

Attorneys for the Rights of the Child

Newsletter

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Protecting
Children's
Bodily Integrity



DAMIEN WILLIAMS



AUSTRALIA'S PUBLIC
HEALTH CARE SYSTEM AND
GENITAL AUTONOMY—p.5

DAVID ATKINSON



FORESKIN AWARENESS IN HIGH
GEAR—p.6

PAUL MASON



IN MEMORIAM:
PAUL MASON—p.11



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Comments regarding the ARC Newsletter and its contents are welcomed.

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Message from the Executive Director

April 17, 2019

This past year contained a number of ups and downs. We see the determination of people in the US and elsewhere to fight for children and for what is right.

In short, we are winning. Soon, we will have won. Obviously we care deeply to reach that day as quickly as we can so as to safeguard the intact rights of as many children as we possibly can.

There has been plenty of good news lately. The Danish parliament has been considering a ban on circumcising minors, with a parliamentary committee approving a draft resolution last September. A four-year-old boy received \$31 million from an Atlanta jury for a botched circumcision that amputated part of his penis. This is the largest known legal award ever for a genital mutilation case.

A federal district court judge has found the federal law barring female genital cutting unconstitutional. Accordingly, the Detroit-based judge dismissed charges against two Michigan doctors and six others who were being prosecuted for violating the law, which came into effect in 1997. In an interesting coincidence, the judge who decided the case, Bernard Friedman, is the same judge my colleagues and I had in a 2002 class action circumcision case in Queens, New York.

Sadly, we lost my friend and colleague Paul Mason. Paul can never be replaced. We all benefited from his intellect, his joy at life, his ineffable spirit, his ability to laugh at himself and at the absurdity of the continuation of genital cutting. This newsletter includes a memorial section to which a number of folks contributed text and/or photographic remembrances.

Also included are: 1) a feature article with photos by our new webmaster David



Steven Svoboda, San Francisco Symposium, May 5, 2018

Atkinson about the recent Bloodstained Men tour of the South of the US; 2) a feature article by Damien Williams about the Australian medical system and efforts to end its unique position as the only national government funding circumcision; 3) news reports; 4) ARC updates; 5) my detailed article and a photo spread on the May 2018 San Francisco symposium; and more.

The London International Conference on Men's Issues (ICMI) in late July went fabulously. My talk regarding, "Genital Autonomy, Gender Equity, and the World" was very well received by the audience of over 150. I also moderated an extensive question and answer following the presentation of Brendon Marotta's new film, "American Circumcision," in which I appear.

A week to the day after ICMI, on July 28, 2018, in San Anselmo, California, I married the woman of my dreams (and beyond!). It is not a coincidence that Gina Maria Mele Svoboda and I met through an ARC activity, a showing of the "Red Pill" movie directed by Cassie Jaye (www.theredpillmovie.com; www.imdb.com/title/tt3686998/), in which I briefly appear. Fred Hayward, an activist and ARC supporter who was also a participant in the Q and A session where I met Gina and who was prominently

featured in the movie, officiated at our wedding. Elsewhere in this issue is a picture of Fred, former ARC board member Marc Angelucci, author Warren Farrell and me at the wedding.

I am very pleased that a project that started way back in 2001 with the United Nations seems to be bearing some fruit. ARC led a delegation to Geneva in July and August 2001 that put into official UN records the topic of male genital autonomy. A few years back, the Secular Medical Forum and Antony Lempert among others have made some very impressive inroads in the UK continuing the work with the UN.

In July 2018, an international team (the International NGO Council on Genital Autonomy, or INGOCGA) including Antony, Paul Mason, Kira Antinuk of Canada's Children's Health & Human Rights Partnership (CHHRP), James Chegwidan of the UK and yours truly submitted to the UN a report on circumcision as a human rights violation in Canada. The submission capped nearly two full years of work.

Following the sad and unexpected passing of Paul Mason, I took over from Paul to lead preparation and



(l. to r.) Sarita Svoboda (age 14), Eli Svoboda (age 17), Steven, Gina Svoboda



Steven Svoboda (left) with Brian Earp (center) and Antony Lempert (right)

submission on New Year's Eve 2018-2019 of a "third party intervention" by the International NGO Council on Genital Autonomy (INGOCCA) to the United Nations' Committee on the Rights of the Child (CRC). A "third party intervention" is a relatively novel procedure, roughly akin to a "friend of the court" brief in US law, in which the CRC invited INGOCCA, as a non-government organization, to advise it regarding the anatomical, medical, human rights, legal, and ethical implications of male circumcision. The CRC asked us to submit the third party intervention to help it evaluate a 2016 Finnish Supreme Court circumcision prosecution that found the doctor and father liable for a circumcision of a four-month-old boy.

The same international team is currently preparing a "core report" that will be ready in May and will be posted then for adaptation for future UN submissions. Both the third party intervention and the Canada report have already been posted to the ARC website and their URL's are available elsewhere in this issue.

I have accepted an invitation to speak regarding, "Genital Autonomy, Gender Equity, and the Law" at the International Conference on Men's Issues, to be held in Chicago on August 16-18, 2019. I will discuss my thoughts about blending the campaigns for children's right to bodily integrity and for true gender equity between males and females. I will also discuss our team's recent UN work and the recent and very different court decisions relating to the laws against

female genital cutting in the US and in the UK.

At the University of Leeds in Leeds, England, later this month, I will also be co-presenting about my work with the United Nations (since 2001!) with Antony Lempert of the Secular Medical Forum.

Bob Van Howe, Morten Frisch, Peter Adler and I recently published an article in BMC Medical Ethics replying to an article by Ploug and Holm about the registry of circumcisions established in 2013 by the Danish government.

Peter, Bob and I have a rebuttal paper that is just coming out in early May rebutting arguments by Brian Morris against our in-depth Journal of Law, Medicine and Ethics paper. The JLME paper was based on our successful debate in Charleston, South Carolina, where we left Brady unable to respond to any of our arguments and effectively conceding our victory on the second day.

My recent media work includes an in depth interview by NBC Universal, an 80-minute wide-ranging interview by Brian Martinez of Honey Badger Radio, and a podcast by author DeAnna DeLorraine.

The 15th International Symposium on Genital Autonomy & Children's Rights, organized by Genital Autonomy America, was held in San Francisco from May 4-6, 2018. It proved a phenomenal success, with an incredibly high quality of presentations by leading experts on diverse aspects of genital autonomy. I ended up being inspired the morning of my presentation and extensively rewriting a talk that discussed in detail numerous

successes we have had in the movement in this decade. In my presentation, titled, "Genital Autonomy and the World," I cited by name many of our leading activists, scholars and organizations.

After the symposium, on Monday, May 7, my wife Gina and I hosted a joyous party at our waterfront home at which we were blessed by the presence of many of you.

Our website is being extensively redesigned following mixed results on the previous redesign effort.

Last year my invited article on circumcision as iatrogenic (doctor-caused) wounding was held one of the ten most cited articles of the year that were published by the American Medical Association Ethics Journal.

We continue to offer on our website: 1) our "Know Your Rights" brochure providing information for potential litigants on how to seek legal compensation for the wrong of circumcision; 2) our "know your rights" video addressing What is "informed consent"? 3. Who may be responsible for damages? 4. What are the time limits? 5. What sort of damages may be awarded?; and 3) a list we have been painstakingly compiling since our founding in 1997 of all known significant legal awards and settlements in circumcision-related lawsuits.

Personally, it continues to be and I imagine always will be the children who inspire me to continue dedicating our intellect, and spirit to this work.

Thanks ever so much to everyone for your invaluable support over the years, whether it be financial, emotional, logistical, as colleagues, or a combination of these roles. Each of you makes it possible for us to continue to do this work. 100% of all tax-deductible donations go directly to defraying the costs of safeguarding children.

Fully tax-deductible donations that are entirely applied to protecting children can be sent to J. Steven Svoboda, ARC,

2961 Ashby Avenue, Berkeley, CA 94705, or made through paypal at our website (www.arclaw.org/donate) or using the paypal address sarah@arclaw.org for payments from a credit card and arc@arclaw.org for payments from a bank account. Also please note that whenever you buy

anything from amazon, you can get us an astounding 4-6% of all your purchases (regardless of what it is) by going to www.arclaw.org/donate and then clicking on the box labeled "Amazon.com" (not "Amazon Smile"). Thank you!

Steven Svoboda
Attorneys for the Rights of the Child



(l. to r.) Steven, Gina Svoboda, Sarita Svoboda (age 14), Eli Svoboda (age 17)

Australia's Public Health Care System and Genital Autonomy

By Damien Williams

The Australasian Institute for Genital Autonomy

Some exciting events have been going on lately in Australian activism on behalf of genital autonomy. The Australasian Institute for Genital Autonomy (AIGA) has provided feedback to a 2015 task force review of the government's continued funding of circumcision. [Editor's Note: We are pretty sure that Australia is the only country that provides federal health funding for circumcisions. Of course a number of states in the US—32 at last count—still cover the procedure under US Medicaid for poor people but the US of course has no national health care system.—Steven]

Health care funding in Australia is complex, with a nationally funded scheme known as Medicare. (The terminology can be somewhat confusing for Americans since Medicare here refers to care for those over 65 years of age.—Editor) Australia's system partially reimburses costs for services listed in a Medical Benefits Schedule (MBS). Most Australians are also covered by a private health insurance system that, depending on the level of coverage, can pay additional costs related to those services plus additional benefits including choice of doctor, choice of hospital and shorter waiting periods.

In 2015 a taskforce was introduced to review all items in the MBS. The task

force was instructed, among other matters, to identify any services the task force deemed unnecessary, outdated or potentially unsafe. As part of the review, the task force invited a committee of twelve, including doctors, nurses and educators, to provide recommendations to the task force on items related to the field of urology, including items related to circumcision.

In December 2018, the urology committee recommended that the item relating to infant circumcision "...should continue to include circumcisions conducted for religious and cultural reasons, reflecting both current practice and the need to ensure safe circumcisions."

The AIGA responded the following month by providing feedback (www.aiga.org.au/aiga-responds-to-the-report-from-the-urology-clinical-committee-2018/) on this recommendation. The AIGA's main conclusion was that continued funding of circumcisions for asserted religious and cultural reasons would be unlawful under the law (Health Insurance Act, 1973) that controls the operation of the MBS. That law limits the payment of benefits for "clinically relevant services" and defines a service as clinically relevant "if it is generally accepted in the medical profession as necessary for the appropriate treatment of the patient."

Some in the Australian activist community have argued that while removing non-therapeutic circumcisions from the MBS would be a positive step forward in that it would remove any

perceived federal government endorsement of the procedure, it would make little difference to the rates of circumcision because the subsidy provided through the MBS is only a fraction of the actual cost of the procedure.

However, the effect of MBS inclusion of circumcision is greater than it might at first seem. The reason is that private hospital insurance only covers services for which a Medicare benefit is payable as listed in the MBS. While lower level policies can exclude certain items at the discretion of the insurance provider, the top level policies must cover all services listed in the MBS.

Removing non-therapeutic circumcisions from being claimed under the MBS will therefore create a significant financial disincentive for at least some parents to put their boys through the procedure.

It is of interest to note that by recommending that religious and cultural circumcisions continue to be funded, the urology committee has confirmed that this is the current situation. As far as we are aware, this is the first time that a medical group has publicly admitted this. This admission has usefully shifted the conversation toward a discussion more focused on whether funding circumcision is lawful under the 1973 law, which our feedback clearly demonstrates that it is not.

We pointed out to the task force that funding male genital surgery for cultural and religious reasons (or indeed, for any or no reason) while funding female

genital surgery only when strict clinical needs requirements can be proven creates a situation of palpable gender inequality. While this point may have less strength under the law, we felt that it may resonate with the task force, and may possibly gain some media attention given the topical nature of, and media interest in, gender inequality issues.

Way back in 1985, the Federal Minister for Health removed newborn circumcision from the MBS in response to the (now outmoded) 1983 recommendations of the National Health

& Medical Research Council (NHMRC) of Australia. After religious lobbying, the financial support for circumcision was quickly restored.

We are hoping that with lower circumcision rates today than existed nearly 35 years ago, today's Australian government will muster confidence that the broader community would support a move to apply demonstrated clinical need requirements to the circumcision-related MBS items. The expected response from religious groups if such a move was made is difficult to predict.

Despite any possible reaction from religious groups, as AIGA emphasized multiple times in its feedback, Medicare simply lacks jurisdiction to fund a cultural and religious procedure.

We await the next step in the review, which is the task force providing and publishing final recommendations to the Australian Government. We do not know when to expect the task force's response. We will keep our overseas colleagues informed of all pertinent developments!

Foreskin Awareness in High Gear

by David Atkinson

This past Autumn, the longest circumcision protest tour in history was undertaken by the Bloodstained Men & Their Friends. The

Gulf Coast Circumcision Crisis Protests began on October 21st in Houston, and took place for 22 consecutive days at high-traffic locations in cities throughout the region. The expansive route included stops as far distant as Orlando, FL (the location of the 2018 American Academy

of Pediatrics [AAP] Convention Protest) and Brownsville, TX, finally concluding on November 11th back in Houston.

In an exciting development, activist videographer James Loewen was for the first time able to participate in an entire Bloodstained Men tour, and he recorded



Bloodstained Men & Their Friends on the final day of the 2018 Gulf Coast Circumcision Crisis Protests in Texas, November 11, 2018

many hours of footage which he has begun to publish on his YouTube page, Bonobo3D. Also of interest were the daily live broadcasts hosted by Bloodstained Men's founder, Brother K, in which he expertly documented the action on the front lines in the struggle to raise foreskin awareness in the streets of North America. These broadcasts can be found on Brother K's Facebook page. In addition, there were several local media reports featuring Bloodstained Men's press spokesman Harry Guiremand, which have been compiled at bloodstainedmen.com/media. These reports expanded the tour's visibility far beyond the thousands of people who drove by the protests each day.

The Bloodstained Men road crew, which converged on the Houston airport the evening before the first protest, also included David Atkinson, Luke Artanis, and Jonathan Friedman, veterans of multiple Bloodstained Men tours. James Rigdon, co-founder of Heartland Area Intact, also participated in the first nine days of the tour. In the coming weeks, with the help of various local activists in each city, we would distribute almost 6,000 informational cards to passersby, while displaying dozens of handheld

protest signs and multiple large banners.

The following morning, we arrived at the protest location eager to begin educating the future parents of America. To our great dismay, the Houston Police Department immediately approached and forbade us to use our PVC pipes as a frame for our large banners, (which we have done without incident in cities across the country for the past several years), claiming that the pipes were too wide to satisfy their protest sign ordinance. Apparently this ordinance did not exist, or was not being enforced, when we protested at the same intersection two years before. In any case, we did not wish to provoke a confrontation with law enforcement on our very first day, so we took turns working in pairs to hold aloft our big banners by hand, occasionally struggling against transient gusts of wind.

Throughout the day, we were joined by several families with young children, some of whom have protested with us multiple times during our visits to Texas in prior years. We're always thrilled when women and children attend our events because it shows the diversity of the movement, demonstrates to police that our family-friendly events are not

dangerous, and raises our spirits, inspiring us to redouble our efforts, knowing that we have local support.

After saying farewell to our Houston friends, we drove a couple of hours to Victoria, TX, where the next day multiple local media outlets covered our protest. That night we drove south to the Rio Grande Valley, and on Day 3 we protested near the local University of Texas campus. We expected a friendly response from the predominantly Hispanic population, but even so, we were delighted by the number of people who smiled, assured us that they would never allow someone to tamper with their children's genitals, and promised to share our informational card with their friends. Subsequent protests in Brownsville, Corpus Christi, Galveston, and Beaumont took us back up the Texas coast toward Louisiana. The tour was now a week old and well underway.

In 2014, it was common for Bloodstained Men to protest at state capitol buildings, but on several such occasions, we discovered busier intersections by wandering a few blocks away. Since our goal is to quickly bring penis mutilation to the attention of a large audience, we concluded that protests at



Six Bloodstained Men cross the street when the walk signal appears. Brownsville, Texas, October 24, 2018

capitol buildings are largely symbolic and not particularly effective. Therefore, in Baton Rouge, we staged our protest at a busy 4-way intersection not far from various shopping centers. As usual, we triggered the walk signals as often as possible, and continually took advantage of the crosswalks to ensure that traffic in all directions was able to read our signs and, more importantly, see the red paint on the crotches of our otherwise pristine white outfits.

Baton Rouge also bore witness to the arrival of Celeste Melody Lyons, founder of the popular Facebook group “What Broke Vegans Eat,” who has hosted the Bloodstained Men on multiple occasions in Asheville, most recently during our tour of the Carolinas this past Spring. She traveled with the road crew for the following nine days. As always, she brought along her large “Circumcision: Human Rights Violation” banner, which she deftly suspended between whichever trees or utility poles offered the greatest visibility at each intersection.

The next morning, October 29, we protested at a gigantic intersection in the suburbs of New Orleans, where the possible vehicular routes were separated by ten concrete islands on which we could stand in order to distribute our informational cards to motorists awaiting green lights. By paying close attention to the stoplight pattern, we could position our signs to face each volley of oncoming traffic regardless of its direction of origin, even while conversing with the occasional heckler and while being photographed by occupants of the stationary vehicles. Such photographs are often posted on social media, where they serve to spread our message even when the intent of the post is to mock us. The central concrete island with its two stoplight poles was ideal for Celeste's large sign, and although we feared we might be evicted from that island because no crosswalks led to it, a friendly police officer joined Brother K there and

departed after a brief chat without making any demands. In the afternoon we relocated to the French Quarter, where we encountered many inquisitive pedestrians as well as plenty of shade, both welcome improvements over the morning's location, where the sun had mercilessly scorched us without surcease.

Our disappointment at the departure of James Rigdon following the New Orleans protest was tempered by the arrival of Tanya Ma, who flew in from Michigan the next day and took a taxi to meet us on the streets of Gulfport, Mississippi. Harry Guiremand's morning interviews with the local media led to a welcome surprise: We were joined midway through the protest by a friendly



Tanya Ma, Celeste Melody Lyons, and Tori Caswell in Gainesville, Florida, November 5, 2018

activist who had seen the news reports, and otherwise would not have known we were in town. At the conclusion of the protest, we were approached by some very cordial officers of the Gulfport Police Department. They were eager to learn about our message, and they offered a friendly reminder to take care as we entered the hurricane disaster zone. Their kind demeanor was in stark contrast to the officers of the Mobile Police Department we were to encounter the following week, just across the border in Alabama.

After protesting in Pensacola at a busy intersection adjacent to the hospital and the mall, we headed toward Tallahassee and decided to meet up with

Seth Anderson for dinner along the way. Unbeknownst to us, his one-man bloodstained protest in Marianna, FL was being closely observed by a squadron of Fish and Wildlife agents who had been conscripted into law enforcement due to the recent hurricane. The moment we began piling out of the van to take a pre-dinner photograph with Seth, they assumed we were there to join his protest. They angrily stormed over, demanding that we immediately vacate the Walmart parking lot. Dusk was already falling, and we had no desire to engage with such belligerent officers, so we abandoned our dinner plans and found sustenance after arriving safely in Tallahassee. This experience reinforced our belief that circumcision protests are best accomplished with careful planning, making sure to always unload the vehicle out of sight of the protest location, and to park inconspicuously elsewhere.

In Tallahassee, we had an excellent day educating the students at Florida State University, followed by a long drive down the sparsely populated Florida coast until we reached Spring Hill. Our protest in Spring Hill was well attended by the activists of central Florida despite the imminent rain. Fortune smiled upon us, and the rain began to pour only after we had returned to the vehicle, but it was not long before we were startled by a chorus of cell phones alerting us to an approaching tornado. For a time it was unclear whether we would outrun the storm. The wind was strong and the rain was heavy, but with the steady hand of Harry Guiremand at the wheel, and the keen mind of David Atkinson in the navigator's seat, the road crew was safely shepherded to Orlando where they commenced preparations for the impending AAP protest.

In 2012, the bloodstained suit made its North American debut at the annual convention of the AAP, in response to its dangerous, irresponsible policy statement which claimed that the “benefits” of penis

our protest had been going well for the first hour, when two police cars suddenly enabled their flashing lights and converged on the protesters. The officers demanded that we stand in a nearby vacant parking lot and lay down our signs. Then no fewer than eleven (!) police cars immediately stormed into the lot and cornered us. The Bloodstained Men had never been faced with such a disproportionate display of police force, and it was especially puzzling because all morning long, officers had been driving past and observing our peaceful protest. A 100-minute fiasco ensued during which a high-ranking officer tried to convince us that protesting in the public streets was illegal, while the other officers stood idly by and Brother K continued his live Facebook broadcast. Fortunately we were still quite visible to the passing traffic, so various supporters stopped by to thank us throughout the day, while the local TV reporter, who had chanced to arrive on the scene shortly after the police, continually collected footage. Unfortunately, the Mobile Police Department had no respect for the United States Constitution, and so



Brother K speaks with a Mobile, Alabama police officer while other activists and officers look on. Photo by Tori Caswell, November 8, 2018

we were forced to abandon our protest in order to avoid arrest, retreating from the battle so as to fight again the next day.

In Slidell, Louisiana, the weather was unexpectedly cold and wet, so despite our rainsuits and extra layers of clothing, many of us felt compelled to take short breaks indoors. For a moment, David Atkinson found himself standing alone while everyone else had sought refuge in the nearby Starbucks, and he mused to

himself that if he had wanted to protest solo in the cold rain he could have accomplished this goal at home in Boston and need not have flown to the gulf coast at all. But he had no doubt that the others would rejoin him as soon as they warmed up. The rain subsided during the final hour, and the protest ended strongly.

After an even colder (though mercifully dry) protest near the college football game in Lafayette, Louisiana, the Bloodstained Men finished their tour with a final protest not far from the Houston airport, and then, after packing up the protest materials and shipping them to Atlanta to await the beginning of the next tour, the road crew dispersed back to the various corners of the continent from whence they had come.

In the five years since the first Bloodstained Men tour, we have witnessed incredible societal change in the streets of America. Where we used to be faced with curses and middle fingers, cheers and thumbs-up now predominate. We believe that this change in attitude signifies a corresponding reduction in the rate of genital mutilation of children, and we are optimistic that the coming years will see even faster movement toward a society that values the rights of children to genital autonomy.



Protesters stand facing a busy intersection in Brownsville, TX. Photo by James Loewen, October 24, 2018. (Back row: David Atkinson, Brother K. Front row: Luke Artanis, Harry Guiremand, Jonathan Friedman, James Rigdon.)

In Memoriam: Paul Mason

Paul Mason Remembrance

Steven Svoboda

March 19th, 2019

We have been lucky enough to have several people who knew and loved Paul Mason send in their remembrances and photos.

I was blessed to be able to count Paul as a friend. What a unique man. I still remember him flying off to Dublin in the middle of an intactivist conference I was attending in England so he could weigh in with a United Nations-related group meeting in Ireland. Paul achieved his goals in Dublin and then he returned in time to participate in the rest of the conference! His quirky humor, genuine smile, and tireless work all endeared him to me and to many others. He was one of those folks that you probably felt you knew better than in fact you did, so magnetic was his personality and so inviting his charm.

And yet he was a human rights lawyer with impressive credentials who ably served for a number of years as Children's Ombudsman for Tasmania.



Paul Mason presents at the Genital Autonomy Symposium in Boulder, CO, July 26, 2014

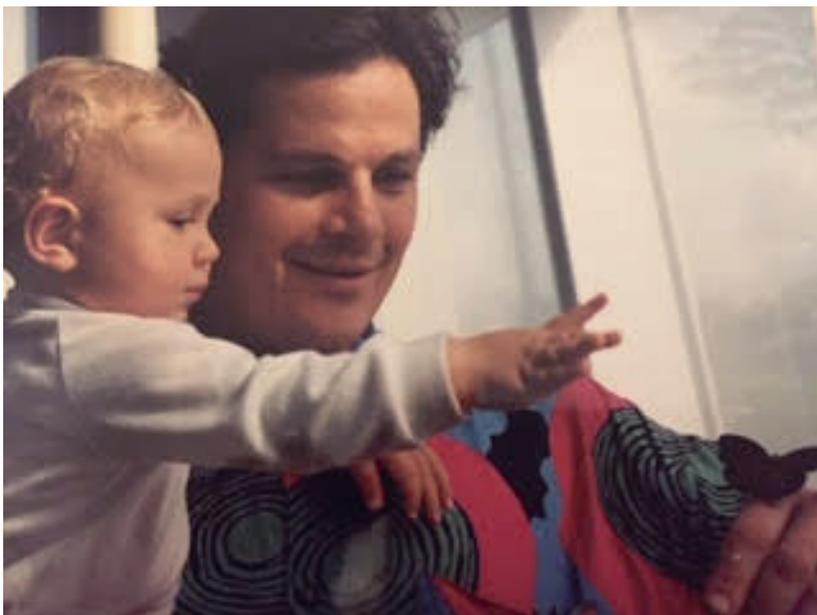
Then he led the International NGO Council on Genital Autonomy (INGOCGA) team of which I was also a member in preparing our core submission to the United Nations (final version scheduled to be issued in April 2019) as well as our "friend of the court" brief to the United Nations regarding a Finnish parental dispute case that was ultimately

submitted in December 2018. In doing so, Paul effortlessly negotiated his way through numerous complex legal issues and perhaps more impressively, coordinated the work of a small team packed with quirky and sometimes demanding personalities.

Paul attended the San Francisco May 2018 symposium and was as jovial and brilliant as ever, and then graced a gathering of activists my wife and I hosted at our nearby home on the water in Richmond, California. Paul's wife Lyn Ramsey and he were both such joys to have over and what a great time we had with my fellow activists and friends.

Imagine my shock and bewilderment and grief when I learned in August that Paul had gone back to Australia, been diagnosed with lung cancer, and passed away a short three weeks later!

So it is that we must always be grateful for those dear souls we have in our lives while we have them, as one never knows what lies in store on the road ahead.



Paul and his son "enjoying the magic of a butterfly." Photo by Lyn Ramsey.

When we were at the last symposium in San Francisco, Paul told me that he loved his life's work in Tasmania - working for the well being of children.
- Steve Scott



Photo by James Loewen

Paul in that suit thinking he was Keith Richards. Incidentally, at his request I embalmed him after he died and dressed him in this suit for cremation. When he asked me to do this I said "Great, I always wanted to burn that suit!"
- Lyn Ramsey



Paul, flanked by Zenas Baer (left) and John Geisheker (right). Photo by Steve Scott

Lyn sent me an email yesterday telling me Paul died in her arms just three weeks after being diagnosed with lung cancer. Their son, Orlando, was with them and Paul hugged them both as he hummed his way out. He will be missed! Our hearts are with Lyn, Orlando, and Nui (Lyn's daughter).
-Marilyn Milos



Paul and Lyn at the 2012 Symposium in Helsinki. Photo by James Loewen

I first met Paul at a genital autonomy conference at Keele University in Staffordshire, England, one year before I studied in the UK. Paul was the first person to encourage me to bring my genital autonomy advocacy and scholarship to Australia, and to pursue my PhD at Adelaide. He will be remembered for his tireless efforts to protect children's right to physical and mental integrity and for his vision of a world in which all children are protected from medically unnecessary, non-consensual genital alterations.
-Travis Wisdom



Photo by Lyn Ramsey

A Tribute to Paul Mason

The Board of Management
Australasian Institute for Genital
Autonomy
AIGA.ORG.AU

After several years of tirelessly advocating for children and agitating for change, both locally and internationally, Paul reached out to some Australian and New Zealand friends in 2013, regarding the creation of a Not for Profit organisation, with a specific focus on advancing the right to Genital Autonomy for all children.

On the 7th of May 2013, on the 1st anniversary of the landmark decision of the District Court of Cologne, the Australasian Institute for Genital Autonomy (AIGA) was officially formed, with Paul being elected to the position of the inaugural Chair, a position he would continue to hold until his passing.

Paul had previously been the Children's Commissioner for Tasmania, an independent, statutory office under an Act of Parliament, which afforded him a powerful platform to advocate for children's rights and to initiate change. As Paul would say: "If nothing happens, nothing happens." The formation of the AIGA was to give structure and direction to the Genital Autonomy movement across Australasia.

Under the AIGA banner, Paul would issue media releases to local print and electronic media, when the opportunity presented, which meant reporters would often contact him for a quote or a better understanding, instead of approaching 'the usual suspects' when an issue related to GA was in the news. Paul's expert knowledge of the complex and controversial GA issue, his three decades as a family law barrister, and his public speaking experience, including appearing on 60 Minutes and large public debates, meant he was very well placed to communicate effectively and authoritatively on GA issues.

Along with ad hoc media releases, AIGA made detailed submissions to the Australian Medicare Services Review and to the Australian National Children's Commissioner (on how Australia is/not meeting its obligations under the UNCROC). Paul, Lyn and some AIGA Board members, also took the opportunity to raise public awareness, coming from three different states to meet in Sydney, in front of German consulate, for all all-day event on the 4th anniversary of the Cologne decision.

Paul was extremely proud of the inaugural AIGA Seminar, an all-day event at the University of Technology, Sydney, on 20 Nov 2017, which included a

number of internationally renowned speakers.

Well progressed, but incompleting goals on Paul's 'to do' list for AIGA, was to announce The AIGA Advisory Board, bringing together acknowledged academics and other experts from a broad range of related fields, including human rights, medicine, intersex and the law. Also commenced but incomplete, was a significant piece of work to take AIGA from a Not for Profit organisation to a registered Australian Charity.

Paul was a colourful, flamboyant, highly-intelligent, kind, gently-spoken man, who will be sadly missed by all who knew him.



Genital Autonomy 2018

San Francisco Symposium

Steven Svoboda

The Kabuki Hotel in San Francisco, located in Japantown, is the only site to actually host two different genital autonomy symposia, though when it hosted the first one in 1991, the hotel had a different name. The site was beautiful and the hosts were very friendly. San Francisco has of course for decades if not generations been a center for non-conformists of all types. It was a nice feeling to “come home” to the site of the 1991 symposium even though my own symposium history started five years later, at the fourth symposium held in 1996 in Lausanne, Switzerland.

This was also a bittersweet event as we knew that it was the Fifteenth (imagine that!) and final Symposium to be organized or co-organized by Marilyn Milos of NOCIRC, more recently rebranded Genital Autonomy America.

The symposium took place from May 4-6, 2018, and boasted countless intriguing speakers. I ended up being inspired the morning of my presentation and extensively rewriting a talk that discussed in detail numerous successes we have had in the movement in this decade. In my presentation, titled, "Genital Autonomy and the World," I cited by name many of our leading activists, scholars and organizations.

These symposia always allow me a chance to connect with dear friends and colleagues whom I see all too infrequently. The event proved a smashing success and boasted an impressive attendance of over 125 people.

ARC's active collaborators who were present included Peter Adler, Georganne Chapin, Brian Earp, Hida Viloría, David Llewellyn, Jeff Borg, and John Geisheker. I was able to renew connections with



Marilyn Milos speaks at the 15th Genital Autonomy Symposium

many existing friends and colleagues, such as Ireland's Linda Massie, James Loewen, NOCIRC's Marilyn Milos, Bloodstained Men's Brother K, my and ARC's venerable mentor Tim Hammond, Martin N, Soraya Mire, Dr. George Denniston, Dr. Mark Reiss, Zenas Baer, Paul Mason, Lisa Braver Moss, Rosemary Weiner/Romberg, filmmaker Brendon Marotta, Laurie Evans, Lloyd Schofield, Steve Scott, Mary Conant, Shelton Walden, Anthony Losquadro, Glen Callender, Soraya Mire, Dan Bollinger, Antony Lempert, Ron Low, Pat Brown, Ken Drabik, Holly Redinger/Bauron, James Prescott, Harry Guiremand, Ashley Trueman, and Tom Hennen.

We also had the chance to match faces to people who had previously just been Internet monikers, such as Jen Williams, Dan Rold, Michael Winnel, and Erika Talvitie.

Brian Earp launched the official program with a routinely brilliant overview of fascinating issues raised by

activism to protect genital autonomy of all children and opposition based on an asserted right to religious freedom. Brian concluded that if any form of genital cutting is to be ended, all forms must end.

Intersex activist Hida Viloría opened the program on Saturday May 5 with a talk outlining genital autonomy's transformative impact with a captivating blend of Hida's personal and global perspectives. John Geisheker delved into the heretofore neglected topic of subtle yet crucial impacts raised by the classification of circumcision in the International Classification of Diseases.

Peter Adler gave a superlative talk incisively analyzing how male circumcision violates physicians' fiduciary duties to their patients. Soraya Mire provided a heartfelt account of her own personal path and its relationship to her work regarding female genital cutting. ARC Board Member David Llewellyn provided a unique and engaging overview of his twenty-eight years in the trenches

doing circumcision litigation. That evening we were treated to a screening of Brendon Marotta's groundbreaking American Circumcision film.

Saturday, May 6 included James Loewen's engaging history of activism followed by Lisa Braver Moss' view of past successes and future paths for those working within the Jewish community to encourage the evolution of views regarding male circumcision. A couple of core activists graced us with their passion and presence—Anthony Losquadro of Intaction and Brother K of Bloodstained Men (also shooting video of the entire event). Antony Lempert provided an admirable overview of his success working with the United Nations and other human rights bodies to advance genital autonomy.

I felt so blessed and honored to be invited at the banquet dinner to sit at the Bloodstained Men board's table! It was a

thrill to participate in the far-ranging conversation with everyone present, including Brother K, Hollie Redinger/Bauron, and Erika Talvitie.

After the dinner, longtime activist and founder of Doctors Opposing Circumcision, George Denniston, offered wonderful final remarks at the concluding banquet including reminiscences about Nobel Laureates Albert Einstein and George Wald. Marilyn Milos received the appropriate honors at the final symposium to be organized by GA America. Then we were treated to an unforgettable singing performance by an entertainer who goes by the name Ms. Blu.

A hearty and enthusiastic round of applause for an unforgettable and record-setting edition of this venerable biannual event. Many of us left feeling restored and eager to return to the trenches, reinvigorated by the comradeship and exchanges of ideas that took place in San

Francisco.

May 7 was Genital Autonomy Day. A large group gathered at the Ferry Building. I donned the Bloodstained Men suit myself for several hours and engaged with numerous passersby, as usual receiving a wide range of responses for my troubles, though I have to say the Bay Area is usually relatively hip to such things.

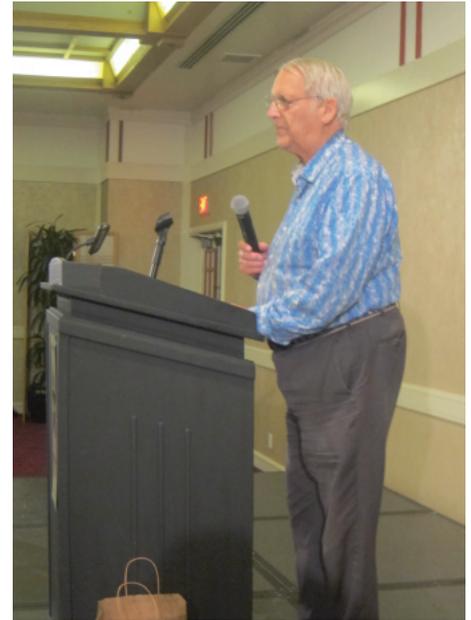
And on May 8 my wife and I were blessed to have a group of perhaps thirty activists over to our waterfront home in the Bay Area. We munched and chatted about a wide variety of topics, many of them not related to activism (thank goodness). Paul Mason was in great form; little did we realize this was the last time most of us present would see him. It was such a blast! Thanks to all who graced us with their presence.



Symposium participants and activists protest at the San Francisco Ferry Building on Genital Autonomy Day, May 7th, 2018



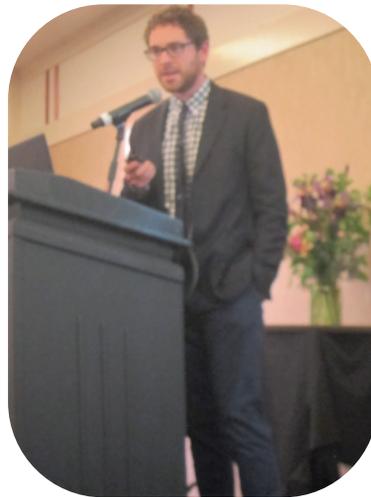
Audience members applaud enthusiastically following a symposium presentation



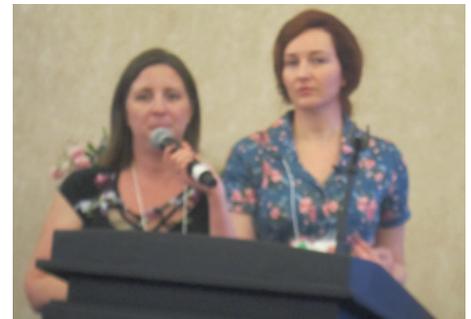
George Denniston



Dean Edell



Brian Earp



Jen Williams and Ashley Trueman



Anthony Losquandro



Brother K's live Facebook broadcast captures Marilyn Milos receiving an award. Marilyn's daughter Kate Edmiston stands nearby.



Symposium participants queue up to ask questions



Karen Glennon, Brian Levitt, Hollie Bauron, and Steven Svoboda at the Ferry Building protest



David Llewellyn



Entertainer Ms. Blu



Brendon Marotta



Steven Svoboda, Brother K, Lisa Braver Moss, and Laurie Evans, at Steven's house following the symposium.



Friends and colleagues gather at Steven's house following the Genital Autonomy Day protest.

ARC Updates

London Men's Conference Proves Smashing Success

22 July 2018

The London International Conference on Men's Issues (ICMI) in late July 2018 went fabulously. Steven's talk on July 21 regarding, "Genital Autonomy, Gender Equity, and the World" was very well received by the audience of over 150. When filmmaker Brendon Marotta became unable to come to London, Steven also moderated an extensive question and answer following the presentation of Brendon's new film, "American Circumcision," in which Steven appears. (The DVD of the film is due out any day now.)

In his talk, Steven integrated some aspects of the presentation he gave on May 5, 2018 at the San Francisco

Symposium with his thoughts about blending the campaigns for children's right to bodily integrity and for true gender equity between males and females. He showed that some aspects of gender equity from the male side are not well understood nor well protected and that these issues relate to issues of genital autonomy in interesting and potentially very important and even transformative ways.

A week to the day after Steven's talk, he was married to the former Gina Maria Mele, whom he initially met through ARC.

Conference organizer Mike Buchanan deserves warm congratulations for running a tight ship, with every presentation more on time than the proverbial Swiss train. Particularly impressive was the final presentation by Alison Tieman, very thought-provoking

and all-encompassing in discussing a framework for promoting true gender equity on all levels.



Steven Svoboda, ICMI, London, July 21, 2018

Steven Married!

28 July 2018



Steven Svoboda and Gina Maria Mele

Steven Svoboda was married on Saturday, July 28, 2018 to Gina Maria Mele, whom he met at a showing of the "Red Pill" movie in November 2016. Here is a picture of Steven and his new wife.

At the "Red Pill" showing where Steven met Gina, he participated in the post-film question and answer session with longtime gender equity activist Fred Hayward and pre-eminent gender equity author Warren Farrell. Fred officiated the wedding and also present were Warren and longtime genital autonomy activist (and former ARC Board Member) Marc Angelucci. Here is a picture of the four activists at the wedding.



(l. to r.) Fred Hayward, Marc Angelucci, Steven Svoboda, and Warren Farrell

DeAnna Lorraine Podcast

1 August 2018

Steven's podcast as the guest of author DeAnna Lorraine on August 1, 2018 went very well, with the host posing many perceptive questions for Steven.

The podcast, available at <https://youtu.be/4UtMFO0Nuro>, lasts an hour but Steven is on for the second half hour of it. The podcast focused on his work with ARC, including a recent submission to the United Nations, his two presentations relating to genital autonomy at the International Conference on Men's Issues held in July 2018 in London, and his recent wedding.

Honey Badger Radio

10 September 2018

Steven was interviewed live on Honey Badger Radio for an hour on Monday, September 10. He discussed his work with ARC and also with the National Coalition For Men. Interviewer Brian Martinez of Honey Badger Radio conducted a far-ranging, 80-minute interview of Steven that addressed a great variety of topics including genital autonomy, human rights law, the larger gender equity movement of which genital autonomy work is an important part, Steven's recent marriage, and many other topics.

The interview is available at <http://podbay.fm/show/872781220/e/1536622200> as well as on Honey Badger Radio's YouTube page.

Article Published regarding Danish Circumcision Registry

17 January 2019

BMCMC Medical Ethics has published a paper by Bob Van Howe, Morten Frisch, ARC Legal Advisor Peter Adler, and ARC

Report on Circumcision in Canada Submitted to United Nations

31 August 2018

In July 2018, an international team submitted to the United Nations a report on circumcision as a human rights violation, capping nearly two full years of work. The team, the International NGO Council on Genital Autonomy, is intervening as a third party non-governmental organization.

This particular report focuses on Canada and will shortly be posted to the ARC website. The submission of this report was shortly followed by some very sad news. As previously reported, one of the team's core members and most active participants was Steven's friend Paul Mason, who sadly passed away recently.

Steven Leads Team's Submission to United Nations

8 January 2019

Following the sad and unexpected passing of Australian human rights attorney Paul Mason, Steven Svoboda took over from Paul to lead preparation and submission of the "third party intervention" by the International NGO Council on Genital Autonomy (INGOCGA) to the United Nations' Committee on the Rights of the Child (CRC).

A "third party intervention" is a relatively novel procedure, roughly akin to a "friend of the court" brief in US law,

Executive Director Steven Svoboda replying to an article by Ploug and Holm about the registry of circumcisions established in 2013 by the Danish government.

We argue that Ploug and Holm's fears are misguided and could interfere with the gathering of accurate data. Our



INGOCGA Team Members

Attached also is a picture of four team members, taken on May 7, 2018 at Steven's home following the Genital Autonomy Symposium.

in which the CRC invited INGOCGA, as a non-government organization, to advise it regarding the anatomical, medical, human rights, legal, and ethical implications of male circumcision.

The CRC asked us to submit the third party intervention to help it evaluate a 2016 Finnish Supreme Court circumcision prosecution that found the doctor and father liable for a circumcision of a four-month-old boy. Other prominent members of the INGOCGA team include Antony Lempert of the UK's Secular Medical Forum, Kira Antinuk of Canada's Children's Health & Human Rights Partnership (CHHRP), and James Chegwidan of the UK.

article, "Circumcision registry promotes precise research and fosters informed parental decisions" is available on our website, along with the original authors' reply to our reply article, in which they acknowledge a "fundamental agreement between us . . . that the individual is of primary ethical importance".

Steven to Present in UK Regarding United Nations Work

28 February 2019

Esteemed colleague Antony Lempert of the Secular Medical Forum (SMF) and Steven Svoboda will be co-presenting at the University of Leeds in Leeds, UK at an upcoming conference entitled, "Future Choices: Keeping Europe Intact," and run by the European non-profit Future Choices.

The subject of the Leeds talk is the work that has gone on with the United Nations, starting in 2001 when we first presented the topic to the UN, and more recently with successful initiatives and reports by Antony and the SMF. Antony and I will focus in our presentation on the submission on 12-31-18, by the International NGO Council on Genital Autonomy (INGOCGA), led by Antony, Steven, and Kira Antinuk of Canada, of a third party intervention to the UN's Committee on the Rights of the Child. The dates of the conference are April 26-27, 2019.

Here is the abstract of the talk:

Supporting the United Nations in Developing Awareness of All Forms of Genital Cutting

The United Nations (UN) has shown extreme concern for decades over female genital cutting and has recently displayed admirable interest in eliminating intersex genital cutting. Efforts to bring male genital cutting (MGC) to the UN's attention began in 2001 when Steven Svoboda presented before the forerunner to the Committee on the Rights of the Child (UNCRC). In 2012, Antony Lempert presented to the CRC executive on harm done to children by MGC. This led to supplementary submissions to the UNCRC, which placed MGC in the category of serious harm in 2013.

In 2016, the International NGO Council on Genital Autonomy (INGOCGA) formed to prepare and submit further reports to the UNCRC including an overarching 'core' report. In July 2018, the UNCRC invited INGOCGA to submit a third party intervention regarding a Finnish circumcision case on a young boy against the mother's wishes. Third party interventions are relatively novel procedures of expert input invited by the UNCRC to inform its decision-making.

Following the tragic death of Paul Mason, Antony and Steven led the preparation and submission to the CRC on 31-12-18 of this intervention including background medical, anatomical, legal, human rights and ethical considerations. INGOCGA will continue to work with the UNCRC towards an expansion of the recognition of the harm caused by all forms of childhood genital cutting with the aim of ushering in an era of heightened sensitivity to all genders and all harms children suffer.

Steven Presenting on Genital Autonomy and Gender Equity at Men's Conference in Chicago

1 March 2019

Steven Svoboda has accepted an invitation to speak regarding, "Genital Autonomy, Gender Equity, and the Law" at the International Conference on Men's Issues, to be held in Chicago on August 16-18, 2019. He will discuss his thoughts about blending the campaigns for children's right to bodily integrity and for true gender equity between males and females. He will also discuss our team's recent United Nations work and the recent and very different court decisions relating to the laws against female genital cutting in the US and in the UK and draw some conclusions also relating to some US cases in which he was a lawyer representing plaintiffs. Steven will show that some aspects of gender equity from the male side are not well understood nor well protected and that these issues relate to issues of genital autonomy in interesting and potentially very important and even transformative ways.

For information on the conference, please visit <http://icmi2019.icmi.info/>.

News

Important Paper on Deaths Caused by Circumcision

2 July 2018

A team headed by Brian Earp is publishing a forthcoming paper in *Clinical Pediatrics* that does probably the most careful, reputable study to date regarding deaths following newborn circumcision in the United States. It provides a reliable estimate of approximately one otherwise entirely avoidable death per every 50,000 circumcisions. This is a good paper to hold onto and send to prospective parents if they seem able to accept such information as parents are unlikely to permit ANY needless, medically unjustified risk involving their own children.

Earp, B. D., Allareddy, V., Allareddy, V., & Rotta, A. T. (in press). Factors associated with early deaths following neonatal circumcision in the United States, 2001-2010. *Clinical Pediatrics*, in press. Available online ahead of print at https://www.researchgate.net/publication/326040454_Factors_associated_with_early_deaths_following_neonatal_male_circumcision_in_the_United_States_2001-2010adsf

Clayton jury awards boy \$31M for botched circumcision

September 21, 2018

By Joshua Sharpe

The Atlanta Journal-Constitution

A Clayton County jury on Friday awarded a boy about \$31 million for a botched circumcision, a spokeswoman for his family's law firm said.

It isn't yet clear which of the defendants will have to pay and how much because records weren't immediately available. The child's

mother, Stacie Willis, didn't want to comment Friday night.

The boy was 18 days old in October 2013 when the flick of a knife at Riverdale's Life Cycle Pediatrics severed part of his penis and set into motion a lifetime of issues. The plaintiff's attorneys said the child, whose name is being withheld, will suffer mental anguish for years because of his deformity. There is also physical pain from chronic scabbing.

Defense attorney Terrell W. Benton, who represents the nurse midwife and doctor who have been found liable, had told the jury Thursday that \$1 million should cover the boy's medical expenses, as well as the the costs of long-term therapy and suffering.

But Neal Pope, representing Willis, aimed far higher. He put a picture of LeBron James up on a projector screen, saying the basketball player made \$99 million in three years, while pointing out that life expectancy estimates suggest the boy might live another 69 years.

"I think the case is a \$100 million case," said Pope.

Pope told the jury he has struggled for decades to explain pain in words — physical and mental pain.

The best he has come up with is: "Pain is a window into hell."

The boy's pain began when his mother brought him to the clinic so nurse midwife Melissa Jones could perform the circumcision.

With an accidental slip, she severed the tip of the child's penis, Pope said. Dr. Brian Register, who like Jones has been found liable, called the clinic's owner, Anne Sigouin, to alert her. Jones called the boy's pediatrician, Dr. Abigail Kamishlian of Daffodil Pediatric and Family Medical. Sigouin and Kamishlian both said they weren't made aware of the full extent of the injury.

No one recommended emergency surgery. Jones and Register left the severed tissue in a refrigerator and sent the bleeding boy home with his mother, Pope said. Had any of the medical professionals sent the child to an emergency room with the severed tissue, Pope said it could have been reattached, which might have limited the problems.

Jones, Register, Sigouin's Life Cycle Pediatrics and Life Cycle OB/GYN, Kamishlian and Daffodil Pediatric and Family Medical are all defendants in the suit. Jones and Register are the only ones who have already been found liable, but the plaintiff asked the jury to make all of them pay.

Willis has said she had to insert an instrument into her son's penis three

times a day to prevent it from closing after the circumcision. He had surgeries in Minnesota and Massachusetts, which attorneys on both sides agreed have made it easier for him to urinate and, according to one of the doctors, open the possibility that he could have children one day, though tests must be done around puberty to see if he needs more surgery.

Defense attorney Benton disputed any notion the nurse midwife and doctor at the clinic didn't take what happened seriously: "What evidence is there they didn't care about (him)?"

Pope focused on what he said the boy has endured — and will endure — the rest of his life because of the defendants' failures: the embarrassment once he gets older and tries to find a partner.

It will take a special person, Pope said, to accept the boy's deformity.

Executive Director's Note

This is the largest known legal award ever for a genital mutilation case. In an apparent yet odd coincidence, the largest victory prior to September 2018, also a legal settlement of a case also in Georgia in 1991, also involved an apparently unrelated plaintiff named Willis.

Danish parliament to consider ban on circumcision in October

The Local
September 27, 2018

A petition demanding parliament consider implementing a ban on circumcising boys under 18 is set to be considered by parliament. The petition reached in June the 50,000 signatures required to force parliament to take up the issue. Parliament's justice administration (Lovsekretariat) has since processed the petition and found it not to be in breach of the constitution and therefore valid for parliamentary

consideration.

Intact Denmark, a lobby group opposed to circumcision of healthy children, told broadcaster DR it expected parliament to vote on the issue in October. "We are pleased. It is a small piece of Danish and world history that we are now ready to take this step," the group's chairperson Lena Nyhus told DR. Supporters of the ban say that children should be allowed the right to make their own decisions over the procedure, and that long-term physical effects can result.

Opponents argue that it is parents' right to circumcise children under 18 and that religious circumcisions fall under

freedom of religion.

According to a survey conducted by DR in April, the majority of parties in parliament are yet to confirm their position on the issue or will allow their MPs to vote in accordance with personal views.

Circumcision of boys in Denmark is not common and is usually only conducted for religious reasons.

In 2016, The Economist reported that over 50 percent of male children were circumcised in the United States, in comparison with between two and three percent in Finland and the United Kingdom.

Judge dismisses female genital mutilation charges in historic case

Tresa Baldas, Detroit Free Press
November 20, 2018

In a major blow to the federal government, a judge in Detroit has declared America's female genital mutilation law unconstitutional, thereby dismissing the key charges against two Michigan doctors and six others accused of subjecting at least nine minor girls to the cutting procedure in the nation's first FGM case.

The historic case involves minor girls from Michigan, Illinois and Minnesota, including some who cried, screamed and bled during the procedure and one who was given Valium ground in liquid Tylenol to keep her calm, court records show.

The judge's ruling also dismissed charges against three mothers, including two Minnesota women whom prosecutors said tricked their 7-year-old daughters into thinking they were coming to metro Detroit for a girls' weekend, but instead had their genitals cut at a Livonia clinic as part of a religious procedure.

U.S. District Judge Bernard Friedman concluded that "as despicable as this practice may be," Congress did not have the authority to pass the 22-year-old federal law that criminalizes female genital mutilation, and that FGM is for the states to regulate. FGM is banned worldwide and has been outlawed in more than 30 countries, though the U.S. statute had never been tested before this case.

"As laudable as the prohibition of a particular type of abuse of girls may be ... federalism concerns deprive Congress of the power to enact this statute," Friedman wrote in his 28-page opinion, noting: "Congress overstepped its bounds by legislating to prohibit FGM ... FGM is a 'local criminal activity' which, in keeping with long-standing tradition and our

federal system of government, is for the states to regulate, not Congress."

Currently, 27 states have laws that criminalize female genital mutilation, including Michigan, whose FGM law is stiffer than the federal statute, punishable by up to 15 years in prison, compared with five under federal law. Michigan's FGM law was passed last year in the wake of the historic case and applies to both doctors who conduct the procedure, and parents who transport a child to have it done. The defendants in this case can't be retroactively charged under the new law.

Gina Balaya, spokesperson for the U.S. Attorneys Office, said the government is reviewing the judge's opinion and will make a determination whether or not to appeal at some point in the future.

Friedman's ruling stems from a request by Dr. Jumana Nagarwala and her codefendants to dismiss the genital mutilation charges, claiming the law they are being prosecuted under is unconstitutional.

A victory for the defendants

The defendants are all members of a small Indian Muslim sect known as the Dawoodi Bohra, which has a mosque in Farmington Hills. The sect practices female circumcision and believes it is a religious rite of passage that involves only a minor "nick."

The defendants have argued that "Congress lacked authority to enact" the genital mutilation statute, "thus the female genital mutilation charges must be dismissed." They also argue that they didn't actually practice FGM, but rather performed a benign procedure involving no cutting.

"Oh my God, we won!," declared Shannon Smith, Nagarwala's lawyer, who expects the government to appeal. "But we are confident we will win even if appealed."

Smith has maintained all along that her client did not engage in FGM.

Executive Director's Note

A federal district court judge has found the federal law barring female genital cutting unconstitutional. The basis for the judge's finding is that a federal law against criminal activity infringes on an area that is the states' province to regulate and is not within the interstate commerce clause exception, which in the past has been interpreted very broadly.

Accordingly, the Detroit-based judge dismissed charges against two Michigan doctors and six others who were being prosecuted for violating the law, which came into effect in 1997.

In an interesting coincidence, the judge who decided the case, Bernard Friedman, is the same judge Steven and colleagues had in a class action circumcision case in Queens, New York in 2002. Steven wrote about the 2002 case in his 2006 symposium presentation, "A Treatise from the Trenches: Why Are Circumcision Lawsuits So Hard to Win?"

"Dr. Nagarwala is just a wonderful human being. She was always known as a doctor with an excellent reputation," Smith said. "The whole community was shocked when this happened. She's always been known to be a stellar doctor, mother, person."

For FGM survivor and social activist Mariya Taher, who heads a campaign out of Cambridge, Massachusetts, to ban FGM worldwide, Friedman's ruling was a punch to the gut.

"Oh my God, this is crazy," said Taher, stressing she fears the ruling will put more young women in harm's way. "Unfortunately, this is going to embolden those who believe that this must be continued ... they'll feel that this is permission, that it's OK to do this."

Taher, who, at 7, was subjected to the same type of religious cutting procedure that's at issue in the Michigan case, said she doesn't expect laws alone to end FGM. But they are needed, she stressed.

"This is a violation of one person's human rights. It's a form of gender violence. ... This is cultural violence," 35-year-old Taher said.

Yasmeen Hassan, executive global director for Equality Now, an international women's rights organization, agreed, saying the ruling sends a disturbing message to women and girls.

"It says you are not important," Hassan said, calling the ruling a "federal blessing" for FGM.

"In this day and age, for FGM to still occur — and a federal government can't regulate this with a human rights violation — is very bizarre," she said. "This is not what I expected. It's so not what I expected."

Hassan added: "I don't think it's possible for the federal government not to appeal this case. My feeling is that it will go all the way to the Supreme Court."

Friedman's ruling also drew the ire of Sen. Rick Jones, R-Grand Ledge.

"I'm angry that the federal judge dismissed this horrific case that affected upwards of a hundred girls who were brutally victimized and attacked against their will," Jones said in a statement, noting 23 states don't have FGM laws.

"This is why it was so important for Michigan to act. We set a precedent that female genital mutilation will not be tolerated here, and we did so by passing a state law that comes with a 15-year felony punishment," Jones said. "I hope other states will follow suit."

The federal statute at issue states: "Whoever knowingly circumcises, excises or infibulates the whole or any part of the labia majora or labia minora or clitoris of another person" under the age of 18 shall be fined or imprisoned for up to five years, or both.

Prosecutors argue Nagarwala, the

lead defendant, did exactly that when she cut the genitals of two 7-year-old Minnesota girls who were tricked into the procedure in 2017 by their mothers.

They said Nagarwala did this with the help of Dr. Fakhuruddin Attar, who is accused of letting Nagarwala use his Livonia clinic after hours to carry out the procedures; and his wife, Farida Attar, who is accused of assisting Nagarwala in the examination room during the procedures and holding the girls' hands.

Prosecutors allege that Nagarwala may have subjected up to 100 girls to the procedure over a 12-year period, though they have cited nine victims in the case: two 7-year-old girls from Minnesota; four Michigan girls ages 8-12, and three Illinois girls.

Law deemed unconstitutional

Nagarwala has long maintained that she committed no crime and that she was charged under a law that slid through Congress without proper vetting.

"The law was never debated on the floor of either chamber of Congress nor was there ever any legislative hearing addressing the justification or need for the federal law. Instead, all that exists is the criminal statute itself," defense lawyers have argued in court documents, claiming the driving force behind the legislation was one lawmaker's belief that the prohibited conduct was 'repulsive and cruel.' "

But the Constitution demands more than that, the defense has argued, claiming Congress could not have passed a female genital mutilation ban under the Commerce clause because "notably, here, the activity being regulated has absolutely no effect on interstate commerce."

The judge agreed.

"There is nothing commercial or economic about FGM," Friedman writes. "As despicable as this practice may be, it is essentially a criminal assault. ... FGM is not part of a larger market and it has no demonstrated effect on interstate commerce. The commerce clause does

not permit Congress to regulate a crime of this nature."

The prosecution disagrees, arguing genital mutilation is an illegal, secretive and dangerous health care service that involves interstate commerce on a number of fronts: text messages are used to arrange the procedure; parents drive their children across state lines to get the procedure; and the doctor uses medical tools in state-licensed clinics to perform the surgeries.

In defending the statute, prosecutors also have noted that FGM is condemned worldwide -- it's illegal in more than 30 countries. And they've cited the legislative history of the law, along with U.S. Sen. Harry Reid's comments in pushing for a genital mutilation ban.

"I want everyone within the sound of my voice to understand that what I am going to talk about here today does not deal with religion and it does not deal with sex. It deals with violation of a person's human rights. It deals with degradation of women and young girls. It deals with the most inhumane thing a person can imagine," Reid stated in 1994.

On September 30, 1996, the female genital mutilation law was signed, with Reid stressing: "There is no medical reason for this procedure. ... It is used as a method to keep girls chaste and to ensure their virginity until marriage, and to ensure that after marriage they do not engage in extramarital sex."

Nagarwala, meanwhile, is still facing a conspiracy charge and an obstruction count that could send her to prison for 20 years, along with the Attars. If convicted of conspiracy, Nagarwala faces up to 30 years in prison.

The case is set to go to trial in April 2019.

Editor's Note

In April 2019, the Department of Justice announced that it would not appeal this ruling.

Important New Article Published About Steps Toward Artificial Regeneration of Foreskin

9 January 2019

After years of work by a startup operating under the name of Foregen, a team of authors headed by Valeria Purpura has published an important article about successes the team has had in its work toward eventually being able to artificially create foreskin tissue. Their article can be found in the "publications" section of our website.

Bob Van Howe, our movement's leading pediatrician and a frequent co-author of Steven Svoboda, says it better than we could:

- Using adult foreskins donated voluntarily, the researchers were able to preserve the connective tissue matrix of the foreskin that maintains its shape (both grossly and microscopically) and elasticity. It is hoped that this matrix can be subsequently filled in with all of the cells and nerves that are found in a healthy foreskin. Other tissues have not been able to replicate the basic framework of the foreskin.

- They describe and show (for the first time) the butterfly shape of the foreskin's structure. The ridged band provides the isthmus between the inner and outer surfaces. This is likely because of the elastic tissue that also is responsible for the band's pleated appearance.

- The introduction provides the best written summary of how and why the foreskin is important that I have ever read. It should be required reading for everyone interested in this topic.

- This is only the first (but a big) step in the process. I am amazed they have made as much progress as they have.

Peter Adler, ARC's Legal Advisor, also serves as Corporate Counsel for Foregen.

FGM: Mother guilty of genital mutilation of daughter

BBC News

February 1, 2019

A woman who mutilated her three-year-old daughter has become the first person in the UK to be found guilty of female genital mutilation (FGM). The 37-year-old mother from east London wept in the dock as she was convicted after a trial at the Old Bailey. Spells and curses intended to deter police and social workers from investigating were found at the Ugandan woman's home, the trial heard. Her 43-year-old partner was acquitted by the jury. Prosecutors said the mother "coached" her daughter "to lie to the police so she wouldn't get caught".

The defendants, who cannot be identified for legal reasons, denied FGM and an alternative charge of failing to protect a girl from risk of genital mutilation. Mrs Justice Whipple warned of a "lengthy" jail term as she remanded the woman into custody to be sentenced on 8 March. FGM - intentionally altering or injuring the female external genitalia for non-medical reasons - carries a sentence of up to 14 years in jail.

During the trial, the woman claimed her daughter, then aged three, "fell on metal and it's ripped her private parts" after she had climbed to get a biscuit in August 2017. Medics alerted police to the girl's injuries after they treated her at Whipps Cross Hospital, in Leytonstone. She "lost a significant amount of blood as a result of the injuries they had delivered and inflicted on her", jurors were told.

'Sickening offence'

While the parents were on bail, police searched the mother's home and said they found evidence of "witchcraft". Prosecutor Caroline Carberry QC said two cow tongues were "bound in wire with nails and a small blunt knife" embedded in them. Forty limes and other fruit were found with pieces of paper with

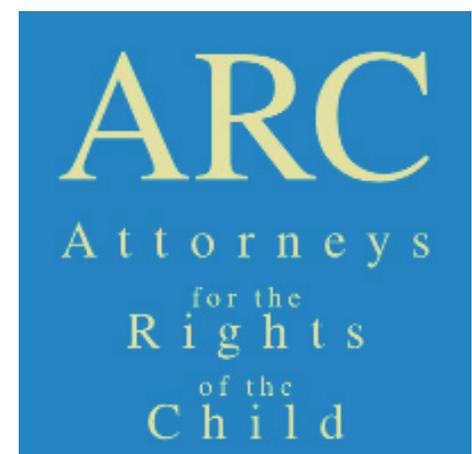
names written on them stuffed inside, including those of police officers and a social worker involved in the investigation.

"These people were to 'shut up' and 'freeze their mouths'," Ms Carberry said. "There was a jar with a picture of a social worker in pepper found hidden behind the toilet in the bathroom," she added.

It is only the fourth FGM prosecution brought to court in the UK. The previous cases led to acquittals. FGM campaigner Aneeta Prem, from Freedom Charity, said convictions were hard to secure because cuttings were "hidden in secrecy". "People are scared to come forward, professionals are scared to come forward to report this," she told the BBC. "The fact that we have a conviction today is a really historic moment."

Home Secretary Sajid Javid said FGM was a "medieval practice". "We will not tolerate FGM and not rest until perpetrators of this horrific crime are brought to justice," he added.

Lynette Woodrow, from the Crown Prosecution Service (CPS), said the "sickening" offence had been committed against a victim with "no power to resist or fight back". "We can only imagine how much pain this vulnerable young girl suffered and how terrified she was," she said. "Her mother then coached her to lie to the police so she wouldn't get caught, but this ultimately failed." Ms Woodrow said FGM victims were often affected physically and emotionally for "their entire life".



Leading Activist Author Rob Darby Passes Away

Steven Svoboda

April 24, 2019

I am sad to report that my friend and colleague, Australian author Robert Darby, has passed away. Rob and I met at the Sydney symposium in 2000. I later looked him up in his hometown of Canberra in 2003 and we had a wonderful and memorable lunch together. Rob and I went on to work closely for a number of years on several articles and letters, including our joint articles titled, "A Rose By Any Other Name" published in the *Medical Anthropology Quarterly* and later in an updated version in a book edited by Chantal Zabus. Somewhat remarkably, I fondly remember Rob and me writing this article largely by telephone.

In 2009, Rob wrote a truly magisterial submission to the Tasmania Law Reform Institute, breathtakingly well-written and researched with Rob's usual thoroughness. Rob could always be relied on for the accuracy of his information and for the tastefulness and restraint of its presentation. Through Rob, I was initiated to Philip Pullman's Golden Compass series of books, which are some of my favorite books (and which later became two underrated movies) and books with close thematic ties to the issue of genital autonomy.

Rob had a truly unique, piercing intellect and sense of humor, compassion and ability to be objective about the topic of genital autonomy despite his obvious profound emotional connection with the issue.

I am currently in Europe preparing to present with Antony Lempert on April 27, 2019 in Leeds, UK regarding our ongoing United Nations work. Brian Earp has written and generously allowed us to include his moving tribute to Rob. Please forward any text and/or photographic remembrances of Rob to us at arc@post.harvard.edu as well as to Brian

at brian.earp@gmail.com as we will be preparing a section of a newsletter to honor his memory.

Rest in peace, Rob. You were a true original and the world was a better place while you walked on it.



Robert Darby

Dear friends and colleagues,

It is with extreme sadness that I write to tell you that Robert Darby has died. Rob was a giant in the fight for children's rights. He was a learned historian, a moral philosopher, a skeptic, a literary critic, and an activist in the cause of social justice (on so many fronts). Whatever area of scholarship he took up, his contributions were always brilliant, measured, and deeply-informed. He made important contributions in several fields, from medical history and sexuality studies to anthropology to bioethics. With J. Steven Svoboda, he wrote the landmark paper, "A Rose By Any Other Name: Rethinking the Similarities and Differences between Male and Female Genital Cutting," published originally in *Medical Anthropology Quarterly* and later expanded and republished in an edited volume. This was a truly brave essay, shattering dogmas with impeccable erudition and a gentle touch, paving the

way for future scholars to think the unthinkable and say the unsayable in the name of protecting all children from medically unnecessary genital cutting.

His book, *A Surgical Temptation: the Demonization of the Foreskin and the Rise of Circumcision in Britain* (Chicago University Press, 2013), is a modern classic: a disturbing, astonishing, and painstakingly researched account of the insidious power of cultural and sexual prejudice to undermine medical practice. Rob's sparkling wit and vast understanding come through on every page.

He was a profoundly moral person, using his energy, skill, and intellect to advocate--day after day--for the most vulnerable among us. He lived his life with incredible wisdom and virtue, as a loyal friend, a patient colleague, a careful scholar, and tireless defender of human rights.

Rob's work and spirit have touched the lives of so many. He was a kind and sensitive person. For me personally, he was a dear friend and constant mentor, through good times and bad. To say he will be missed is not enough.

There are two short notices of death published in local Australian newspapers. Please consider leaving a memory or condolence.

If you would like to express how Rob's work or life has inspired you, please feel free to contact me at brian.earp@gmail.com.

I will collect these stories and make sure they are shared (with permission) among Rob's closest friends and colleagues.

Now is a time to grieve. We will look to ways of properly honoring Rob's memory and celebrating his life and work in the coming months.

Brian D. Earp
New Haven, CT
April 23, 2019

Cover photo:
“Hida Vioria presents at Genital Autonomy Symposium”
Saturday, May 5, 2018, Hotel Kabuki, San Francisco



Attorneys for the Rights of the Child © 2019
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