

REPRODUCTIVE JUSTICE

As attacks on access to reproductive health increase, Reform communities are mobilizing to protect these rights. This cohort will be run in partnership with Women of Reform Judaism.

Reproductive Justice: Jewish Values

Life is sacred in Judaism. Banning potentially life-saving medical procedures and interfering with a doctor's decision-making runs contrary to the Jewish commandment to protect life.

This belief, combined with biblical and rabbinic emphasis on human dignity, has led the Reform Movement to view the life of the pregnant individual as paramount; placing a stronger emphasis on protecting existing life than on potential life (Exodus 21:22-23).

The great physician and rabbi, Maimonides, stated that "if a woman is in hard labor...her life takes precedence over [the fetus'] life." In the *Mishnah Ohalot* 7:6, a woman is forbidden from sacrificing her own life for that of the fetus, and if her life is threatened, she is allowed no other option but abortion.

In addition, if the mental health of the individual is at risk, then their life should take priority, giving them no other option than to terminate the pregnancy. It is due to the intrinsic Jewish belief in the sanctity of life that abortion is viewed under some circumstances as both a moral and necessary decision.

Reproductive Justice: Jewish Texts

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 according as the woman's husband may exact from him. But if other damage ensues, the penalty shall be life for life.

(Exodus 21:22-23)

The common rabbinical interpretation of this verse is that the men did not commit murder if the only injury is a miscarriage. The primary concern is the well-being of the person who was injured.

[If] a woman is having trouble giving birth....her life comes before its life.

Mishnah Ohaloth 7:6

This passage forbids a pregnant person from sacrificing their own life for that of the fetus, and if their life is threatened, the text permits them no other option but abortion.

The Reform Movement interprets the use of the phrase "her life comes before its life" to not only mean abortion is permitted and necessary when someone's physical life is in jeopardy, but that the life of the person who is already living, their future aspirations, plans, and dreams, must also be taken into consideration.

Prior to forty days of gestation the fetus is mayim b'alma [mere water].

Mishnah Yevamot 69b

The verse in Deuteronomy (4:15) "*You shall indeed guard your souls,*" has traditionally been interpreted as commanding us to protect our health. Furthermore, a passage in the Talmud commands, "*Whoever is in pain, lead him to the physician*" (Baba Kamma 46B).

The rabbis concluded that Jews should live in cities where doctors live, in order to have access to health care. Attempts to restrict access to reproductive health care is in direct opposition of this sacred commandment.