

## <sup>1</sup>Introduction

Most of us now live in multi-cultural societies. Although the majority culture around us may be secular, there may be significant minority groups representing diverse religious and ethnic traditions. Often these groups are comprised largely of immigrants, who, in addition to facing the challenges of migration and absorption into host countries, may be struggling to preserve their unique cultural identities. Most liberals claim to be committed to living in diverse, open societies. This may pose a challenge, particularly when traditional cultures promote practices that may conflict with the ethos of the surrounding society. There may be limits to pluralism—for example, we would not argue for the toleration of “honor killings” or the practice of suttee.<sup>2</sup> Acceptance of the other does not have to deteriorate into a cultural relativism that rejects all ethical standards.

The question of how we arrive at our standards and under what circumstances we impose them on others is an increasingly complicated one. What we may need to aspire to is not “the replication of uniformity,” but “the organization of diversity.”<sup>3</sup>

Article 18 of the Universal Declaration of Human Rights guarantees that:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Moreover, Article 26 maintains that:

Parents have a {prior} right to choose the kind of education that shall be given to their children.

Sometimes, in the name of liberal values, some would argue that parents should not make certain decisions for their children at a young age. But then that, too, is a decision. The current efforts to ban infant male circumcision in some Western countries would appear to violate these basic human rights and specifically, religious freedom and religious pluralism.

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<sup>1</sup> I would like to thank the following people for their help: Mrs. Liliane Apotheker, Rabbi Ehud Bandel, Professor Philip A. Cunningham, Rev. Dick Pruiksmas and Ms. Noomi Stahl.

<sup>2</sup> The Hindu custom of having a widow throw herself on the funeral pyre of her dead husband. The practice has been largely outlawed in India.

<sup>3</sup> The terms are taken from Anthony F. C. Wallace, *Culture and Personality*, Random House: New York, 1961, pp. 26-7, 84-92.

## **Our initial statement**

On January 20<sup>th</sup>, 2012, the Executive Board of the ICCJ issued the following statement about a proposed ban on circumcision:

The International Council of Christians and Jews received a request from our member organization in Sweden to help them combat the proposed ban on circumcision. Similar laws have been suggested in other places, as well. We are sending this to you as an initial response. Hopefully, within the next few weeks, we will send out a longer and more detailed booklet, with more resource material.

"The International Council of Christians and Jews notes with growing concern efforts by cultural and political leaders in some countries to deprive parents of their time-honored right to practice male circumcision as a religious or communal initiation ceremony.

For thousands of years, male circumcision has ritually marked the religious and cultural identity of many millions of Jews, Muslims and some Eastern Christians. Indeed, at certain times in history, the prohibition of male circumcision was specifically intended to destroy religious identity.

ICCJ maintains that the decision to circumcise their sons is a religious right of parents. The practice is not harmful and there is no statistical or medical warrant for the rhetoric of "mutilation" or "child abuse" used by some who seek to ban the ritual. In fact, current anti-circumcision campaigns sometimes carry antisemitic, Islamophobic or xenophobic overtones and should be deplored as such.

Criminalization of the practice may actually bring about a dangerous consequence, in that some families - committed to the exercise of their religious traditions - will go underground and do the procedure in less safe and less hygienic conditions.

We call upon our member organizations throughout the world to oppose these campaigns as a violation of the free exercise of religion."

## The importance of male circumcision in some traditions

The Scriptural basis for circumcision is Genesis 17. The Lord makes an everlasting covenant with Abraham and his "seed" after him. The sign or token of the covenant is the removal by cutting off the foreskin on the male genital organ. With this small "operation," or by removing a part of his anatomy, paradoxically, the individual will become "complete" or "whole-hearted." The text states that "the uncircumcised male...shall be cut off from his people." Thus cutting becomes a symbol both of belonging and of not belonging. The location of that symbol is the male organ of procreation, and, if Abraham's descendants keep the Covenant, they are promised "exceeding" fruitfulness. Circumcision is thus the first commandment (repeated in Leviticus 12:3) given to Abraham and his family, as a particular group, set apart from the rest of humanity.

Nevertheless, anthropological evidence as well as rabbinic legends would indicate that other peoples practiced this rite, including the ancient Egyptians and the Australian aborigines. To this day, Muslims and even some Orthodox Christian communities, practice ritual circumcision.

In verses 24 and 25 of chapter 17, Abraham is circumcised at the age of 99 and his son, Ishmael, at 13. Circumcision of boys at puberty (or, some say, by puberty) is practiced by many Muslims.

**"Then we inspired you: 'Follow the religion of Ibrahim, the upright in Faith'." (Qur'an 16:123)**

And part of the religion of Ibrahim is circumcision.<sup>4</sup>

In accordance with the Biblical commandment, to this day, Jewish male babies throughout the world are circumcised on the 8<sup>th</sup> day, unless medical conditions mandate a longer waiting period. Circumcision of a healthy baby at the right time is so important that it is to be done even on the *Shabbat* or the holiest day of the year, *Yom Kippur*. There are many moving stories of parents who braved extremely difficult circumstances during times of persecution—even recently, in the Soviet Union—in order to perform this ceremony on their new-born sons.

In later Biblical passages—Deuteronomy 10:16, Jeremiah 4:4 or 9:25—we see circumcision being used in a metaphorical sense, "circumcision of the heart." Except for some Eastern Christians, most Christians do not practice circumcision, at least not as a religious rite. The Feast of the Circumcision remains on the liturgical calendars of many Christian churches, in

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<sup>4</sup> I am indebted to Dr. Rashied Abdul Omar of Notre Dame University, imam of the Claremont Main Road Mosque in Cape Town, for this and other insights.

commemoration of the circumcision of Jesus (Luke 2:21,) but the attitude to circumcision was a matter of controversy in early Christianity.

Jews continue to interpret circumcision as an obligatory physical act that has symbolic and spiritual ramifications. Adult male converts to Judaism must undergo circumcision, or, if they have already been circumcised medically, they must at least perform what is called *hatafat dam brit*, the ritual extraction of a drop of blood from their genital organ.

The circumcision ceremony is called in Hebrew *Brit Milah*, literally "the covenant of circumcision," although in common speech, this is sometimes simply abbreviated as *Brit*. A specially trained professional known as a *mohel*, "circumcisor", performs the act as a representative of the baby's father, on whom the commandment is incumbent. (Occasionally, a *mohel* may also be a medical doctor or a rabbi—or both, but that is not essential.) At the ceremony, care is taken to maximize the speed of the procedure and minimize the trauma to the infant. Often, a drop of the wine used in the ritual is given to the baby to help him stop crying and fall asleep.

There are debates about the health benefits of male circumcision, both for the circumcised individual and even for his future wife. We will deal with some of these questions below.

However, the reason for *Brit* is not for physical health; it is a rite of initiation into the Jewish community, overwhelmingly practiced by Jews of every persuasion.

Why is *Brit Milah* such a powerfully persistent tradition? We might suggest three reasons:

1) One of the central themes of Jewish culture is the transmission, "from generation to generation," of the chain of tradition. Even nonobservant Jews often see themselves as part of this chain, going back to the Exodus from Egypt, and they want to pass this identity along to their children.

2) The Book of Maccabees records that in ancient times, some very assimilated or Hellenized Jews had painful procedures performed on them to reverse the process of circumcision. They did this so that they could take part in Greek athletic contests, in which the participants usually competed in the nude. The reversal of circumcision was done in order to hide their Jewish identity. Thus, the *Brit Milah* became the most obvious mark of Jewishness, especially when they were living in Greco-Roman or Christian societies.

3) There is probably also a deeper and even psychoanalytic meaning to a father circumcising his infant son. Judaism and Islam have rejected earlier notions of child sacrifice. Some

commentators have suggested that this is the ultimate meaning of the story of the Binding of Isaac (Genesis 22.) But when a birth occurs, there is a primordial need to propitiate the Divinity. Thankfully, we do not harm the child; we simply remove his foreskin.

### **The medical arguments**

For many years, proponents of infant male circumcision brought arguments on behalf of its medically beneficial effects. These effects were supposed to benefit not only the man, but even his future wife or other female sex partner, by reducing her likelihood of contracting cervical cancer.

The one medical benefit that seems to have been conclusively demonstrated is reducing the transmission of, and mortality from, HIV/AIDS. Several African countries have brought in *mohalim* (circumcisors) from Israel to perform circumcisions on adult men in an effort to stop the spread of the virus.

Additionally, circumcision is sometimes suggested therapeutically to prevent or treat a variety of disorders such as urinary tract infections. Yet overall, the medical evidence is inconclusive

Opponents of circumcision say it is medically unnecessary, is unethical when performed on newborns, is painful even when performed with anesthetic, adversely affects sexual pleasure and performance, and is a practice defended by myths. Advocates for circumcision say it provides important health advantages which outweigh the risks, that it improves on sexual function, has a complication rate of less than 0.5% when carried out by an experienced physician, and is best performed during the neonatal period. The Royal Dutch Medical Association stated in 2010: "There is currently not a single doctors' organisation that recommends routine circumcision for medical reasons."<sup>5</sup> In 1999, a report by the American Academy of Pediatrics found no medical reasons "sufficient enough to recommend routine neonatal circumcision."<sup>6</sup>

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<sup>5</sup> "Medical analysis of circumcision," *Wikipedia*, accessed March 13, 2012

<sup>6</sup> Kevin Eckstrom, "Reform Rabbis Confront Growing Doubts on Circumcision," [www.jewishcircumcision.org](http://www.jewishcircumcision.org), accessed March 14, 2012

## Context for the opposition

The attack on circumcision in certain Western European societies seems to flow from a double source—both a dogmatic secularism and a growing fear of the Other, which may be motivated by anti-Semitism, Islamophobia, anti-immigration attitudes, general xenophobia or some combination of the above. Even in the United States, in the San Francisco area, a bill was introduced—but later rejected—that would ban male circumcision. Some of the opponents of male infant circumcision have equated it with female genital mutilation and lumped both in a category they call “ritual maiming.” Suggestions have been made to criminalize the act and to punish those “unfit” parents who circumcise their sons by removing the children from their custody.

In San Francisco (2011) it became clear that the backers of the bill were motivated by antisemitism and anti-Islam sentiments – including a video featuring “circumcision man” in the guise of a Hasid. This galvanized the court case as well as a bill in the California legislature, requiring that any legislation of this sort happen only at the state level. The effort to ban circumcision may be connected to the attempts to ban kosher and *halal* slaughter of meat in various parts of the world. For the time being, the ICCJ will focus on the circumcision issue. This is due to 2 reasons: 1) At the moment, we will focus on what we perceive as a human rights issue and avoid getting into the whole question of animal rights. 2) A devout Jew or Muslim living in Europe can be a vegetarian or a pescatarian, or can, if necessary, purchase meat slaughtered in another country. For them, however, circumcision of their male children is not optional, but mandated by their tradition, and they can not easily transport their children to other locations.

How interesting—and symbolic—that these two religious issues (circumcision and the ritual slaughter of meat) around which Jews and Muslims could unite, both involve knives. Would that we could beat our knives into ploughshares, etc...

## FGM

There is a certain cultural practice, carried out in some parts of the world, but condemned by both Judaism and Islam. When the practice first came to be known beyond the tribal societies in which it was traditionally carried out, it was erroneously referred to as “female circumcision.” It is now known as FGM, or “female genital mutilation.” This term includes a range of practices involving the complete or partial removal or alteration of the external genitalia for nonmedical reasons. The act is often performed on adolescent females or those about to be married. Many feminists throughout the world have seen this practice as a form of oppression of women and have opposed it vociferously. Some of its opponents question how someone could reject FGM but support infant male circumcision.

We can distinguish the two practices on the basis of motivation, procedure and consequences. Fgm is typically performed in unsanitary conditions, using unsterilized, makeshift or rudimentary tools. However, we will try “to even the playing field” in this comparison.

|                   | <b>Female genital mutilation</b>   | <b>Infant male circumcision</b>  |
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| <b>Motivation</b> | In the societies which practice fgm, there is a wide-spread cultural belief in the insatiability of female sexuality. The motivation for this practice is to reduce women’s libido. It is a manifestation of deep-rooted gender inequality and the assignment of women to an inferior position within society. | The purpose of the ritual is to initiate the young male child into his religious or cultural tradition. Usually in those traditions, there is nothing inferior about being male. There is also no conclusive evidence that the act limits the male libido or interferes with performance of the sex act. |

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| <b>Procedure</b>    | The procedure is one of tearing the flesh, usually involving removal of the clitoris.  | A relatively simple surgical procedure, it is a removal of the penile foreskin. When performed on infants, it typically causes little or no pain to the infant. |
| <b>Consequences</b> | There are serious health risks, which include fatal hemorrhaging, epidermoid cysts, recurrent urinary and vaginal infections, chronic pain, and obstetrical complications. | The health risks are typically minimal.   |

**Conclusion**

We are not advocating the routine performance of circumcision on infant males. The decision is clearly one for parents to make and will vary from community to community. Our objective in these few pages was to oppose a legislated ban on circumcision and to explain how one might oppose fgm and support circumcision. Barring some injury to the greater common good, religious freedom must be upheld.