

Is Legal Prohibition an Obstacle to the Biblical Commandment of Circumcision?

Rolf Dietrich Herzberg

When asking this question of the defenders of male circumcision, most often one is given the hint that the two should not be compared. The fight should rather be against circumcision of young girls because it severely impairs sexual sensation. Circumcision of young boys does not have such consequences, or if so, to a much lesser degree. It actually brings certain advantages, hygienic and health-wise. These arguments miss the problem. Whether a medical unnecessary amputation of a male infant's foreskin constitutes a tort cannot be answered by emphasizing the notorious truths that many girls are subjected to something worse, and that amputated body parts can obviously no longer cause illness.

I. The criminal liability problem and Daniel Neumann's accusation of "Criminalization"

"Covenant and Commitment" is the title of Daniel Neumann's "pleading" that tries to invalidate the increasing critique of male infant circumcision 1. "Circumcision is being fought and criminalized", *Neumann* states at the beginning, "even though circumcision is a risk-free procedure and as a biblical commandment for Jews it has established their identity for thousands of years." (p. 1) He proves the commandment with some of the words that, according to the Bible's Book of Genesis, God spoke to the ninety-nine year old *Abraham*. In *Neumann's* rendition: "This is my covenant between myself and you and all your offspring, one you shall keep: All male children among you in each of your generations must be circumcised as soon as they reach eight days of age. Thus shall my covenant be an eternal covenant, the token of which you bear upon your flesh" (p. 2)

It is obvious that this ritual confronts us with a criminal problem (when actually executed as circumcision, opposed to a ritual, limited to a mere suggestion that remains non-invasive and bloodless). Cutting off the foreskin without a doubt meets the criteria for the criminal offense of battery, §223 StGB (within qualification of §224 Abs. 1 s. 1 Alt. 2 StGB, which I will leave aside below) and culpability of perpetrators, instigators and accessories is only inapplicable if the amputation is justified by effective consent, which has to be examined case by case. *Neumann* avoids phrasing the problem in such unemotional juridical terms. Whoever affirms culpability, or even considers it, intends, in his view, "...to teach Jews the meaning of fear because of their custom or even to criminalize the ritual". First and foremost, the word "criminalizing" must be rejected. It fits only if someone misrepresents a non-criminal act - like sodomy - either against one's better knowledge of a criminal act, or the opinion expresses that the act, although permitted, should be punishable by law. The critics, whom *Neumann* opposes, do neither of the two. Rather, they have good reasons to view a child's non-medically indicated circumcision, even one desired by the parents, as indictable criminal assault, according to existing German law. For good reasons, I emphasize. *Neumann's* words do not give the impression that he grants them this, since he reproaches them for "firing off populist

buzzwords” and “drawing inadequate and inadmissible comparisons.” He even goes so far as to place their proposals next to “defamation” and “abstruse anti-Semitic theories”².

Let’s take the example of the many fathers who act on the maxim to painfully chastise their children after serious misbehavior, and who are honestly convinced they serve the wellbeing of the child in doing so! They could refer to a tradition that is as old in the history of mankind as the institution of the family. Now, these fathers might hear of the legal profession frowning upon their well-intended educational measures, based on the reasoning that it would be a matter of battery (§223 StGB), which for some time has been ruled as prohibited corporal punishment by §1631 Abs. 2 BGB, and thus, today would not be covered by the traditional right of corporal punishment. The fathers might disbelieve this and, if they find reasons, contest it. However, to defend themselves with the accusation that their venerable good action is being “criminalized” would be without objectivity and foolish.

II. Impunity

I readily concede that the author does limit his polemics. After all, he allows the possibility in the end that others will counter with “serious scientific analysis” instead of empty phrases. He even hints at the arguments his opponents must dispute: “socially adequate behavior of longstanding practice, parental consent, basic right to freedom of religion” (p. 4). While I am of the opinion that serious scientific grounds for culpability already exist³, and bias is at play if one closes one’s eyes to them, still, the opponents of infant and boys’ circumcision (including myself) are given food for thought by the fact that society and judiciary appear to be somehow unwilling to touch a consequent criminal prosecution. Even when a circumcision is under strong suspicion of being non-medically indicated, but purely religiously motivated, the persons responsible – parents, mohel, urologist, sünnecti – remain, as far as I know, almost always unchallenged by police and prosecutor. Indeed, reasons for impunity can be adduced, as *Neumann’s* notes show. Even if the arguments have no legal standing *de lege lata* (*as the law is*), they might be worth considering *de lege ferenda* (*as the law should be*). Already a democratic discussion within a legislative process could have a pacifying effect, whatever the outcome. (see below, sub III.2.) But even now, and within the framework of existing law, a legal interpretation appears reasonable to me, which could somewhat defuse the conflict between religious commandment and legal prohibition and would offer the defenders of circumcision an acceptable solution.

They uncompromisingly insist on the demand to actually perform a medically unnecessary, purely religiously motivated circumcision of the infant penis and have it declared consistent with established law and therefore permissible and not subject to prosecution. Certainly, this is a hopeless position. I have explicitly substantiated the incompatibility elsewhere⁴ and limit myself to the examination of the arguments, which *Neumann* has in mind.

1. “Social adequacy of longstanding practice”

Neumann firstly asks this question to which, in fact, a particular currency can be attributed, although the herein contained argument is the weakest one of all. That is to say it is the pivotal one in the recently published, and so far most comprehensive, paper on the subject ⁵. Its author, *Thomas Exner*, puts an intriguing solution up for discussion (in detail pp. 168sq, well summarized pp. 189sq.) On one side: The wish of the parents for a religiously motivated circumcision does not justify the act of the circumciser, because as “aggravated battery” (§224 StGB) it interferes with the child’s wellbeing. Therefore it carries the greater weight when balanced against the parents’ religious concern, which is why the “paternal consent to the procedure is void” (pp. 189sq.). On the other side: Neither the perpetrator nor the instigator may be punished because “circumcision is a matter of socially adequate behavior”. Therefore, the “formally fulfilled legal prerequisite...(is) for material reasons to be excluded”. (p. 190).

a) This is, to say it bluntly, untenable. *Exner*, resorting to publications of criminal law professor *Hans Welzel*, adjudicates religiously motivated circumcision to be “socially adequate behavior”. He then feigns – in substance – a legal regulation as such: A behavior, which meets the elements of an offense of a penal law, remains unpunished, if it is socially adequate. A behavior is socially adequate when it is “socially ordinary, a common standard, as well as historically customary” (cf. p. 190). Needless to say, it is obvious that a behavior can never be indictable, if it truly fits this characterization of social adequacy. What nonsense it would be to make an unobtrusive, ordinary and even a commonly accepted behavior a punishable offense – like bathing and nursing of an infant, a heartfelt greeting, or the extending or accepting of an invitation! Viewed juridically, impunity is understood because either there was no criminal offense in the first place, or an otherwise clear interpretation of legal terminology results in the correct solution (‘social adequacy’ being a dogmatic rather than a legal term!). As in §230 StGB, negligence is negated if a mother, in allowing mundane, normal child-appropriate play creates an avoidable risk and it causes, to her dismay, an accident involving the child. As in §331 StGB, it is not considered a disallowed perk for a professor to accept a beer from his grateful doctoral students after their final exam. Anyone who receives a heartfelt shoulder slap as a greeting is being neither physically abused (§223 StGB) nor injured (§823 BGB), and these criminal offense characteristics can also be negated for sacramental effects on the body, like splashing with water during baptism, or a pat on the cheek during confirmation. The deprivation of a child’s liberty (§239 StGB) by moderate application of ‘grounding’ one’s child at home as an educational measure, is not a crime because, although fulfilling the elements of an offense, it’s done in the course of parental duties as the child’s guardian (§1626.1 BGB) and is therefore justified. All these behaviors, the legality of which is founded on the written law, can be called ‘socially adequate’ because they are common, unobtrusive and accepted. But to state this would be as superfluous as stating that murder and theft are socially inadequate because they are uncommon, obtrusive, and unaccepted. That one behavior is prohibited and punishable while the other is permissible and not punishable ensues from the regulations of the governing law and not from negating or affirming of ‘social adequacy’, which is nothing more than a secondary concept.

If *Exner*’s theory were limited to nothing more than calling permissible actions ‘socially adequate’ it would be innocuous, but it would also be useless. Therefore *Exner*

disregards his own characterization of ‘social adequacy’ in an attempt to exempt from the formal verdict of culpability certain actions that are not at all commonly accepted. So theoretically he could declare that the army of cleaning ladies who work ‘under the table’, which is very common and widely accepted, “formally” meet the definition of being tax evaders (§370.1-2 AO), but the attainment and hiding of taxable income is a ‘socially adequate’ pattern of behavior, therefore it does not “materially” fall under that law (p.190).

Exner believes he must concede the ‘social adequacy’ argument to the circumcisers. First he says what they’re doing constitutes grievous bodily harm (§224.1-2 StGB) using a hazardous tool that impairs the child’s wellbeing such that the parents’ consent has no justifying effect (p.189). In his view, however, this is just an interim diagnosis which, in a manner of speaking, he cures with the magic wand of ‘social adequacy’: “ritual circumcision is a socially unobtrusive pattern of behavior which is also historically customary” and the “lack of societal discussion is to be interpreted as common acceptance of circumcision.” Although falling under the formal wording of grievous bodily harm, circumcision is not to be subsumed under §§223sq. StGB due to its actual (material) literal sense and is therefore not punishable (p.190).

Rarely have I encountered a legal assessment that confirms Schopenhauer’s observation – that intention is the worst enemy of insight – more clearly than *Exner*’s. If, as *Exner* explicitly says, the bloody deed is inconsistent with the child’s wellbeing and therefore the parental consent is ineffective, how then can the cutting off of the foreskin of a defenseless child be commonly accepted and unpunishable?

Viewed this way, we clearly see an illegal violation of the child’s body and wellbeing that any law-abiding citizen would condemn. But *Exner* wants impunity, so therefore he uses ‘social adequacy’, at the expense of logic, to force his point. Thus, he simply pushes aside the disapproval of purely religiously motivated circumcision - that demonstrably prevails among jurists⁶- as negligible, although, he should, according to his approach, attach great importance to it. And with regard to the “societal discussion”, which he considers separately, one only has to ask around the common people to come to know that there is hesitation regarding legal consequences, yet they morally condemn infant and boys’ circumcision. They call for the parents to leave it the son’s decision without coercion and deceit once he reaches the age of 16 or 18, rather than imposing circumcision upon him⁷. It is, as I said, the intention leading *Exner* when he detects “lack of societal discussion” and interprets this lack as “general sanction of circumcision”, because the predominant disapproval does not suit his plans.

b) The examination of a single case shows concretely that *Exner*’s reasoning of impunity does not carry any weight: Let’s assume that the Jewish parents of a four-year old are not married and custody lies solely with the mother. She firmly rejects the son’s circumcision while the father wants it. While the son is in his care for a few days, and deliberately against the mother’s will, the father lets a befriended mohel – who knows about the parental disagreement - perform the circumcision in strict compliance with the biblical commandment and his Abrahamic circumcising-power⁸. Being single-minded, *Exner* has no eye for this annoying case. Or so it seems, for he does not concern himself

with this revealing exception: when a religiously motivated amputation of the foreskin is not in compliance with the will of the person entitled to custody, but clearly the exact contrary. In this case, it is out of the question to follow *Exner's* constructed thesis that, without exception “the ritual circumcision, as a socially adequate behavior, is not to be subsumed under §§223sq. StGB and is therefore not punishable” (p. 190). He too will undoubtedly recognize the severe criminal offense in the personal injury and the brutal violation of the mother’s expressed will. I can already imagine how he will try to adapt his concept to his failure to restrict his thesis [that in such a case the boy’s circumcision could not be regarded as “socially adequate behavior”, because it would be condemned by most people, if the sole person entitled to custody opposed it. Therefore, it would be an offense.]. The word “therefore” would be the mistake. What matters is not the disapproval by society, but in casu the maternal disapproval! *Exner's* presumptive solution in this exceptional case would state that with religiously motivated circumcisions, impunity stands and falls with authoritative consent, which is for him (presumably) the critical condition. In the cases to which he limits his view, the condition is met; but in my special case it is not, which means that *Exner* must affirm culpability. The assessment “socially adequate” or “socially inadequate” turns out to be an irrelevant verbal adjunct - unless *Exner* had the sad courage to include circumcisions that are performed against the will of the person entitled to custody as “exempt from the verdict of culpability”, as long as the perpetrator can piously declare them to be ritual circumcisions.

I take it for granted that *Exner* does not have that courage and that he too wants to see punishment in cases where circumcisions, including religiously motivated ones, disregard the parents’ or one of the parent’s will. But then he may not say that “the parental consent to circumcision is ineffective, because a conflict with the child’s wellbeing is established by consenting to circumcision” (p.190). According to his theory, consent is effective to a high degree, because it creates the necessary condition for impunity. Through his endeavor to justify this impunity solely with social adequacy, *Exner* has duped himself.

2 “Parental Consent”?

But perhaps the parents’ “Yes” is not only a necessary but a sufficient condition, and it does not even matter if the parents refer to a medical or religious reason; just as it is entirely in their option to leave their four-year old’s hair cut or uncut. One could interpret *Neumann* in that sense. With his second key point he refers in substance to the basic parental right to exercise the “care and education of the children” according to Art. 1.2 S. 2 GG, as well as the right to parental responsibility according to §1626,1 S. 1 BGB. From here he deduces that the desire of the parents for having bodily harm performed on the operating table constitutes an effective consent by proxy (§1629.1 S.1 BGB). But here a line is to be resolutely drawn. GG (Constitution) and BGB (Code of federal regulations) allow parents merely to care for the child and to carry out their responsibility to the child’s wellbeing. Bodily harm as serious as a medically unnecessary severing of the foreskin is without any doubt no act of “care” and does not serve the “wellbeing” of the child. It would be absurd to reproach the many Christian, Muslim, Jewish and non religiously affiliated parents, who honor their child’s right to physical integrity by not

letting him be circumcised, for having omitted an action of furthering their child's wellbeing⁹. On the contrary, parents impair the wellbeing of the child when they allow a part of his body, which is intended by evolution and does not grow back, to be cut off without medical necessity. This becomes particularly clear when looking at it while ignoring religious motivation for a moment. Imagine a (Christian) surgeon, who cuts off her 2 year old's healthy, flexible, sliding foreskin just to practice the surgery – or for no other reason than to prevent possible health problems that the foreskin might cause in the future, of which there are no signs, indications or symptoms whatsoever in the present! This would be just as unwarranted as if she would have performed a preventive appendectomy on the boy, simply as a practice run. Obviously, this action would not be covered by the right to parental care and would be a crime according to §223 StGB, as well as a violation of the child's basic rights to physical integrity and to the free development of the individual (Art. 2 GG). This freedom is affected, if one does not have the choice later on for a sexual life with foreskin¹⁰.

There is a form of severance (cutting off) that appears comparatively unimportant: the separation of a small piece of property. How does the law look at the following case? A grandmother bequeaths her 3-year old grandson 100,000 Euro. The parents, as his representatives, decide to donate 200 Euro of that money to a church towards the building of a bell tower. This is less than the biblical tithe, it does not hurt the child, and he will not even feel the loss throughout his life. But the law forbids it as a punishable offense of embezzlement (§266 StGB).. “Parents cannot make donations as representatives of their child”, states §1641 BGB (with some exceptions of which none apply here) and prohibits even this painless, separation of a property, which is of lesser rank than what the human body deserves.

3. "Basic right to religious freedom"?

For an action, as severely invading the basic rights of the affected as the amputation of the foreskin, parents must have a motive that legitimizes the action. Is the religious motivation not a legitimizing one, asks *Neumann* with his third key point. Referring to the basic right to religious freedom, *Neumann* touches the most delicate aspect of the argument. One certainly can find willingness to concede to the opponent that the parental right has its limits; that it does not allow father and mother for instance to cut off or otherwise remove a child's dispensable body parts, without medical or religious reasons, be it for the purpose of surgical-technical training or for hygienic, esthetic, prophylactic, or (perverse-) moral reasons, such as the foreskin, toes that are grown too tight together, earlobes that are too large, spleen, tonsils, appendix, or labia and clitoris. Yet many react irritably, angry and subjectively to the imposition of applying the legal prohibition in cases where the cutting portrays itself as a deliberate action of the parents in practicing their religion.

On first sight, *Neumann's* third point carries great weight, indeed. Art. 4.2 GG states: “The unimpeded practice of religion is guaranteed”, and does not restrict this right in any way. But upon contemplation, one will realize that restrictions are imperative. For instance, the nation can never permit rituals of human sacrifice, even though they have thousands of years of tradition in the history of religion¹¹. The exact observance of the

constitution, of which article 140 keeps certain articles of the Weimar constitution (WRV) in effect, establishes clarity about restriction of the right to religious freedom. Following article 140 GG, it becomes clear that a behavior that in principle is prohibited can never become justified, even if it is declared part of practicing religion; for instance the coercion of a boy (§240 StGB), who resists circumcision; or the flagellation of a child on Good Friday, because the sect his father belongs to recommends it as a godly deed; or the omission of rendering necessary assistance at an accident, because the helper would have to interrupt his prayer in order to assist; or the strict withholding of food and medication during Ramadan, by which the devout father thereby causes his child harm; or the ritual slaughter of a mutton, executed during a Muslim sacrificial feast in the private backyard without the “knowledge and skill necessary to that end“ and without obtaining the necessary “special permit to slaughter without anesthesia”(cf. §§4.1 s. 1, 4a, 4.2 No. 2 animal protection act). Although in each described case the acts or omission thereof are part of religious practice, the doer commits (punishable) injustice, whereby he would have to endure being severely “disturbed” in his practice of religion, e.g. as the case may be by police ending the religious service to prevent the slaughter.

All this follows from Article 140 GG. The continued Article 136.4 WRV prohibits clearly the implementation of a religious custom via force or threat: “No one may be forced ...to participate in religious practice.” This has great significance for the Muslim circumcision celebration (sünnet düğünü). Here the boy to be circumcised (sünnetcogugu) already has, in most cases, his own will and he often protests full of fear and despair. He even fights back physically during the solemn religious exercise, which in the end is performed without mercy by the sünnetci¹². *Fateh-Moghadam*, who also tries to justify a far-reaching parental right to circumcision views the child’s veto as “invalidation of consent“ (probably in misjudging the frequency of cases). “The noticeable opposing will of minors must be respected even though they are not yet capable of consent“¹³. But this is explicitly stated in the constitution and it is unnecessary to deduce “invalidation of consent“ based on vague feelings.

More important in this context is the regulation kept in the most general sense in Article 136 WRV: “The civil rights and responsibilities are neither contingent on nor restricted by religious practice” This means for the child and the parents: The child’s basic rights - even those of the infant – to bodily integrity and (later) to free development of the individual, may suffer no restriction when the parents, in practicing their religion, intend to impact the child’s body. On the other hand, parental religious intention may not diminish in the least their responsibility to honor the rights of the child and to obey all legislation, e.g. §223 StGB.

It is therefore wrong to assume a conflict of legally protected interest and a collision of basic rights, which demands balancing. For that is what *Neumann* implies. He definitely does not intend to deny the child’s basic rights. Yet, he considers the freedom to practice religion in the form of traditionally implementing the “identity-establishing” biblical circumcision commandment so important that the basic rights of the child have to take second place, i.e., the child’s basic rights to bodily integrity and to develop his sexual life unimpeded. The conflict needing balancing does not even arise, because the constitution determines that our religious practice may not infringe in the slightest upon

the rights of others, and cannot release us from any legal obligation, e.g. observe the prohibitions of StGB and animal protection act.

III. Review and Outlook

The above outlined facts, as regulated by our legislation with the authority of the constitution, may be a bitter discovery for some who hindered in an act of their religious practice, especially for Orthodox Jews, because they are denied the strict literal obedience to the biblical commandment as recorded in the Torah which, according to their faith, *Yahweh* himself gave to the patriarch *Abraham*. Observant Jews are being asked nothing less than to refrain from enacting the covenant between God and their own child in the precise way as prescribed by the Bible – by cutting off the foreskin. But nobody will deny that change and development exists in religious, moral and juridical thinking. “Vernunft wird Unsinn, Wohltat Plage” [a reference to Mephistopheles in Goethe’s *Faust I*: “To nonsense, reason’s self is turned; Beneficence becomes a pest.”] In the Jewish-Christian cultural sphere, that which was in biblical times a natural right of the father, even his duty before God, can appear today in complete opposite as a blatant injustice. According to the Bible, *Yahweh* demands of *Abraham* only that behavior which is righteous and reverent, even if it be the killing of his son. *Isaac*’s right to his own life does not even come into consideration in the spirit of the Bible. There is no such right that would have categorically prohibited *Abraham* from sacrificing his son’s life. Today this right to life and imperative prohibition of killing is taken for granted, and if a new *Abraham* came along, thinking he’s obeying God by offering his own son as a sacrifice, he would not be considered a spiritual authority but an atavistic monster.

Even in the narrow field of the circumcision commandment, does not the devout believer pay tribute to humanitarian progress and advancement of civilization, by refusing obedience to parts of it? *Neumann* only quotes from exactly what he – as many others – is willing to accept. Yet, the command extends beyond the children to the (however acquired) male servants. It consists of the demand to “exterminate” all the uncircumcised from one’s people. Shortly after, it is described that *Abraham* on the same day, as ordered by God, performed circumcisions on every male in his household¹⁴. Extermination of those who refuse to be circumcised and mandatory circumcision for one’s employees would be rejected today by even the most devout Orthodox Jew out of his own morals, although both were, according to Genesis, ordered by God the Lord just as the infants’ circumcision.

One can see that Jews have freed themselves from an archaic desert God’s commandments, have overcome foolish, cruel intolerance and progressively civilized themselves. Isn’t it high time in the 21st century that the – I say it outright – scandalous violation of children’s basic rights finally ends? The rhetorical question does by no means demand that the ritual of circumcision be abandoned. It only asks that as a ritual on a child it be transformed into a bloodless-symbolic act (like mere touching the foreskin with a knife’s blade or through “vicarious” circumcising of dead objects¹⁵), and thereby with civil responsibility the laws be obeyed.

The boy, thus spared, shall of course have it in his option to undergo the actual circumcision. The fact of prior exposure to the influence of parents and religious

upbringing does not take away his personal responsibility for his decision, at which he must arrive without coercion (§240 StGB), in knowledge of potential consequences and risks and with adequate maturity. Regarding the last point, it shall be stated that he, no longer a child after completion of the 14th year, marks the end of childhood (in the sense of criminal law) and the onset of criminal liability. If he is – in principle – liable for personal injury he inflicts on somebody else, then he can – in principle – be held responsible for allowing interference with his own bodily integrity. Particularly for a religious motivated decision, the law regulating religious parenting (RKEG) is indicative for this early age. There (§5 s. 1) it says: “After completing the 14th year of age a child can decide to which religious denomination he wants to belong.” It appears obvious to extend the legal effect of such a decision to an injurious ritual if it relates closely to the chosen religion. Whereas it is to be kept in mind that the minimum age is only one of several prerequisites for effectiveness, if the juvenile is being coerced (§240 StGB) or through misleading downplaying of the surgery is induced to consent, it will have no justifying effect. Where personal responsibility is in place, most juveniles these days would – I imagine – decide against circumcision. If this were true, it certainly would not be an argument for infant circumcision, but one against presenting the juvenile with a fait accompli by having him already circumcised in infancy.

2. *Daniel Neumann* defends the ritual lastly by referring to “tens of millions of witnesses, willing to testify and ready to fight”. Very well! People speaking up, championing their convictions, being allowed and supported to do so is the character of democracy. This brings a thought to my mind: These combat-ready witnesses should start an initiative that leads to a formal parliamentary bill in the Bundestag with the goal to change Article 140 GG; to the effect that in the future it will be permitted to interfere with the basic rights of children to bodily integrity and to free development of individuality via religious practice to the degree necessary to perform a religiously motivated circumcision, thus making it legal to even force unwilling children to participate in the *sünnet düğünü*. (cf. Art. 136.4 WRV). If this law were to pass (with a two-thirds majority, cf. Art. 79 GG), then it should certainly contain the proviso that only a licensed physician may conduct the surgery. Apart from this, the now embattled, at best tolerated, ritual would become constitutionally legal. Should the proposal not find the necessary majority support, which I consider more likely, then the legislature – by way of a constitutional process – will have consciously given protection to the child’s basic rights priority over parental religious practice in matters of ritual circumcision, which hardly received any special attention when Article 136 WRV was adopted into the constitution.

This would be a decision of highest authority in our country. As citizens, the defenders of circumcision would have to, and could, accept it. It could become their motivation to adapt the ritual to the spirit of our times and to the spirit of our legal system. To this day, the ritual is being performed in a bloody-primitive fashion on young frightened boys who often beg to be spared, or on infants who cannot defend themselves. It may not remain this way. One should shift the ritual into something painless-symbolic. The decision about cutting off should be left to the one whose foreskin is at stake. As stated by *Simon Spiegel*: “Children shall be allowed to decide about their own body.”