

Backed by member of bar, anti-circumcision activists take to Boston streets

By: Kris Olson August 9, 2018



Harry Guiremand of Hawaii and Watertown resident Cynthia Maloney stand astride a banner at the Aug. 3 rally in Boston.

They came from Kansas, California and even Hawaii, and their summer white suits had a striking — some would say gruesome — stain.

The Bloodstained Men and Their Friends set up shop near the Old State House in Boston on Aug. 3, part of a 21-city, 21-day tour of the Northeast to protest the practice of circumcision, which they believe to be both immoral and illegal.

On the latter front — circumcision's dubious legality — the thought leaders to whom the Bloodstained Men look includes a member of the Massachusetts bar, Peter W. Adler of Wellesley

Hills. Adler hosted the Bloodstained Men on their visit to the Boston area.

In 2013, Adler authored an article for the Richmond Journal of Law and the Public Interest titled "Is Circumcision Legal?" As may be evident, Adler ultimately answers the question in the negative.

"To summarize the law, boys, like girls and adults, have absolute rights under the common law to personal security and bodily integrity, and to freedom or the autonomy to make important and irreversible decisions about their bodies that can be delayed, like circumcision, for themselves," Adler writes.

He continues that it is unconstitutional to protect girls from unnecessary genital cutting without extending equal protection of the law to boys.

Adler and others who have written on the subject agree that the United States has a ways to go to catch up to parts of Europe, which have begun to recognize circumcision's shaky legal status. They cite a German court, which held that circumcision is "already illegal under numerous provisions of American and international law."

Even if one reaches the argument that physicians have the right to circumcise boys for religious, cultural or personal reasons, it does not hold up, Adler writes in "Is Circumcision Legal?"

"A physician's legal duty is to provide competent medical care to pediatric patients independent of their parents' desires," he writes. "Thus, physicians cannot take orders from parents to operate on children for reasons having nothing to do with medicine."

As for parents' religious rights, those are "subordinate to their sons' absolute rights to genital integrity and autonomy, and parents cannot risk harming their children, let alone actually harm them for religious reasons," he writes.

While there is a widespread belief that circumcision has health benefits, those benefits have been vastly oversold, Adler and the Bloodstained Men argue. They say the procedure might eliminate one of every 100 cases of urinary tract infections in infants, for which antibiotics provide an effective and far less invasive treatment.

"Doctors say they have proxy consent, but that is only valid when the patient is diagnosed with an urgent need for medical intervention," says Harry Guiremand of Hawaii, one of the leaders of the Bloodstained Men's Boston rally.

Doctors do not know what the functions of the foreskin are, and therefore cannot truly inform parents adequately, Guiremand claims.

Brett Johnson of Kansas City says he came to Boston to be part of the protest because he wishes someone had spoken up for him when he was an infant.

"We are talking about a very valuable part of a man's anatomy, and I am greatly offended my parents and doctor decided I didn't want it, amputated it, and threw it in the trash," he says.

Watertown resident Cynthia Maloney says her experience as a doula led her to involvement with the issue. She has been posting online about it since 2008 and taking part in street protests since 2013.

"I would see a newborn boy, bright and alert, and then, when they cut him, the light would go out in his eyes," she says.

According to Adler, the rate of circumcisions in the U.S., once up around 90 percent, has dropped to around 50 percent. The variability of the rate itself is compelling evidence that circumcision brings with it no massive medical benefits, given that no health calamities have resulted from the decline, he says.

Still, the rate in the U.S. remains as high as it is because physicians here have been promoting circumcision for the past 150 years "and refuse to give it up," Adler says.

Part of the reason is money, according to Adler. He notes that circumcision is a "multi-billion-dollar industry," and that hospitals sometimes sell the foreskin for use in pharmaceutical and cosmetic products.

With their staged protests, the Bloodstained Men are hoping to change the culture and win in the court of public opinion, even if some are repulsed by their means of grabbing attention.

But Adler believes the urgency of the situation calls for more than soft persuasion.

"I'm absolutely persuaded circumcision is very unlawful and a human rights violation," he says.



Members of the Bloodstained Men and Their Friends protest near the Old State House in Boston.

Issue: AUG. 13 2018 ISSUE

YOU MIGHT ALSO LIKE



SJC allows conditional guilty pleas

🕒 August 10, 2018



Emergency justified warrantless tracking of defendant by cell location

🕒 August 9, 2018



Law firms face their own MEPA perils, experts warn

🕒 August 9, 2018

Copyright © 2018 Massachusetts Lawyers Weekly

10 Milk Street, Suite 1000,

Boston, MA 02108

(617) 451-7300

