

June 16, 2021

The Honorable Dick Durbin  
Chair  
Senate Committee on the Judiciary  
224 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Chuck Grassley  
Ranking Member  
Senate Committee on the Judiciary  
224 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Richard Blumenthal  
Chair  
Senate Committee on the Judiciary  
Subcommittee on The Constitution  
224 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Ted Cruz  
Ranking Member  
Senate Committee on the Judiciary  
Subcommittee on The Constitution  
224 Dirksen Senate Office Building  
Washington, DC 20510

**Over 300 Jewish Clergy Leaders Express Support for the Women’s Health Protection Act**

Dear Senators Durbin, Grassley, Blumenthal, Cruz, and Committee Members:

As Jewish clergy leaders from across the United States representing all major denominations of Judaism, we write to express our strong and unequivocal support for the Women’s Health Protection Act, S 1975.

In partnership with the National Council of Jewish Women, we represent a network of over 1,000 Rabbis and Jewish Clergy for Repro who have pledged to speak out about reproductive justice in our communities and to educate others about the Jewish values underpinning our support for abortion access for all. We are working to ensure that our communities are places where anyone who has, or may ever, terminate a pregnancy feels loved and welcomed, where people understand what our tradition teaches about these issues, and where we emphasize the importance of fighting for reproductive health, rights, and justice for everyone.

The Women’s Health Protection Act embodies this mission and our hope for a future where all are free to make their own moral and faith-informed decisions about their lives, their futures, and their families without political interference. It is profoundly unjust that abortion bans and restrictions fall hardest on those already facing barriers to exercising their human rights — including Black, Indigenous and People of Color (BIPOC); those working to make ends meet; members of the LGBTQI+ community; immigrants; young people; those living in rural communities; and people with disabilities.

In Judaism, we consider *pikuach nefesh*, the saving and preserving of life, to be one of our most critical principles. We affirm that protecting the existing life of the pregnant person is paramount at all stages of pregnancy. In fact, a fetus is not considered a person under Jewish law and, therefore, does not have the same independent rights as one who is already living and functioning in the world. The Talmud (Yevamot 69b) asserts that the fetus is “mere fluid” for the first 40 days (what would be considered 7 or 8 weeks’ gestation by today’s counting) and, following this period, the fetus is considered a physical part of the pregnant individual’s body (Gittin 23b).

This is why we understand the goal of the Women’s Health Protection Act — ensuring equal access to abortion nationwide — not only as a reproductive justice issue, but as a matter of religious freedom as well. Jewish historical experience, including our experiences in the US, call on us to celebrate religious liberty, which honors individuals’ rights to both freedom of and freedom from religion. We depend on religious liberty to be a protective shield, not a weapon used to harm others or to block access to essential health care. Our faith tradition and the US Constitution demand that no one religion should be enshrined in law or dictate public policy on any issue, including abortion.

For example, Judaism traditionally teaches that the fetus only has the status of personhood at the onset of labor and childbirth (Mishnah Ohalot 7:6). As such, policies granting “fetal personhood” rights or establishing that “life” begins at conception are contrary to these teachings and violate the First Amendment’s Establishment Clause by enshrining one religious view into law. What’s more, because Jewish law not only permits abortion in many cases but also requires it when the life or health (including psychological and physical health) of the pregnant individual is at risk, laws limiting or restricting access to abortion directly impede Jews’ ability to practice Judaism, further violating the Free Exercise Clause while simultaneously infringing upon the constitutional right to privacy found in the Fourteenth Amendment.

We need federal legislation to stop the relentless tide of nearly 500 abortion bans and restrictions enacted in the last decade that have constrained both reproductive and religious freedom. The Women’s Health Protection Act would create a new tool for safeguarding access to high-quality care and securing constitutional rights by protecting patients and providers from political interference. The bill guarantee providers the right to deliver abortion care — and people the right to receive that care — without limitations that single out abortion or impede access to care. Notably, the bill would also establish clear guidance for courts considering whether a requirement impedes access to abortion care in violation of Women’s Health Protection Act.

We call on Congress to pass the Women’s Health Protection Act to protect access to abortion and to help us build a society where all can participate equally and thrive in our communities with dignity and freedom. Thank you for holding a hearing on this critical legislation and for the opportunity to provide testimony.

Respectfully,

Rabbi Herschel Aberson  
Rabbi Susan Abramson  
Rabbi Mona Alfi  
Rabbi Adina Allen  
Rabbi Doug Alpert  
Rabbi Renni Altman  
Cantor Dana Anesi  
Rabbi Noah Arnow  
Cantor Devorah Avery  
Rabbi Ilana Baden  
Rabbi Elizabeth Bahar  
Rabbi Daniel Bar-Nahum

Rabbi Rachel Barenblat  
Rabbi Meir Bargeron  
Rabbi George Barnard  
Rabbi David Basior  
Rabbi Lia Bass  
Rabbi David Dunn Bauer  
Rabbi Philip Bazeley  
Rabbi Rachel Bearman  
Rabbi Shelley Kovar Becker  
Rabbi James Bennett  
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Cantor Julie Berlin  
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Rabbi Amy Bernstein  
Rabbi Allison Berry  
Rabbi Amy Bigman  
Rabbi Barry Block  
Rabbi Adena Blum  
Rabbi Kim Blumenthal  
Rabbi Rena Blumenthal  
Rabbi Sam Blustin  
Rabbi Karen Bogard

Rabbi Erin Boxt  
Rabbi Julie Bressler  
Rabbi Gary Bretton-Granatoor  
Rabbi Deborah Bronstein  
Rabbi Josh Brown  
Rabbi Shawna Brynjegard-Bialik  
Rabbi Meredith Cahn  
Rabbi Richard Camras  
Rabbi Kenneth Carr  
Rabbi Carla Cenker  
Rabbi Elyssa Cherney  
Rabbi Noah Chertkoff  
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Rabbi Ayelet S. Cohen  
Rabbi Sandra Cohen  
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Rabbi Andy Dubin  
Rabbi David Eber  
Rabbi Judith Edelstein  
Rabbi David Edleson  
Rabbi Denise Eger  
Rabbi Amy Eilberg  
Rabbi Sandy Eisenberg Sasso  
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Rabbi Barat Ellman  
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Rabbi Robyn Fisher  
Rabbi Joshua Fixler  
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Rabbi Eli Freedman  
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Rabbi Dayle Friedman  
Rabbi Shoshana Friedman  
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Rabbi Gary Gerson  
Rabbi Jordie Gerson  
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Rabbi Jill Perlman  
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Rabbi Iah Pillsbury  
Rabbi Daniel Plotkin  
Rabbi Sam Pollak  
Rabbi Gayle Pomerantz  
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Rabbi Taylor Poslosky  
Rabbi Richard Prass  
Rabbi Deborah Prinz  
Rabbi Esther Reed  
Rabbi Deborah Reichmann  
Rabbi Steven Rein  
Rabbi Steven Reuben  
Rabba Dorothy Richman

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Rabbi Yael Ridberg  
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Rabbi Adam Rosenwasser  
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