

To: The College of Physicians & Surgeons of Manitoba
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From: Rabbi Allan Finkel,
Chairperson, Winnipeg Council of Rabbis

Date: July 14, 2021

Re: Proposed limitations on Jewish circumcisions – Draft Standard of Practice for Performing Office-Based Procedures

My name is Rabbi Allan Finkel and I am responding to your request for feedback, as the chairperson of the Winnipeg Council of Rabbis. The WCOR's membership includes the rabbis of Winnipeg's four largest synagogues and covers all three major Jewish denominations – Orthodox, Conservative and Reform. This letter represents our consensus position on your draft policy limiting religious circumcisions to medical offices only, as outlined in Point 2.1 of your current draft.

Briefly, we are unequivocally against the implementation of such a policy, on four discrete grounds:

1. Religiously: The “Brit Milah” or Jewish ritual circumcision is a centuries-old practice mandated as the first command given to Abraham. It continues to be an important tradition to this day that connects Jews generationally. Indeed, for Orthodox and Conservative Jews (the majority of Winnipeg's significant Jewish population) it is an essential (i.e. mandatory) requirement for newborn Jewish males at eight days. Milah is not a medical procedure but a religious one. The hospital is not the proper setting for Milah. It belongs in the sanctity of the home and synagogue. To change that centuries-old status quo would have very negative consequences to the nature of Milah.

The medical procedure itself is embedded in a much broader religious ceremony. There are accompanying ritual blessings and practices involving a number of other individuals both before and after. These include: the baby's godmother or godfather bringing the baby into the room, the “sandek” who holds the baby's legs during the circumcision, the parents who recite blessings, the presence of a full glass of wine, and of course the person doing the circumcision (the “mohel”) and very often, a rabbi. Parents advise everyone present of the Hebrew name that they have given the child, who they are named after and the stories they associate with the name. Again, we must reiterate that Milah is not a medical procedure but a religious one.

2. It is a community event: Simply stated, a “bris” is a cause for celebration, as it announces to the world that this child has entered the covenant with God. It is a major life cycle event where the parents invite family and friends to their homes or to a

synagogue to witness this special event. Again, this is far beyond what can be done in a medical office.

Although there are no religious laws with a Milah being undertaken in a hospital, it is at its heart a community-based ritual done in private homes and synagogues, and to move it from those places would significantly affect the spiritual character of Milah.

3. Medically: There is no evidence to support that brit milah is not safe. I will paraphrase one of my colleagues, who expresses quite well our collective frustration toward your draft policy, as follows:
 - “Why now? What’s the problem? Jews have been doing this for DECADES with trained doctors. In fact, our Jewish community in Winnipeg is fortunate to have Jewish doctors who have taken specific training in this procedure and the accompanying rituals and blessings, and have been performing this task outside of their offices and in non-hospital settings for years.” Currently, two Jewish doctors have undertaken this responsibility for Manitoba’s Jewish community. Both are noteworthy for being impeccable in their hygienic practices at all times in these settings.
 - Again, why now? “We could understand if there had been accidents or injuries or high risk to the kids. But it’s simply not the case. Medical techniques have improved over the years, and with the current use of a clamp, it’s basically as foolproof as anything medical can get.”
 - “Births are allowed in the home. Births! And not even with doctors but midwives. And the risk of something going wrong or death is exponentially higher in delivery than in circumcision. It’s not even comparable, really.”
 - Furthermore, “every other province allows for ritual circumcisions to be done outside a doctor’s office. Why here? Why now?”
4. The impact of this draft proposal: Because of the hardship the proposal would create, we fear that many families who would currently do a traditional Brit Milah would opt for a non-halakhic procedure (one that does not comply with Jewish religious law). We see this as infringing on the religious rights of Jews wanting to practice their religion freely.

As the spiritual and religious leaders of Winnipeg’s Jewish community, we urge you to reconsider and to abandon this policy initiative, as it oversteps the religious requirements and community framings of this central Jewish tradition, for medical reasons that are simply not apparent.

Please do not hesitate to contact me or any of my colleagues for further clarification. We appreciate your serious consideration of our position on this matter.

Respectfully,

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Chairperson WCOR
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On behalf of Winnipeg Council of Rabbi members:

Rabbi Yossi Benarroch, Herzlia Adas Yeshurun Synagogue

Rabbi Matthew Leibl

Rabbi Anibal Mass, Shaarey Zedek Synagogue

Rabbi Kliel Rose, Congregation Etz Chayim