

Naming of an Improperly Circumcised Child

RABBI DAVID H. LINCOLN

This paper was adopted on February 15, 1984 by a vote of 13-1. Members voting in favor: Rabbis Isidoro Aizenberg, Salamon Faber, David M. Feldman, Morris Feldman, Edward M. Gershfield, David H. Lincoln, George Pollak, Mayer E. Rabinowitz, Barry S. Rosen, Morris M. Shapiro, Israel N. Silverman, Henry A. Sosland and Alan J. Yuter. Voting in opposition: Rabbi Kassel Abelson.

Note: This paper reverses a tentative teshuvah which was adopted on August 23, 1983, when the Committee approved the naming of an improperly circumcised child either at a Shabbat afternoon service or at a Monday or Thursday shaharit service.

SHE'ELAH

A case has come up in my congregation of a member whose daughter gave birth to a son and the parents had arranged for a medical circumcision in the hospital (several days prior to the eighth day) and will not consider a religious circumcision nor the drawing of a drop of blood at a later date. The grandparents have asked whether, under those conditions, the baby can be named in the synagogue. Please advise me of the legal and broader implications of the case and whether it is permissible or advisable to name the child in the synagogue. (Submitted by R. Aryeh Wineman, Derby, CT)

TESHUVAH

The Committee decided by a narrow majority on August 23, 1983 that although we do not encourage such a procedure, we may name the child either at a Shabbat afternoon service or at a Monday or Thursday *shaharit* service.

I personally have felt that we should take a firm stand in these matters and strongly discourage parents from using doctors, Jewish or Gentile, on the third day or whenever. I have seen that my own determination not to name boys in the synagogue (and other factors, including the procedures employed by excellent *mohalim* in our area) has caused a dramatic change in

attitude by our membership, which has resulted in the fact that I do not normally have this problem.

In almost no other country are children circumcised on days either before or after the 8th day, or by anyone other than a *mohel*. Indeed, in Great Britain, even the Royal Family used an Orthodox doctor who was a *mohel*. (It was the well - known Snowman family from London who had the monopoly for generations.)

The question was, however, regarding naming in the synagogue, and interestingly, this is not so clear from ancient sources.

Rabbi Solomon B. Freehof, in his *Recent Reform Responsa*,¹ addresses himself to the question of naming a child when circumcision is delayed due to illness, and state law (Louisiana) requires immediate registration. Rabbi Freehof, in a most fascinating responsum, points out the history of naming. He feels that in biblical times, the child was named at birth: "...and Leah bore a son, and she called his name Reuben " (Genesis 29:32). This at least implies that names were given at birth. Curiously enough, he indicates that the first clear examples of naming a child at circumcision come not from classic Jewish literature, but from the New Testament. One is Luke 1:59, "On the eighth day they came to circumcise the child; and they called him Zacharias after the name of his father." In Luke 2:21 we find, "and when the eight days were accomplished for the circumcising of the child, his name was called Jesus." (Thus Christmas, and eight days later New Year's!)

Nowhere in the Mishnah or in the Talmud is there any mention of any requirement or custom to name the child at the *brit*. The first mention of it is in the Midrashic literature of the Middle Ages in *Pirkei d'Rabbi Eliezer*, Chapter 48. Speaking of Moses, the text indicates that his parents named him Yekutiel at his circumcision. He also quotes the Tur, *Even Ha'ezer* 265 in which the *Ittur* of the 12th century speaks of the custom.

My own reading of the Shulhan Arukh, *Yoreh De'ah* 265:1, leads me to agree with Dr. Freehof that the naming formula is only stated incompletely as something well known. The conclusion that he arrives at is that at least no violation of law is involved in naming in a synagogue, but merely a divergence in custom.

Rabbi Isaac Klein, in *A Guide to Jewish Religious Practice*, seems to take it for granted that the time for naming is the *brit*, and mentions no other formula.²

CONCLUSION

There may indeed be nothing wrong in naming a boy in the synagogue, or anywhere else. There is, however, a most serious wrong in not having a ritual circumcision. I do not have to stress the importance of this mitzvah, with all of the ramifications of even setting aside the laws of Shabbat, etc. By allowing naming ceremonies for male children, we are condoning a flagrant denial of our tradition. We cannot be a party to these violations. I suggest that if asked "after the fact," we (1) enjoin the parents to allow *hattafat dam*; or (2) if they refuse, advise them to give the child a name themselves without involving us in their wrongdoing.

NOTES

1. Solomon B. Freehof, *Recent Reform Responsa* (Cincinnati: The Hebrew Union College Press, 1963).
2. Isaac Klein, *A Guide to Jewish Religious Practice* (New York: The Jewish Theological Seminary of America, 1979), pp. 427, 429.

IV.

CONVERSION

