In June 2012, a German regional court ruled that a child could not be circumcised unless it was for medical reasons.\(^1\) Circumcision, in this ruling, was understood as being against the best interest of the child and his ability to freely choose his religion. While this judgment was not binding, commentators argued that it could create a legal precedent and it is with this in mind that several doctors, who feared prosecution, stopped practicing circumcision.\(^2\) However, following the ruling, and due to significant international pressures, the German Parliament passed a resolution to protect circumcision. This position should be contrasted with an October 2013 resolution passed by a strong majority of the Parliamentary Assembly of the Council of Europe, in which

\(^{1}\text{(District Court, Cologne). Landgericht Koln. 7 May 2012 Urteil 151 Ns 169/11, online: http://adam1cor.files.wordpress.com/2012/06/151-ns-169-11-beschneidung.pdf. An unofficial English translation can be found here: http://www.dur.ac.uk/resources/ilm/CircumcisionJudgmentLGCologne7May20121.pdf (last accessed April 28 2013).}\)

\(^{2}\text{While the majority of Germans are not circumcised, it is estimated that 11% of boys are still circumcised in Germany. Circumcision is mainly practice by individuals belonging to Judaism and Islam (it is estimated that there are approximately 4 million of Muslims and 105,000 Jews in Germany) (Hans 2012).}\)
male circumcision was deemed a “violation of the physical integrity of children” (Council of Europe 2013a, 2013b).

Notwithstanding the particular outcomes of this case, repercussions have been felt far beyond Germany’s frontiers: male circumcision (MC) presents an interesting jurisdictional conundrum. It is a practice that spans religious difference, cultural understanding and linguistic divides and as such, simultaneously touches on the fields of medicine, religion, ethics, law, anthropology and gender studies. It is a practice imbued with rituals, symbols, traditions and signs; in certain contexts, it is thought of as a ritualized practice but not necessarily as a traditional one. It is a practice that also leaves an indelible mark on the body of a child. Unlike tattooing (Bridge 2002, 284) or scarification (Edge 1999, 328), however, MC can be legally performed and oftentimes is morally sanctioned. Questions related to MC and religious beliefs are further splintered by the presence of distinct religious and community discourses, parental rights and claims, as well as children’s rights. The surgical removal of the foreskin can also occur at different times in children’s lives: for example, within the Jewish religion, circumcision (or bris) occurs when the child is eight days old, symbolizing the covenant with God. Circumcision of Muslim children, however, usually occurs before they reach the age of puberty. MC is also performed in other societies, including Aboriginals in Australia (Hutson 2004) and certain ethnic groups in Africa, such as the Xhosa (Sev’er 2012), not to mention in North America and Europe (cf. Svoboda and Darby 2008; Bouclin 2005; Waldeck 2003; Miller 2002). Yet it remains a practice that blurs the line with ritual, and therefore religion with culture, not to mention religion with politics.

In this chapter, we question why male circumcision has been narrated as a bodily practice in ways that are different from female circumcision. Employing the recent German case on circumcision as our gateway to a broader transnational discussion, we posit that male circumcision has been constructed as part and parcel of contemporary dominant secular narratives found within the particular context of North America and Western Europe, where it is framed as an accepted form of religious freedom. To do so, we draw on a theoretical framework that looks at how secular narratives can influence the way religious freedom is constructed (e.g., Hurd 2008, 2012; Asad 2003, 2011): we will

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3 Circumcision is not directly addressed in the Qu’ran but is understood as a “covenant of men” (Sev’er 2012, 79).

4 While we acknowledge that there are distinctions between these practices, we are interested in how they are constructed discursively and the power relations that emerge from these gendered architectures.