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Shouting at the Hebrews: Imperial Liberalism v Liberal Pluralism and the Practice of Male Circumcision

Richard A. Shweder

Department of Comparative Human Development, University of Chicago

The aim of this essay is to distinguish between two types of liberals: imperial liberals versus liberal pluralists. The two types I have in mind are those who assume that liberal ways of life are objectively more valuable than illiberal ways of life and should replace them (for the sake of making the world a better place), and those (such as myself) who don't make that universalizing assumption and believe instead that you can't live by liberalism alone. As a thought experiment I am going to examine the proposed distinction with regard to one small aspect of family life, albeit one that affects 20–30 percent of all males in the world in a very intimate way, namely the practice of male circumcision. This is a practice which at least in some of its varieties (for example, Jewish neonatal circumcision) and in the eyes of some of its critics (those who are unimpressed by claims and arguments about health benefits), seems patently illiberal (and even barbaric). Given the characteristic features of Jewish circumcision – a customary practice which originated as part of an imagined everlasting pact between Jews and their God and by means of which adult members of that community surgically mark the body of all male infants born to members of the group – it is not hard to see how in the eyes of an imperial liberal who assumes the universal pre-eminence of liberal ways of life over illiberal ways of life, this particular familial and communal tradition might be viewed as "the despotism of custom." On the other hand it is also not hard to imagine how in the eyes of a liberal pluralist who makes no assumption about the universal progressive replacement value of liberal over illiberal ways of life, the practice of neonatal male circumcision, even in absence of health benefits, might merely be viewed as an alternative and legitimate way of life "expressive of genuine human needs and embodying authentic varieties of human flourishing" (here quoting John Gray),[1] whose illiberality is not a measure of its lack of moral value. Examined are those two sets of eyes and their view of the practice of male circumcision.

Address for correspondence: Richard A Shweder, Department of Comparative Human Development, University of Chicago, 5730 South Woodlawn Avenue, Chicago, IL 60637, USA. E-mail: rshd@uchicago.edu

1. John Gray, *Isaiah Berlin* (Princeton, NJ: Princeton University Press, 1996), 152.

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In this essay I am less concerned with defining the general features of liberalism (although a definition will be offered momentarily) than with distinguishing between two types of liberals. The two types I have in mind are those who assume that liberal ways of life are objectively more valuable than illiberal ways of life and should replace them (for the sake of making the world a better place), and those (such as myself) who don't make that universalizing assumption and believe instead that you can't live by liberalism alone. I am going to call the first type the "liberal monist" (or somewhat more rhetorically "the imperial liberal") and the second type "the liberal pluralist" (or somewhat more rhetorically "the permissive liberal"). Although I will characterize the liberal monist (or imperial liberal) and the liberal pluralist (or permissive liberal) as ideal types I would not be unhappy if the reader preferred to think of the types as the two poles of a continuum, defined by the degree to which the liberal value of individual autonomy or freedom of choice is (or is not) thought to be the pre-eminent or unifying regulatory ideal for any decent and desirable way of life. I am not suggesting that there are only two types of liberals. Nor am I suggesting that this is the only continuum along which liberals might be scaled. What I do want to suggest is that the distinction between imperial liberalism and liberal pluralism is unavoidable if one observes and cares to understand the various ways liberals respond to illiberal ways of life.

As a thought experiment I am going to examine the proposed distinction with regard to one small aspect of family life, albeit one that affects 20–30 percent of all males in the world in a very intimate way, namely the practice of male circumcision. This is a practice which at least in some of its varieties, and in the eyes of some of its critics, seems patently illiberal (and even barbaric) for reasons that will become obvious in a moment. Sander Gilman quotes an Italian physician of the late nineteenth century whose voice (at least to my ears) sounds both liberal and imperial (and, at least with respect to the practice of male circumcision, is not at all permissive of alternative ways of life):

> I shout and shall continue to shout at the Hebrews, until my last breath: Cease mutilating yourselves: cease imprinting upon your flesh an odious brand to distinguish you from other men; until you do this you cannot pretend to be our equal. As it is, you, of your own accord, with the branding iron from the first days of your lives, proceed to proclaim yourselves a race apart, one that cannot, and does not care to, mix with ours.[2]

Of course very few, if any, of the Jewish adults to whom this Italian physician addressed his remarks actually branded themselves or elected to be circumcised, precisely because the deed was done to them by adult

2. Sander L. Gilman, 'Barbaric' Rituals,' In S.M. Okin, *Is Multiculturalism Bad For Women?* (Princeton, NJ: Princeton University Press, 1999), 53.

members of their community in the first days of life (canonically the eighth day after birth in the Jewish tradition – even Jesus Christ was involuntarily circumcised on the eighth day after his birth, which, incidentally, is one reason why the Gregorian calendar designates the beginning of the new year as January 1, as a way of honoring the imagined day of Christ's Jewish circumcision). In other words, the foreskin of those Jewish adults was surgically removed in infancy without their informed consent, thereby marking them as Jewish males and carrying forward into the next generation an ancient tribal bodily sign whose various meanings and anticipated consequences were not presented for reflective consideration or as matters of choice to the person being circumcised. According to Genesis 17 of the Torah (the Hebrew bible) the Jewish patriarch Abraham received detailed circumcision instructions from God ("… Thus shall my covenant be marked in your flesh as an everlasting pact. And if any male who is foreskinned fails to circumcise the flesh of his foreskin, that person shall be cut off from his kin; he has broken my covenant"). In the contemporary world uncircumcised Jewish males (for example those who grow up in countries where the practice is discouraged or proscribed, for example the former Soviet Union) sometimes elect to have the surgery performed in adulthood (for example when they emigrate to Israel or the United States) although this type of delayed circumcision is not the cultural norm, at least for Jews.[3] Abraham may have been the only Jewish male to have ever circumcised himself as a mature adult, at least according to legend.

Given the characteristic features of Jewish circumcision – a customary practice which originated as part of an imagined everlasting pact between Jews and their God and by means of which adult members of that community surgically mark the body of all male infants born to members of the group – it is not hard to see how in the eyes of an imperial liberal, that is to say in the eyes of a liberal monist who assumes the universal pre-eminence of liberal ways of life over illiberal ways of life, this particular familial and communal tradition might be viewed as "the despotism of custom" (recalling J.S. Mill's memorable phrase and his rather tendentious imperial liberal spin on cultural traditions). On the other hand it is also not hard to imagine how in the eyes of a permissive liberal, that is to say in the eyes of a liberal pluralist who makes no assumption about the universal progressive replacement value of liberal over illiberal ways of life, the practice of male circumcision among the Jews of Europe might merely be viewed as an alternative and legitimate way of life "expressive of genuine human needs and embodying authentic varieties of human flourishing" (here quoting John Gray),[4] whose illiberality is not a measure of its lack of moral value.

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3. See the wondrous history of Jewish thought about male circumcision in Shaye Cohen's provocatively titled book *Why Aren't Jewish Women Circumcised?: Gender and Covenant in Judaism* (Berkeley, CA: University of California Press, 2005).
4. John Gray, *Isaiah Berlin* (Princeton, NJ: Princeton University Press, 1996), 152.

I'll have more to say about these two sets of eyes and the practice of male circumcision below.[5]

I. Defining Liberalism in General

I have already hinted at my conception of liberalism, while invoking a yet to be developed distinction between imperial liberalism (liberal monism) and permissive liberalism (liberal pluralism). Here let me say more precisely what I mean by liberalism as a political, social or familial value. Although I am an anthropologist who specializes in the discovery of the moral foundations of diverse cultural traditions, including my own,[6] I have tried to educate myself about the general features of liberalism by reading political philosophy. So for the sake of this argument and to prepare the way for my focus on the distinction between liberals of the two types I hazard the following general definition of a liberal. A liberal is a person who has a moral taste for any way of life (whether familial, social or political) that encourages and enables persons endowed with reason and free will to lead their lives by their own lights and to realize their potential for self-governance. A liberal, in other words, is a person who values individual autonomy and the freedom of those who are endowed with reason and free will to fashion their own way of life and to do so free of coercion or external interference. William Galston[7] calls this characteristic mark of liberalism "expressive liberty;" John Gray[8] calls it "freedom of choice." Deborah Fitzmaurice[9] (making reference to the writings of Joseph Raz) notes that this long-established liberal ideal of autonomy is "the vision of people controlling, to some degree, their own destiny, fashioning it through their own decisions throughout their lives."

Joseph Raz[10] defines the conditions of autonomy as "appropriate mental abilities, an adequate range of options, and independence." In this essay when I speak of a liberal way of life (whether family life, social life or political life) I have in mind those norms for regulating and constituting family

5. For a sample of a range of very passionate opinions about genital modifications, male and female, see the comments elicited by two recent *New York Times* health and science blog postings, available at these web site addresses: http://well.blogs.nytimes.com/2007/12/11/the-rights-of-baby-boys/ and http://tierneylab.blogs.nytimes.com/2007/12/05/circumcision-or-mutilation-and-other-questions-about-a-rite-in-africa/; also http://tierneylab.blogs.nytimes.com/2008/03/19/a-compromise-on-female-circumcision/#comments
6. Richard A. Shweder, *Why Do Men Barbecue?: Recipes for Cultural Psychology* (Cambridge, MA: Harvard University Press, 2003).
7. William A. Galston, *Liberal Pluralism: The Implications of Value Pluralism for Political Theory and Practice* (New York: Cambridge University Press, 2002).
8. John Gray, *Isaiah Berlin* (Princeton, NJ: Princeton University Press, 1996).
9. Deborah Fitzmaurice, "Autonomy as a Good: Liberalism, Autonomy and Toleration", *The Journal of Political Philosophy*, 1 (1993), 1–16.
10. Joseph Raz, *The Morality of Freedom* (Oxford: Oxford University Press, 1988).

life and/or social life and/or political life that make manifest the ideal of autonomy by fostering conditions for its realization. An example might be a Jewish family that systematically educates its male and female children about the history, distribution and various meanings and imagined consequences of genital surgeries for males and females around the world, and exposes them to arguments for and against the practice made by theologians, medical scientists, cultural experts, and proponents and critics of various sorts, and then leaves it to their children to decide for themselves at some appropriate age of discretion whether to modify their own body.

II. Liberal Reactions to an Apparently Illiberal Practice

My interest in drawing a distinction between the two types of liberals originally arose from my anthropological work on the scope (and limits) of toleration for cultural differences in cultural contact situations. As peoples migrate from "third world" to "first world" sites they sometimes bring with them parochial communal practices that liberals deem illiberal (including the female genital surgeries embraced by many East and West African women).[11] While doing this work I was not unaware of the long history of liberal Jewish thinkers living as minority populations in the Diaspora among peoples who did not modify the genitals of their children. In the face of criticism by non-circumcising non-Jewish majority groups these liberal Jewish thinkers tried to come to terms with the apparently illiberal practice of neonatal male circumcision. They were inclined to either contrive some type of interpretation to make the practice sound liberal, or at least "enlightened," in some kind of universally acceptable way; or, alternatively, they responded by themselves shouting at the Hebrews, or worse. For example, they might offer up the sophistical (and rather implausible) claim that the biblical command creating an obligation for Jewish parents to circumcise all male infants as a sign of a special covenant between the Jewish people and God was really just an effective public health measure in theological disguise (if circumcision had public health benefits why disguise them instead of advocating the practice in precisely those public health terms?), the practical benefits of which the non-circumcising world (and indeed most of the Jewish world as well – those who thought they were circumcising their sons for theological reasons) had somehow failed to recognize for thousands of years.

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11. See the essays in Richard A. Shweder, Martha Minow and Hazel R. Markus, eds., *Engaging Cultural Differences: The Multicultural Challenge in Liberal Democracies* (New York: Russell Sage Foundation Press, 2002); also see Nomi Stolzenberg, "He Drew a Circle That Shut Me Out: Assimilation, Indoctrination and the Paradox of a Liberal Education," *Harvard Law Review*, 106 (1993), 581–667, for a brilliant discussion of the scope and limits of liberal tolerance.

Today those Jews who continue to search for liberal rationalizations of neonatal male circumcision are currently excited by claims that male circumcision may somewhat reduce the risk of contracting AIDS. Claims and counter-claims about the health benefits of circumcision have been with us throughout history and I have my doubts about the reliability, generality, scale and implications of most of these claims, including the recent one. But for sake of the argument it is worth noting that the premise that male circumcision has a modest protective effect against contracting AIDS if you live in an endemic venereal disease region and are sexually active and don't use a condom does not support the conclusion that all infants should be circumcised. Under any reading of the limited evidence condoms are far more effective than the surgical removal of the foreskin in reducing the chances of infection and not everyone in the world is at risk. Moreover, the truly and fully liberal approach would be to present all males with the option to freely choose between having a circumcision versus making use of condoms when those males are about to become sexually active, while at the same time providing them with accurate information about their personal risk of infection in the light of where they live and how they plan to conduct their sexual lives in the coming years. In other words, given that the potentially relevant risks don't arise until the teenage years the parental decision to circumcise a helpless infant rather than defer the decision-making process calls out for a more convincing justification.

A supplementary stream of liberal rationalization might argue that any reasonable and fully self-governing person would want to be pre-committed in the course of ontogenetic development to a neonatal circumcision. This line of reasoning invites us to imagine that if an infant could project itself into its own future and speak from the perspective of an informed decision-maker it would prefer to be circumcised by its parents early in life so as to reduce the chance of backing out of the operation later in life due to fear or anxiety over the anticipated discomfort of the procedure. According to this argument there is nothing illiberal about circumcising an infant because the helpless and inarticulate child has tacitly elected to put the decision to circumcise in the hands of its guardians; and has implicitly instructed them to perform the operation early in life in anticipation of the counterproductive inhibitions that might result from being conscious of what was going to be done.

That argument seems pretty weak too, given that many of the world's circumcised males have in fact elected to be circumcised later in life and approached the surgery knowingly and willingly, as a self-affirming and dignity-enhancing ritual test of their courage or as a deeply meaningful event of some sort. This is true, for example, among almost all circumcised males in South Korea and in West and East Africa, where the operation is typically performed between age six years and twenty years, when the males are older, wiser and fully conscious. And of course many males, indeed perhaps 70–80 percent of males on a world-wide scale, would rather not be circumcised at all, if given a choice.

To bolster this line of argument one might suggest that any male born into a community where it is normative to be physically marked as a member of a circumcising in-group would want to have the surgery done when it is easier to do; but that argument rests on the rather illiberal assumption that the option to seek membership in a group other than the one into which one is born or to be free of all group affiliations and identities entirely should not be a live option for individuals at all. This argument runs up against another argument as well: the fact that even within circumcising groups circumcision may not be the preference for at least some males, as evidenced by those vocal few who, once they have developed beyond infancy to a stage of self-consciousness, feel scarred or wounded, and express regret or anger at what their parents have done to them.

And, as noted above, not all adults who would elect to be circumcised as adolescents or adults would have preferred to have it done when they were infants (prior to the time when the experience would be remembered and could be layered with cultural and personal significance), if only they had possessed the mental abilities to think about it and make their desires known to their guardians at the time. If you are consistently liberal (that is you are an imperial liberal/liberal monist) the types of justifications available to you for foreclosing the freedom of choice of your child should be defined predominantly or exclusively by liberal values. Those would be justifications associated with the notion of parenting as liberal guardianship or liberal stewardship, in which the aim of the parent is to promote the child's capacity for self-governance while only making those decisions on the child's behalf that any enlightened self-governing individual would want to make on its own. Thus, deferring the parental decision and then offering your child the option to be circumcised at a point when he is able to exercise his reason and free will would seem to be the truly liberal thing to do. (I put to the side in this essay the much deeper question whether liberal theory can be made fully compatible with the existence and everyday functioning of the human family as we know it.)

In other words the LIBERAL arguments offered as a justification for NEONATAL circumcision (and grounded, since they are LIBERAL arguments, in the notion that parents are merely doing what is best for the infant and acting as implementers of decisions that the child himself would want them to make on his behalf) seem pretty contrived and unconvincing. "Call me a fundamentalist," one commentator wrote to the *New York Times* health blog mentioned in footnote 5, "but like my father and the hundreds of generations that preceded me, there is only one reason why I am circumcised: It's a mitzvah [the moral law derived from a divine commandment]. From Abraham down to me, it is a basic belief. That the world can't seem to get that is beyond me." Below I shall suggest that liberal pluralism (or permissive liberalism) does get it, because liberal pluralism is liberal but not consistently so; and it makes room for practices such as male circumcision whose moral foundations must be understood on more than, or other than, liberal terms.

Not all Jewish liberal monists (imperial liberals) have tried to rationalize the practice of neonatal male circumcision in liberal terms. Some have simply concluded that the practice is in fact illiberal and therefore lacks moral justification. The earliest known circumcision-related example of liberal Jews shouting at the illiberal ones, and worse, is recorded in the book of Maccabee. There we learn about the Greek ruler Antiochus IV Epiphanes in the second century B.C.E., who was one of the regional political successors to Alexander the Great. Apparently on the urging and with the support of liberal Hellenized Jews in Judea, Antiochus provoked the legendary Maccabee uprising (really an ancient Jewish civil war) by criminalizing all Torah-based Jewish customs that seemed illiberal to "enlightened" Greeks in that era. Today the Maccabee revolt is often celebrated (on the holiday called Hanukkah) as an heroic defense of religious freedom, but it should not be forgotten that the practices that were being defended by force of arms (the circumcision of male infants, communally enforced regulations tabooing the eating of pork and mandating a no work day on the Sabbath, and the religiously motivated avoidance of contact with polluting non-Jewish outsiders in matters of marriage, education, friendship and social life) were viewed as illiberal by the great Jewish Hellenists of those times (the imperial liberals of that day) who, in this instance, did more than just shout at the Hebrews: we are told in Maccabees that Antiochus decreed that women who had their sons circumcised should be put to death!

III. A Few Things One Ought to Know About Male Circumcision

Male circumcision is not a unitary practice around the world and not all varieties of it are necessarily illiberal. The ideal of self-governance, of fashioning one's life through one's own decisions, of leading ones life free of external interference is not violated when adult or even teenage males living in Botswana or South Africa elect to be circumcised because they believe (rightly or wrongly) that the operation will significantly reduce their chances of contracting a devastating venereal disease. Those liberal ideals are not violated when Jewish or Muslim adults or even teenage males chose to emigrate from the former Soviet Union (where male circumcision was prohibited) to Israel or the United States or Turkey or Egypt (where male circumcision is viewed as normal) and then elect to have their foreskin excised because they believe (rightly or wrongly) that through this surgical removal of a part of their body the body is made more perfect or more ritually pure or less carnally hedonistic or because they like the way it looks or view it as a sign of the Jewish or Muslim covenant with God or of their ethnic or religious identity.

But those cases, where the liberal ideal of autonomy is realized in the very act of electing to surgically modify one's genitals, are not the kinds of cases I have in mind. The kind of cases of interest are rather those where the practice of circumcision is so apparently illiberal and in violation of the

ideal of autonomy that it can serve as grist for the mill of debate between imperial liberals and liberal pluralists; and, thus, can help us clarify the distinction between those two types of liberals. In a moment I will describe two relevant hypothetical cases. But first a brief empirical summary of the nature, distributions and various meanings associated with the practice of circumcision is in order; for it is useful to remind ourselves that the nature, meaning and prevalence of neonatal male circumcision in the United States today or among Jews historically and today is not necessarily typical of the practice on a world-wide scale.[12]

Although most human adult males are not circumcised (this despite the frequency and even fashionableness of the practice in the United States), on a world-wide scale hundreds of millions of human adult males have bodies that have been surgically altered in this way. While it is hazardous to try to be precise about the exact numbers, estimates suggest that 20–30 percent of the world's male population have had their genitals modified, and not necessarily in infancy. The prevalence rates for the practice are region specific and culture specific. Male circumcision is virtually non-existent in China, Japan, Mongolia, Hindu India, Latin America and it is infrequent in most of Europe, including Italy, France, Germany, the Scandinavian countries and the former Soviet Union (where many Jews were so terrorized by norms or prohibitions against the practice that they remained uncircumcised until they emigrated to Israel or the United States and then had the operation performed as adults).[13]

In the United States however (with the possible exception of the Hispanic population) male circumcision has been commonplace since the early 20th century, where it is routinely and primarily a neonatal procedure, and hence is performed without seeking the explicit consent of the individual child.[14] Overall male circumcision rates in the USA in recent decades have ranged between roughly 60–80 percent. There are popular cultural beliefs or folk models positing that it makes you healthier, cleaner, happier and better looking. There are also popular claims that abound about its effect on sexuality, including the notion that it reduces the intensity of sexual pleasure (in popular American culture this claim is usually presented with

12. See Richard A. Shweder, "Customs Control: Some Anthropological Reflections on Human Rights Crusades," *Virginia Journal of Social Policy and the Law* 14 (2006), 1–38, where some of the descriptions of circumcision in this section have been previously published.
13. One wonders whether during the "cold war" the Soviet policy should have been viewed as a ground for a USA political asylum claim by Russian citizens, especially Jewish and Muslim ones, who were either denied a circumcision in their homeland or persecuted for having one. The same provocative (even if quite remote) hypothetical asylum question might arise if liberal Denmark or Sweden, in recoil against illiberal Muslim immigrants, ever criminalizes male circumcision, which is not entirely out of the question.
14. For a history of male circumcision in the USA see David L. Gollaher, *Circumcision: A History of the World's Most Controversial Surgery* (New York: Basic Books, 2000); also Geoffrey P. Miller, "Circumcision: Cultural-Legal Analysis," *Virginia Journal of Social Policy and the Law*, 9 (2002), 497–585.

a negative spin, although in some parts of the world, and historically, this claim often has positive connotations) while also reducing the likelihood of premature orgasm during coitus (in popular American culture this claim is usually presented with a positive spin). The truth or falsity of these beliefs has been a matter of endless speculation and debate for many centuries. The 12th century Jewish Rabbi Maimonides described the male foreskin as a moral defect whose presence "renders sexual self-control difficult" and he recommended circumcision to male adults as a way of reducing sexual desire to a point where they could more successfully get in touch with their less carnal and higher spiritual nature.[15]

Notably the practice is not currently normative in any English speaking country other than the United States (circumcision rates are relatively low in New Zealand, England, Canada, and Australia, with the exception of Muslims and Jews; and to mention Australia again, with the exception of the local aboriginal population for whom a version of male genital surgery called sub-incision was customary). The practice is also prevalent and customary in many East and West African ethnic groups (where its distribution transcends religious identity: Christians do it, Muslims do it, animists do it, often in the context of either a coming of age ceremony into adulthood or as a means of achieving a culturally conceived normal gender identity – for some ethnic groups in East and West Africa the foreskin is viewed as an unattractive fleshy encumbrance resembling the female sexual organ and adult manhood is partially achieved by removing the female element from the male and hence perfecting the body by means of a culturally normative surgical intervention) although male circumcision is much less common among ethnic groups in the Southern areas of Africa. It is customary as well for Muslims and Jews almost everywhere in the world (although not in the former Soviet Union, where, as noted, it was at times against the law, and also perhaps not on Continental Europe where many Jews seem to have abandoned the practice after the Nazi experience, although much more data is needed on circumcision rates among Jewish males in France, Belgium and Germany).

Quite remarkably, aside from Israel, the highest national male circumcision rates in the world today may be in South Korea and the Philippines. The South Korean case is particularly fascinating,[16] because it was the American military occupation that brought male circumcision to South Korea (although not to Japan) and within a couple of generations South Korean circumcision rates matched or exceeded those of the United States.

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15. Shaye Cohen, *Why Aren't Jewish Women Circumcised?: Gender and Covenant in Judaism* (Berkeley, CA, University of California Press, 2005), 149.
16. D.S. Kim, J.Y. Lee, and M.G. Pang, "Male Circumcision: a South Korean Perspective,". *BJU International*, 53 (1999), 28–33. Available at http://www.cirp.org/library/cultural/kim1/ M.G. Pang, and D.S. Kim, "Extraordinarily High Rates of Male Circumcision in South Korea: History and Underlying Reasons," *BJU International*, 89 (2002), 48–54. Available at http://www.cirp.org/library/cultural/pang1/

During the first decades of this process of rapid cultural diffusion the modal age of circumcision in South Korea was a male in his mid-twenties and many older adult men came forward to have the operation, largely because it was associated with being modern (like the Americans) and with various claims about its effects on health and sexuality (for example, reducing the risk of premature ejaculation). Over time the surgery appears to have become a kind of customary rite of passage into adulthood, so much so that South Koreans do not like to circumcise infants. Today only 10 percent of male circumcisions in South Korea are neonatal. The surgery takes place overwhelmingly between age six and the late teenage years, and many South Korea-doctors recommend that the surgery take place at the onset of puberty.[17]

One South Korean perspective on male circumcision, a rather liberal sounding one, is that it is precisely because circumcision is painful, unbidden, externally imposed and meaningless to an infant or a very young child that the operation should take place in later childhood or during adolescence. South Korean parents reason that an older boy is conscious and willing to accept the pain for the sake of the perceived benefits of the surgery, which include an elevation of status (mature, no longer a child) and the approbation of peers, kith and kin. South Korean parents who are accustomed to the practice of male circumcision in South Korea and then migrate to the United States might well ask: why in the world do liberal Americans circumcise infants who have no choice in the matter and are coercively made to experience pain? Why not just wait and create a cultural context in which the child "voluntarily" embraces the pain. South Korean parents think their own children routinely elect, or at least accept, the operation (over 90 percent are circumcised) but of course their children do what they do "willingly" or "by their own decision" under some rather compelling informational and social constraints. In other words, they carry on their lives in a meaningful cultural context in which decisions have consequences for one's reputation, social standing and communally supported sense of self-worth and in terms of local definitions and evaluations of a "normal" body or a "normal" person.

Of course most of us make decisions and carry on our lives precisely that way most of the time – "voluntarily" but in an already given socially and historically structured context; this is plausibly called "voluntarily behavior" but in a significantly qualified and bounded sense. Whenever one conducts an evaluation of the liberal credentials of any particular way of life a rather fundamental issue is whether the liberal ideal of pure autonomy and its imagined negation – the dystopian force of pure compulsion – really

17. D.S. Kim, J.Y. Lee, and M.G. Pang, "Male Circumcision: a South Korean Perspective,". BJU International, 53 (1999), 28–33. Available at http://www.cirp.org/library/cultural/kim1/ M.G. Pang, and D.S. Kim, "Extraordinarily High Rates of Male Circumcision in South Korea: History and Underlying Reasons,". *BJU International*, 89 (2002), 48–54. Available at http://www.cirp.org/library/cultural/pang1/

get us very far in understanding the complex mix of motives that lead us to cooperate with others in the perpetuation of our way of life. Many, perhaps most, of our genuine commitments in life feel both legitimate and expressive of core aspects of our self yet are not really freely chosen in the God-like or utopian sense of being voluntarily selected from a choice set in which all logically imaginable options or ways of living are readily and equally available for selection at all times and with equivalent costs and benefits; nor are they simply the products of external brute force. In most instances our commitments in life are voluntary and bounded/constrained at the same time. For the moment I circumvent that profound question about how to explain the vast amount of human behavior that is neither purely a matter of free choice nor purely a matter of compulsion by considering two hypothetical cases of circumcision that at least at first blush have a striking appearance of illiberality in the relevant sense – in these cases the child is offered no options (to circumcise or not to circumcise) and some significant aspect of the child's life is fashioned not by himself but entirely by others. Later I will have more to say about the fact and value of socially bounded/culturally constrained voluntarism and its connection to liberal pluralism. Consider first the following two cases.

Hypothetical 1: The Case of the Innocent Jewish Child

The first hypothetical case imagines a Jewish population living in the United States in the 21st century under conditions similar in two respects to those of Jews who lived in the European Diaspora (say in Italy or Russia) in the late 19th century, namely as a small minority group in a national context where the majority Christian population does not circumcise their sons. To make this slightly more imaginable let's assume that the current anti-male circumcision advertising campaigns have been so successful that in the United States only Jews and Muslims retain the practice. Imagine also that as a matter of cultural aesthetics and individual taste (judgments of beauty and ugliness, attraction and disgust), most young Christian women are personally disinclined to marry a circumcised male and most young Jewish and Muslim women personally disinclined to marry an uncircumcised male. Then, as the Italian physician quoted earlier declared (and feared) this minor medical procedure (this "branding" as he called it) in effect would amount to a significant parental, familial and communal influence on the personal marriage choices of children and effectively would help perpetuate a sense of in-group identity and social exclusion. Under such circumstances, in which the adult-controlled family life practices of different religious or ethnic groups results in the involuntary development of divergent tastes in children that then function as personal inhibitions to marrying outside the group, would we want a liberal government to step in to level the playing field? Under the liberal banner of "justice and equality in marriage choices" or perhaps "free choice in pair bonding," the law could just prohibit and criminalize the ancient Jewish and Muslim custom.

The government, in its liberal wisdom, would be protecting the autonomy of children and trying to ensure that men and women from different ethnic backgrounds might find each other physically attractive so that patterns of preferential in-group marriage (like marrying like, on the basis of tastes and preferences acquired by virtue of family background) would disappear from society. The liberal state in effect would be promoting the cultural assimilation of Jews and Muslims, and of any other minority group, bound together by selective marriage preferences based on tastes that are involuntarily acquired in childhood and bear the distinctive "brand" of communal custom.

Hypothetical 2: The Case of the Reluctant South Korean Child

The second hypothetical case imagines a South Korean couple around the time when their son would be circumcised in Seoul, where 90 percent or so of all male children undertake the surgery and most of them do so after age 6. Let's say the child is eight years old and was eager to have the surgery before he went off on a holiday with his parents to the USA and saw a sensational anti-male circumcision advertisement on a San Francisco cable television station. Imagine that upon returning to Seoul he announces that he does not want his foreskin to be removed. His parents, however, believe that a circumcision is in the best interests of the child. Like almost all South Korean adults they believe it is abnormal, unhealthy and even ugly to remain uncircumcised and they view circumcision as an essential feature of a normal maturing boy's body. They worry about his marriage prospects if he is not circumcised. The child, however, complains to one of his teachers at the English medium American-run school he attends in South Korea, and the teacher contacts the local chapter of a liberal international NGO that promotes children's rights. They appeal to a local judge (or other relevant government authority) to intervene in the affairs of the family and bar the parents and all medical professionals from performing the operation. Should the court grant the activist organization legal standing to represent the interests of the child? Which side are you on in this case, and why? Given the hypothetical circumstance of a non-consenting minor born into a family and society in which male circumcision is the norm would it be desirable to stop the operation if you could? Should the parents be allowed to go forward with the circumcision, despite the wishes of their eight year old? Why, or why not?

IV. Understanding the Response of an Imperial Liberal

I have already implied that the logic of imperial liberalism and its universalizing assumption favors the ban on all neonatal and early childhood circumcisions in the United States (hypothetical 1) and supports a legal

restraining order or some type of intervention barring the South Korean parents from circumcising their eight year old son (hypothetical 2). I wish to also suggest that if, after careful and due consideration, you think those judgments are mistaken then you are probably not an imperial liberal (or liberal monist). You might be a liberal pluralist.

As noted earlier, imperial liberalism is the view that liberal ways of life are superior or more valuable than illiberal ways of life. For an imperial liberal the defining liberal value of autonomy (and those conditions that make the realization of genuine autonomy possible) trumps all other values; that core liberal value is then universalized, leading to various imperial impulses: to liberate individuals so they can be self-governing; to do everything possible (including mobilizing the coercive powers of the State and international organizations and the economic power of private actors) to spread and enforce liberal ideals and practices in all corners of society and throughout the world.

The doctrine implies that all domains and dimensions of a way of life (not just politics but associational and family life as well) should be ruled by principles of autonomy (and correlated or derivative principles such as equal regard for all persons viewed as individuals rather than as representatives of social categories). In the light of this type of liberal doctrine all supra-individual social forces, including the in-group/out-group distinctions, communal attachments, gender-based status obligations and the religious identifications that constitute and mark divisions within and across groups, are presumed to be invidious or repressive, to foster discrimination, and to create barriers to the legitimate exercise of self-determination and free choice. In the ideal imperial liberal world individuals are encouraged to be self-governing, liberated, free thinking cosmopolitan persons; to detach themselves from their tradition-bound commitments and communal identifications; and to experience the quality of their lives primarily in group transcending ecumenical terms (for example, as measured by health, wealth, years of life or some overall measure of abstract or subjective "utility").[18]

Susan Okin's well-known essay "Is Multiculturalism Bad for Women?"[19] is a canonical example of the imperial liberal vision of society. Imperial

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18. The imperial liberal's view that liberal values are objectively more valuable than illiberal values is, undoubtedly, subject to several alternative interpretations, of which I will mention just two. It might be interpreted as saying that the liberal value of autonomy is not only just rationally appealing but is the most appealing of all the rationally appealing values, of which there are many in the moral universe. Alternatively it might be interpreted as saying that the ideal of autonomy is the only rationally appealing value. Such an interpretation might be put this way: ALL BUT ONE of the values in the set of things that are valued by a human being are merely subjective preferences or tastes rather than discoveries of what is truly desirable, while the liberal value of autonomy (free choice, expressive liberty) to form whatever preferences one wants is the only really objective value, because it is the value that makes all other valuing possible.
19. Susan M. Okin, "Is Multiculturalism Bad For Women?" In Susan M. Okin, ed., *Is Multiculturalism Bad For Women?* (Princeton, NJ: Princeton University Press, 1999).

liberal theorists such as Okin are prone to view all aspects of social life as political, to expand the scope and regulatory power of the liberal ideal, to decry all in-group/out-group exclusions and to encourage interventions into the family life of illiberal groups. Okin exemplifies the logic of imperial liberalism by almost demanding the full extension of the principle of autonomy (and its correlative or derivative principles) to all domains of society, including the intimate or private realm of family life; and she sheds no tears over the prospect that a universal enforcement of liberal values might result in the complete eradication of group differences in social and family life practices around the world. A ban on involuntary genital surgeries for both boys and girls until they are old enough to decide for themselves how to lead their lives would seem to be a logical extension of the imperial liberal or liberal monist approach. It would preserve for every individual the option not to be physically marked as a member of a parochial in-group and would show respect for persons by granting them full freedom to define for themselves the meaning of their own body parts in the pursuit of a good and authentic life.

V. Understanding the Response of a Liberal Pluralist

In contrast to the logic of imperial liberalism the logic of liberal pluralism leaves room for the toleration of illiberal practices and does not demand a moral judgment calling for the universal replacement of illiberal practices by liberal ones. By that logic the practice of circumcision among Jews living as a minority group amidst a non-circumcising majority might find safe haven (hypothetical 1) and the rights of South Korean parents to use their discretion and override the wishes of their eight year old son (hypothetical 2) might, after due consideration, be supported. Here is one reason why.

In John Gray's account of Isaiah Berlin's theory of value pluralism[20] one finds the following argument:

> To hold that only liberal ways of life are valuable, or that they are always more valuable than illiberal ways of life, is to ascribe to freedom of choice a pre-eminent value that is undefended and implausible – especially if the truth of value pluralism is assumed. It is to say that, when the preservation or extension of diversity in valuable ways of life conflicts with negative freedom, it is always the former that must yield. But if diversity comes into conflict with liberty, and diversity is that of worthwhile forms of life expressive of genuine human needs and embodying authentic varieties of human flourishing, why should liberty always trump diversity – especially if one is a value pluralist?

20. John Gray, *Isaiah Berlin* (Princeton, NJ: Princeton University Press, 1996), 152.

> To claim that it must do so is to say that no form of life deserves to survive if it cannot withstand the force of the exercise of free choice by its members.[21] [This of course is precisely what imperial liberals or liberal monists do believe]

Gray asks[22]: "…why should the value of unimpeded choice always trump that of forms of life that are undone by that choice? How could it if value-pluralism is true?" He also notes that illiberal societies, just like liberal societies, need not necessarily deny the truth of value pluralism; because a society (whether illiberal or liberal) denies the truth of value pluralism only to the extent it tries to universalize its own preferred values, and nothing about illiberalism entails that mission-like universalistic assumption. Gray[23] notes that many illiberal cultures "are particularistic, not universalistic, in the values they claim to embody." In other words, one can be illiberal (the Amish are an example, so too most Hasidic Jews and Hindu Brahmans) without being imperial and while accepting that alternative values might underwrite the authentic ways of life of others.

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21. Value pluralism, a theory of moral values developed by Isaiah Berlin, is an account of the moral universe which claims that the moral world consists of multiple, heterogeneous and not necessarily compatible goods or values and that these goods cannot be reduced to a common measure or ranked in a single universal hierarchy of value with some one master value taking precedence over all the rest. Useful philosophical discussions of Berlin's theory and value pluralism more generally can be found in John Gray, *Isaiah Berlin* (Princeton, NJ: Princeton University Press, 1996) and William A. Galston, *Liberal Pluralism: The Implications of Value Pluralism for Political Theory and Practice* (New York: Cambridge University Press, 2002). Empirical work on the multiple and heterogeneous domain of moral goods can be found in J. Haidt, S. Koller, & M. Dias, "Affect, culture, and morality, or is it wrong to eat your dog?" *Journal of Personality and Social Psychology*, 65 (1993), 613–628; Jonathan Haidt and Craig Joseph, "Intuitive Ethics: How Innately Prepared Intuitions Generate Culturally Variable Virtues," *Daedalus*, Fall Issue (2004), 55–66; Lene A. Jensen, "Habits of the Heart Revisited: Autonomy, Community, Divinity in Adults' Moral Language," *Qualitative Sociology* 18 (1995) 71–86; Lene A. Jensen, "Different Habits, Different Hearts: The Moral Languages of the Culture War." *The American Sociologist* 29 (1998) 83–101; Lene A. Jensen, "Through Two Lenses: A Cultural-Developmental Approach to Moral Psychology," *Developmental Review*, 28 (2008), 289–315; Richard A. Shweder, Manamohan Mahapatra and Joan G. Miller, "Culture and Moral Development": In Jerome Kagan and Sharon Lamb, eds., *The Emergence of Morality in Young Children* (Chicago: University of Chicago Press, 1987), 1–83; and Richard A. Shweder, Nancy C. Much, Manamohan Mahapatra and Lawrence Park, "The 'Big Three' of Morality (Autonomy, Community, Divinity) and the 'Big Three' Explanations of Suffering." In A.M. Brandt and P. Rozin, eds., *Morality and Health* (New York: Routledge. 1997), 119–169.

    This empirical work raises the possibility that the liberal ethics of autonomy of the sort discussed in this essay is only one of three (or more) major ethical domains that compose the moral universe. Other domains include an ethics of community (where values such as duty, hierarchy, interdependency, loyalty and personal sacrifice are highly valued and the self is conceptualized as an office holder or social status bearer rather than as a individual preference structure rich in wants that deserve to be satisfied) and an ethics of divinity (where values such as sanctity and purity are highly valued and the self is conceptualized as a extension of some elevated and elevating divine realm or sacred ground).
22. John Gray, *Isaiah Berlin* (Princeton, NJ: Princeton University Press, 1996), 151.
23. John Gray, *Isaiah Berlin* (Princeton, NJ: Princeton University Press, 1996), 151.

One can be a liberal pluralist (although not an imperial liberal) and accept that as well.[24]

VI. Defending Liberal Pluralism

It is not my aim in this essay to defend liberal pluralism (although I think it is well-worth defending) but rather to distinguish it from imperial liberalism with respect to the illiberal practice of neonatal male circumcision. Any full defense of the doctrine will have to clarify and set straight the logical connection between liberalism and pluralism, which is a challenging (even daunting) task.[25] I don't plan to work out that connection here. Briefly stated, however, my own view of a possible answer to this hard question is as follows: On the one hand liberalism in general does not entail value pluralism in the relevant sense; primarily because, while liberalism in general can be tolerant or permissive of diverse ways of life, liberalism per se is tolerant only of those diverse outcomes or ways of life that result from the exercise of autonomy and freedom of choice by individuals who have been liberated from or transcended group influence and the "despotism of custom"; while on the other hand value pluralism in general does not entail liberalism, precisely because if values are plural nothing requires the universal privileging of this one value (e.g., autonomy) over any other (e.g., sacrifice, doing one's duty, loyalty).

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24. The view that autonomy (free choice, expressive liberty) does not invariably take precedence or have the greatest or only claim to genuine value is itself subject to at least two interpretations; although it is something like the second interpretation that Gray has in mind. The first interpretation (one often disparaged as "relativism" or "subjectivism") is that there are no objective values at all; this is the view that human declarations of value are (nothing other than) expressions of desires or feelings or emotions rather than reality seeking representations of moral truth; according to this interpretation even liberal values are merely matters of taste. The second interpretation holds that many values, liberal and illiberal, are objective values and are appealing to rational and morally decent people precisely because in their own way, and applied in the right context, they are truly of value; nevertheless, in a plural moral universe there is no way to rationally choose, in the abstract, amongst the many true (and often conflicting) values in the set of ideals human beings value. According to this interpretation, the values made manifest in one's own way of life may be matters of taste (in the sense of being discretionary and not uniquely dictated by reason) yet they are not MERELY matters of taste, because they express some partial aspect of moral truth.
25. See for example William Galston or John Gray for a discussion of various arguments about the connection between the value of autonomy and the truth of value pluralism. John Gray for example offers a critique of the notion that the truth of value pluralism is itself an argument in favor of liberalism: "If liberal societies are to be commended on the pluralist ground that they harbour [sic] more genuine values than some illiberal societies, does it not follow that the human world will be still richer in value if it contains not only liberal societies but also illiberal regimes that shelter worthwhile forms of life that would otherwise perish?" John Gray, *Isaiah Berlin* (Princeton, NJ: Princeton University Press, 1996), 152. Also William A. Galston, *Liberal Pluralism: The Implications of Value Pluralism for Political Theory and Practice* (New York: Cambridge University Press, 2002).

Therefore, instead of trying to derive pluralism from liberalism or liberalism from pluralism my approach to the connection is to suggest that liberalism and value pluralism both make legitimate claims on our moral understanding, but not because either can be derived from the other. Rather I wish to suggest that the claims of liberalism and the claims of value pluralism (which taken together result in the doctrine of liberal pluralism or permissive liberalism) are both legitimate because liberalism and value pluralism have their common foundation in a single underlying, universal and paradoxical truth about the relationship of human minds to the knowable world. That fundamental truth defines a higher order principle from which both liberalism and pluralism can be jointly derived.

The higher order principle is this one: that for each and every human being the knowable world is incomplete if seen from any one point of view, incoherent if seen from all points of view at once, and empty if seen from nowhere in particular. Given that basic truth, the choice for each and every human being (and for each and every society as well) is to live a life that is either: (a) incomplete; (b) incoherent; or (c) empty. A way of life in which all possible value commitments and points of view were available all the time and in all contexts lacks coherence and would face many practical problems concerning the coordination of action and the predictability of social life. No viable form of life can be THAT liberal – voluntary choice is always bounded by social constraints and local cultural meanings (beliefs and values). The condition of detached ideological emptiness (the view from "nowhere in particular") that comes from having no particular value commitments or substantive point of view at all is also incompatible with the existence of each and every way of life. Given that choice set (incompleteness, incoherence or emptiness), incompleteness (in the sense of the partiality or selectivity of one's value commitments and the ultimate non-logical or discretionary character of the restrictive assumptions about what is true and good shared by participants in any particular way of life) is really the only viable option for meaning-seeking social creatures. That fact of cognitive incompleteness is the very source of custom or tradition. If (from the very special point of view of an imperial liberal) custom and tradition are described or spun as "despotic" or illiberal precisely because with custom and tradition comes constraint, then the proper response from the perspective of a liberal pluralist is to point out that for cognitively incomplete human beings life in any particular society is limiting in a rather benign (indeed enabling) and certainly unavoidable sense.

A full and sincere recognition of the implications of the fundamental truth (that the knowable world is incomplete if seen from any one point of view, incoherent if seen from all points of view at once and empty if seen from nowhere in particular) leads to both liberalism and pluralism; and to the recognition they are not necessarily in a state of harmony. Autonomy, liberty and freedom of choice must be valued for the sake of acknowledging the very fact of the diversity of viewpoints; and any society that tried

to live entirely without liberal values (denying to its members even the right through "voice" and "exit" to favor ways of life founded on alternative points of view) would become tyrannical and would be held together exclusively by brute force. On the other hand any society that tried to keep everyone's options open everywhere and all the time would be following a recipe for producing chaos, frustration and endless failures of trust and cooperation among members of the same society; and that society too would soon begin to act tyrannically as it tried to transform every illiberal practice into a liberal one and made use of its coercive powers to intervene in the "internal affairs" of societies it viewed as illiberal. When it comes to the question of value, you can't live by liberalism alone, nor can you live entirely without it either.

By the lights of liberal pluralism the voice (and claims) of individual autonomy (demanding, for example, that parents not circumcise their children when the child is very young and that the decision-making process be delayed until the child is old enough to exercise freedom of choice) is always entitled to a moral hearing. Nevertheless that voice and its claims are also potentially refutable; and a balance must be struck between liberal and illiberal values to sustain any particular way of life. The Hebrews long ago recognized that truth, and they have struggled with it for millennia; which is one reason this liberal pluralist does not shout at the Hebrews. Jomo Kenyatta, the leader of the Kenyan national liberation movement against tyrannical imperial liberal British rule (he was also the first President of a postcolonial Kenya), once famously compared the intimate circumcision scars of East African men and women to Jewish ones and described those bodily signs "as the *conditio sine qua non* of the whole teaching of tribal law, religion and morality."[26] Recall the *New York Times* blogger[27] who remarked: "Call me a fundamentalist but like my father and the hundreds of generations that preceded me, there is only one reason why I am circumcised: It's a mitzvah [the moral law derived from a divine commandment]. From Abraham down to me, it is a basic belief. That the world can't seem to get that is beyond me." Perhaps he had only been talking to imperial liberals!

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26. Jomo Kenyatta, *Facing Mount Kenya: The Tribal Life of the Gikuyu* (London: Secker and Warburg, 1938), 133.
27. See Footnote 5.