 2016) while the Commission on Gender Equality described it as ‘discriminatory, invasive of privacy, unfair, impinging on the dignity of young girls and unconstitutional’ (Magubane 2016). The possibility of physical pain is added to such criticism (Kale 2016).

These criticisms acknowledge that the Constitution allows space for cultural rights. But in the face of the obvious clash between individual and

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cultural rights, they are adamant that these latter rights cannot supersede individual ones enshrined in the Constitution's Bill of Rights. For Dlamini,

Constitutional protection for cultural rights does not, however, provide a license for the continuation of practices of any kind that may seek to continue discrimination and violence against women and girls (Dlamini 2016).

Here there is a call for religious practice to be curtailed if it discriminates against the rights of women and girls *as individuals*. The expression of culture must take place within the parameters set by a liberal democratic ethos. And legally such expression must be consistent with the Bill of Rights. As Jerome Singh noted in an earlier incarnation of the debate, that while the relationship between culture and human rights may be a vexed one, in the end, 'nothing can stand up to the constitution, which is the highest authority in the land - even if it seems to undermine customary practices' (IRIN 2005).

And so the Constitution, as the moral-legal framework of the state, is employed by critics of the practice to dictate the terms of cultural practice. Unsurprisingly, advocates of testing do not welcome this intervention. Nomagugu Ngobese of the Nomkhulwane culture and youth development organisation- who is credited as playing a key role in the modern revival of the practice- takes its critics harshly to task:

Enough is enough... We are sick and tired of being spoon-fed policies that were drafted without us that are destroying our society. (Magubane 2016).

She further condemned what she saw as the distortion of information surrounding the test as well as the focus on individual rights. According to her, people had forgotten that:

[W]e don't live alone, we live communally here ... Protecting children? They are creating laws that are destroying families (Magubane 2016).

In rounding up on the critics of the practice, Ngobese directly challenges the moral-legal framework of South Africa's democracy. It has not led to the

betterment of society but quite the contrary. And so she harks back to, in her view, a historically proven model of social stability, namely traditional Zulu culture.

This perceived societal betterment is integrally tied to the cosmic significance of virginity testing. As Masondo writes, there is the belief that when ‘African people turned away from their core spiritual entities, Nomkhubulwane in particular, society lost its balance’ (Masondo 2013: 36). This loss of balance is perceived to have resulted in: disease, particularly the ravages of HIV/AIDS; a high incidence of rape and abuse of women; high levels of crime and civil discontent; and the political violence that engulfed the Amazulu in the 1980’s and 1990’s (Masondo, 2013:36).

Of course, all of this is profoundly alien to critics of the practice as they implicitly set the terms of the debate. The potential significance and reality of such cosmology is simply ignored when they measure the practice in terms of human rights norms.

We think Ngobese’s views intuit a fundamental disjuncture between the state’s human rights framework and the cosmological roots of Zulu culture. The ethos of the Constitution celebrates rights and choice; that of traditional Zulu culture values community and the sacred.

This is not to say that other defenders of the practice do not work from within the Constitution. The Zulu king, Goodwill Zwelithini, for example, took a swipe at the ‘self-proclaimed police’ of the Constitution who condemned certain religious and cultural practices before the Constitutional Court had decided on those (Maqhina 2016). And participants have asked critics for proof that physical abuse during testing takes place.(Hans 2013) Even Ngobese, like Mazibuko, had previously pointed out the practical, non-cosmological, benefits of the practice such as a reduced reliance on child grants.(Hans 2013)

But ultimately for Ngobese, critics of the practice were not simply challenging virginity testing but a way of life in which sexual purity was vital for the smooth functioning of the cosmos:

This is our religion, first and foremost. It’s central to our upbringing as indigenous people of our country. When we go to the mountains for prayers, it’s easier to communicate with the Gods when you’re pure. Even when our virginity testers are married women, they abstain from sex so that when they carry out the inspections, they don’t make the

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girls impure. So virginity testing is a part of our culture that is sacred to us, and we are not ashamed of it (Kale 2016).

Coming back to Taylor, then, the construal of virginity testing advocates and those of the practice's critics are at distinct odds with one another. For critics, virginity testing must be gauged against notions of bodily integrity, inequality and discrimination, privacy, freedom of choice and a constitutionality which enshrines these notions. This construal is the way 'they naively take things to be', to use Taylor's expression. In this construal there is no question of entertaining the cosmology of Zulu culture in any meaningful sense- the question simply does not arise in their framework. This framework has, of course, historically evolved so as to elide this question altogether. Cosmology, on the hand, is still integral to traditional Zulu culture. But interestingly, given the hegemony of human rights discourse, the cosmological standpoint can no more be taken as naively accepted. They indeed assert this standpoint but they also need to speak in terms of the practical benefits of virginity testing, namely, with regard to curbing HIV, the problem of child grants and enhanced educational benefits for girls. And they are also compelled to assert the legality of the testing in terms of cultural rights granted by the Constitution as well as their view that testing does not constitute physical abuse. They need, in other words, to respond to the demands of the hegemonic discourse. They, on their part, cannot elide the question of constitutionality, human rights and practical benefits even though the overarching reason for the practice is profoundly cosmological.

Now the cosmological standpoint is necessarily a statement about the nature of the universe and it is on the basis of what this nature is believed to be that a particular subjectivity is cultivated. This subjectivity is then fundamentally shaped by the worldview of a particular society and is manifested by acting according to the rules, comportment and decorum it requires. Zulu traditional culture seeks to shape its members in particular ways. But what is less obvious is that the human rights-constitutionalist framework is equally universal. It implicitly makes a statement about reality, namely, that there is no cosmology or that we should be agnostic about cosmological claims, and so the subjectivity which it cultivates is predicated upon this denial or abeyance of judgment. What kind of subjectivity is cultivated by this framework? How does it seek to shape members of society? And how is this shaping to be contrasted with the subjectivity cultivated by Zulu cosmology?

We shall again take up Taylor in this regard by presenting a précis of his historical analysis.

Cultivating Subjectivities

Taylor traces the historical roots of the modern sense of self to the Reformation. The Reformation turned away from putting trust in cosmically ‘charged’ objects - a trust that of course was susceptible to excess - and focused instead on cultivating order in one’s personal life. But an ordered personal life presupposes a well-ordered society. And so the primary overall concern becomes engendering and maintaining such a society (Taylor 2007: 65-84).

This striving to order has certain features: it is activist, that is, its re-ordering of society is highly interventionist; it is uniformizing, namely, it applies a particular model to everything and everybody; it homogenizes by striving to reduce differences through mass education and other forms of conformity; and it is finally rationalizing- it increasingly employs instrumental reason as it orders society through a coherent set of rules (Taylor 2007: 65-86).

The use of instrumental reason is associated with the rise of the will. As per Occam and the nominalist school- and this idea was carried through to the Reformation- the good is whatever God wills. This perspective broke sharply with Aquinas’s realism where God wills whatever is determined by nature as good. For nominalism, God is free to dispose of things not in terms of the normative patterns they reveal but in terms of the autonomous super-purposes of the creator. Things now serve purposes that are extrinsic to them, rather than being inherent in their nature. The consequences of this standpoint are considerable:

We have to abandon the attempt to read the cosmos as the locus of signs, reject this as illusion, in order to adopt the instrumental stance effectively. Not just on a level of popular belief, as a world of spirits, do we have to disenchant the universe; we have to bring about the analogous shift on the high cultural level of science, and trade in a universe of ordered signs, in which everything has meaning, for a silent but beneficent machine (Taylor 2007: 98).

Subsequent centuries saw an intensification of such ordering. In the 16th century poor laws which prohibited begging were promulgated and the

authorities further clamped down on aspects of popular culture. The absolutist regimes of the 17th sought to shape the well-being of their subjects through various ordinances: economic, educational, spiritual and material. They wanted an ordered population from which obedient and effective soldiers could be drawn. In the 18th century, these subjects were to be developed in terms of Enlightenment values.

The disenchantment of the universe led to a new, disengaged ethic of the self. This rational self, shaped by a mechanistic view of reality, put a premium on autonomy, self-dignity and self-reliance. Consequently, 'the interspaces between human beings are no longer important. Our great emotions are inner' (Taylor 2007: 138). Physically, it resulted in a drawing of boundaries, withdrawing from certain types of intimacy, and an increasing distance from certain bodily functions. These developments naturally lead to the conception of the atomistic individual. The increasing consciousness of this individualism- that one is first and foremost and individual rather than an innate part of a community- fosters what Taylor calls the 'great disembedding' (Taylor 2007: 146).

This monumental shift was accompanied by a similar shift in the social imaginary. In the new imaginary, fostered by figures such as Grotius and Locke, people do not exist in a cosmic hierarchy but co-exist together for mutual benefit, specifically, for economic prosperity and security. But they exist as *individuals* who work instrumentally for mutual benefit rather than a community rooted in a cosmic relationship. To preserve the integrity of the individual, there is the associated development of rights that belong to that individual as well as the new focus on freedom. Political society must serve the individual (Taylor 2007: 159-171).

With the breakdown of cosmology, time became increasingly regarded as simultaneous (secular) and not mediated. In this view, human beings do not live in vertical time which is mediated via a cosmic hierarchy. Rather, we start living in a horizontal one: none of us has privileged access to a 'higher' time but all of us are 'equidistant from the centre: we are immediate to the whole' (Taylor 2007: 209). And so there is, by extension, no privileged access by cosmic communities to such time either- and hence why any claims to such cosmology can easily be elided.

This formation of the unmediated direct access society was an important part of the new social imaginary. People now saw themselves as translocal- tied to a broader public (public sphere), to the state as citizens

(sovereignty of the people), and in free contract with one another economically (the economy as objectified reality) (Taylor 2007: 176-211). By the end of 19th century- and Taylor employs Max Weber's famous phrase here- 'peasants had turned into Frenchmen' (Taylor 2007: 211). The formation of the direct access society leads to new modes of belonging:

[T]he individual stands more and more free of them [cosmic hierarchies], and hence has a growing self-consciousness as an individual. Modern individualism, as a moral idea doesn't mean ceasing to belong at all- that is, the individualism of anomie and break-down- but imagining oneself as belonging to ever wider and more impersonal entities: the state, the movement, the community of humankind (Taylor 2007: 211).

We believe there are several implications here- even in this very rough interpretive summary of Taylor's complex discussion- for the particular types of subjectivity employed in the debate around virginity testing.

Most obviously, the rational, scientific, equal, self-owning and self-choosing modern subject is not a natural, inevitable product but a historically shaped one. When we question whether virginity testing is a scientific procedure, or whether it is discriminatory, or whether it violates the rights of the individual, or whether it violates bodily integrity- these questions themselves spring from a particular historical matrix of emerging ideas about the human being that have subsequently become hegemonic and are now taken 'naively' as the way things are. The assumptions that underlie this framework now form the normal frame of reference through which we view reality and is typically assumed by the legal framework of the modern nation-state, as illustrated in the case of South Africa's constitution. Questioning the cosmological orientation, without querying the assumptions that underlie our particular question set, is a secular practice by which we reinforce the substrate of the modern sense of self.

Yet, perhaps more interestingly- and this another implication of Taylor's thought upon which we can reflect- is why we feel the need to question at all. Why can human rights advocates question the validity and legitimacy of traditional virginity testing, with such questioning taken as natural? But why would it be unprecedented if the adherents of Zulu

cosmology were to question why people outside that culture were *not* undergoing virginity testing?

Of course, as alluded to already, part of the answer lies in hegemonic relations of power: the worldview of human rights advocates is reinforced by the broader legal framework of the state; the worldview of traditional Zulu culture finds support, to the extent that it can, in the provision the state makes for cultural rights- although these are subject to the broader framework's protection of individual rights. And so advocates of virginity testing, as we have seen, are also compelled to speak and defend in the language of the latter.

But we think there is a deeper issue here than simply that of hegemony. There is a relation between embeddedness, vertical time and the sense of *local* community. Virginity testing is embedded in a set of relations and practices that are oriented towards a cosmological hierarchy: towards a higher vertical time of origins and return that by its nature transcends horizontal, secular time. But it necessarily applies only to those who are embedded in the same relations- that is, to group or community of people. And so Zulu culture, even though they would regard their cosmology as universal, would not by itself be focused on the practices (or non-practices) of others. The focus will be on *their* relationship as a bonded community within the cosmic hierarchy.

The case is rather different with human rights advocates. There are, in reality, no communities in the cosmic sense, no hierarchies, no cosmology. And we are in a purely horizontal time which does not heed the bonded relationship vertical time establishes with communities. Now we are 'all equidistant from the centre: we are immediate to the whole'. And so we are *all* responsible for the maintenance of the social contract including, in this particular case, those who subscribe to traditional Zulu culture. And it means that *any* act which potentially violates this contract is subject to review, irrespective of whether we are personally invested in it or not. The contract- and with it the modern state- needs to be protected. A particular form of the contract may indulge cultural rights but these need to be limited by the broad contours of the contract with its basis in individual rights. Virginity testing *must* be criticised because it potentially threatens the order- a social order rooted in the modern set of sensibilities engendered and cultivated by the contract- from which this critique draws its strength.

But why does it need to be protected? What are the sensibilities that drive human rights activists to regard virginity testing as an affront even though they may not be personally affected, even though they may not be asked, or

even less compelled, to participate in the practice? This is an issue that requires a complex inquiry but it may be approached in a tentative way by examining the concept of the 'secular body'. As Hirschkind has suggested, just as the 'religious self' is characterized by a set of practices designed to cultivate an ideal, the secular self also cultivates particular bodily practices that orient itself to a secular ideal. (Hirschkind 2011) As a body that navigates its way to this ideal, it must view *all* of reality in the light of this ideal. The secular, in other words, is inscribed in an underlying, *de facto* cosmology. As such, it can never regard the issue of virginity testing and the like as something in which it should not interfere. In this secular cosmology, a purported affront to a woman of another cosmological outlook cannot go unchallenged because she is necessarily part of *our* cosmological lens, part of the way *we* see reality. Virginity testing is not simply disembedded from her cosmological outlook; it must be re-embedded into ours. Our view and attitude towards virginity testing becomes part of the set of sensibilities associated with the secular self. As instantiated in a human rights perspective, these sensibilities are affronted when old women, in a virginity testing ceremony, lift the labia of the girl being tested, seeing this as an invasion of privacy. However, the same sensibilities naturalize the arguably even more invasive, but legally sanctioned, probing of a medical doctor in the same area. Likewise, these sensibilities may balk at the significant status accorded to virgins in Zulu society as well as at culturally dictated mores of abstinence or postponement of sexual activity. But, in the process, it implicitly privileges its own 'cultural mores'-its own practices-namely, the advocacy of condoms in the fight against HIV. The secular critique of traditional cosmology is never neutral; it is necessarily accompanied by its own set of practices².

Conclusion

At the beginning of this enquiry, we stated that we are not advocating either position in this debate but rather exploring why these positions arise in the way we do. Following Taylor, we have argued that these sides come from very different standpoints: one that assumes a cosmological standpoint and another that rejects this standpoint, and both with all of their attendant consequences.

² For a brilliant disquisition on secular practice see Asad (2004).

The issue of virginity testing cannot be abstracted from the complex backgrounds to these standpoints.

These frameworks necessarily have assumptions and beliefs about reality which causes its proponents to act and approach issues in specific ways. They are, in other words, theologies. Now it is easy enough to see Zulu cosmology as a theology but the secular background which frames the liberal/feminist criticism of virginity testing is not often posited as such. This framework-this construal- is just the way we naively take things to be: it is not a set of 'religious beliefs' like those held by 'others'; it is the way things ought to be. And the naturalness of this framework is continuously reinforced by secular practice- most prominently through the application of the law of the nation-state.

But as we have already seen, not everyone accepts the naturalness and normativity of the liberal democratic ethos that underpins this law in South Africa. *They* see it as a set of beliefs imposed upon them. To recall Ngobese's earlier statement: 'We are sick and tired of being spoon-fed policies that were drafted without us and that are destroying our society'. *They* experience *it* as invasive and as an affront on *their* sensibilities: 'I am not renting children owned by the government' to recall the quote by Mrs Luthuli. They, in other words, experience liberal democracy as an intrusive, proselytizing theology³. These theologies are ultimately rooted in competing visions of the good life. For traditional Zulu culture, such a life must assume a cosmological standpoint. For its part, human rights culture *must* elide the cosmological question. These competing visions are fundamentally incommensurable. The argument for and against virginity testing emanate from the frameworks that inform these visions. And evaluation of virginity testing is really an evaluation of these frameworks. But the evaluation proceeds from our own theology- whether we perceive it as such or not. And as a theology it is never neutral. Such evaluations are not done for the 'greater good' but to consolidate our own vision of the good.

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³ On the 'theological' underpinnings of the modern state see Goosen (2015: 287ff).

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