

## Westchester Community for Humanistic Judaism

### 1.

#### JEWISH POSITIONS ON REPRODUCTIVE FREEDOM - Some Key Sources From the Torah and other Sacred Texts:

**“Judaism is unequivocal. Reproductive justice is not just for women, it’s for everyone. Everyone is deserving of healthcare. We all deserve the dignity of access to the healthcare that is right for us. Let us not think that in 2023 that we no longer have to deal with these issues. Let’s instead make sure that everyone has access to necessary affordable healthcare. And let’s stop thinking that our religious spaces should be excluded from these conversations.” -Rabbi Rafi Spitzer**

1. **Genesis 2: 7** “The LORD God formed man from the dust of the earth. He blew into his nostrils the breath of life, and man became a living being.” ***(The full status of person begins at a viable birth.)***

2. **Exodus 21: 22-25** “When men fight, and one of them pushes a pregnant woman, and a miscarriage results, but no other damage ensues, the one responsible shall be fined accordingly as the woman’s husband may exact from him, the payment to be based on reckoning.” ***(The fetus does not have the status of personhood; causing a miscarriage incurs monetary damages, not capital punishment for manslaughter.)***

3. **Rashi on Sanhedrin 72b: 14** “If a fetus is a threat to the mother, and for the entire time it has not gone out into the air of the world, it is not considered a soul, it is possible to kill it to save its mother. But when its head came out, we cannot touch it to kill it, as it is like a born baby.” ***(The full status of person begins at a viable birth.)***

4. **Holy Talmud** “The fetus is considered mere water until its 40th day. ***(A fetus is regarded as a part of its mother’s body and not a separate being until it begins to egress from the womb.)***

5. **Rabbi Jacob Emden, 1759 Responsa** “In the case of an adulterous woman there is reason to be lenient (regarding abortion) if there is a great need, as long as the fetus has not begun to emerge, even if the mother’s life is not in jeopardy, but only so as to save her from an evil associated with it that would cause her great pain. **Rabbi Yehuda ibn Ayyash of Algiers, 1740** “Regarding women who are pregnant and do not want to remain pregnant once they have already conceived. The woman may be permitted to drink an abortive drug. ***(Using self-aborting drugs)***

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### 2.

6. **Rabbi Ben Zion Chai Uziel, 1947-1964, Responsa** “It is clear that abortion is not permitted without reason. That would be destructive and frustrative to the possibility of life. But for a reason, even if it is a slim reason, such as to prevent disgrace, then we have precedent and authority to permit it. **Rabbi Eliezer Waldenberg, Tzitz Eliezer 13: 102** “Maharit 1: 97-99 permits arrangement for a Jewish woman to abort a fetus where it is needed for the mother’s health, even without it being a matter of saving the mother’s life.”  
**Rabbi Kass Abelson (1980)** “There is clear precedent in the tradition to permit abortion of a fetus to save another’s life, to safeguard her health, or even for a very thin reason.”

7. **Rabbi Becky Silverstein, 1922** “The text of the Talmud invokes a verse from the biblical Book of Proverbs, “Lev yodea Marat nafsho” or “The heart knows the bitterness of its soul” to teach that it is the person in distress who knows what direction is best for themselves to take. In this way, Judaism’s principle of “Lev yodea marat nafsho” authorizes as experts both pregnant people who want to end a pregnancy and trans people seeking gender-affirming care or the right to live as their true selves. It demands that we honor the self knowledge of those individuals.”

## HAVDALA

**AFFIRMATION:** We affirm that all human beings are endowed with the inherent right to dignity and autonomy. Let us be guided toward loving and caring community and nation that reveres this dignity in each of us. We affirm that reproductive freedom, the right to own the personhood of one’s own body - a fundamental part of the just society for which we strive.

May we be endowed with the strength and resolve we need because the path that lies ahead is challenging and we all need resilience, strength and courage.

Let us protect the most impacted and marginalized among us because it is they who are most at risk.

We do this work because our tradition teaches us to be compassionate and loving individuals who must consider this a holy and sacred work.

May our country become a place of liberty and justice for all , and may our care for one another include care and respect to good and affordable healthcare, including reproductive healthcare, and the right to live safely and securely as we each follow our path of conscience..

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### 3.

**Light the Candle:** With wine, candle and spices we mark the ending of Shabbat and the beginning of a new week. The wine reminds us of our heritage that tells us that now our period of rest is over, it is time to continue our work of seeking justice and freedom for all. This Shabbat we have studied the sacred texts of our tradition that deal with these difficult topics. Scripture teaches us “justice, and only justice shall you pursue.” This candle reminds us that we must persevere in our determination to reach this goal. And the spices inspire us to look forward to the day when these goals are met.

**Lift Wine Cup:** We bless the web of life which brings forth the fruit of the vine for our enjoyment.

**Lift Spice Box:** We are thankful for the earth which produces all spices. (*Smell spices*)

**Raise Havdala Candle:** We are grateful for the light and warmth of fire which has blessed humanity. (*Hold candle to the light*)

**Blessing of Separation:** As we mark the separation of Shabbat from the rest of the week, we commit to separating ourselves from arrogance, hatred, prejudice, and injustice. May we be inspired to lives of goodness and compassion in the coming week and in the trying times ahead. We give thanks for our minds and consciences which separate what is right from what is wrong. (*Sip wine*)

(*Extinguish candle*)

**SHAVUA TOV**