

Abortion Rights, Bound to the Altar

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Reading the Binding of Isaac, prominent in this week's Torah portion, we may rightly ask what lesson we are expected to learn from a patriarch who quickly rushes to fulfill God's command that he slaughter his son for a burnt sacrifice.

That question has long divided theologians and philosophers. Claire Carlisle explains: "In his lectures on the Book of Genesis in the 16th century, Martin Luther praised Abraham for his uncritical obedience to God—for the 'blind faith' exhibited by his refusal to question whether it was right to kill Isaac. In the late 18th century, Immanuel Kant took the opposite view, arguing that Abraham should have reasoned that such an evidently immoral command could not have come from God. For Luther, divine authority trumps any claim on behalf of reason or morality, whereas for Kant there can be nothing higher than moral law."ⁱ

Many of us are skeptical of "blind faith," do not believe that God speaks directly to human beings to reveal the Divine will, and keep our distance from people who profess to know what God wants them to do. Moreover, if a religious tradition made demands that we consider immoral, we would either reform it or abandon it altogether. Many of us or our ancestors became Reform Jews because some practices that mark Orthodox Judaism, particularly regarding the role of women, do not conform to our sense of what is right. Others converted to Judaism, finding a new spiritual home after leaving Christian denominations with positions on sexual orientation and gender identity they found immoral.

Writing about *Parashat Vayeira*, this week's portion, in *The Social Justice Torah Commentary*, Rabbi David Segal confesses: "There can be little doubt that God rewards Abraham for his willingness to carry out the" homicidal sacrifice of Isaac. But Rabbi Segal asks us to consider another incident in the portion. In that story, "Abraham pretends [that his wife] Sarah is his sister, for fear" that the local king, Abimelech, will kill him in order to take Sarah as his own wife. Abraham apparently imagines Abimelech to be immoral—in Abraham's words, not God-fearing. In this case, Rabbi Segal explains, "Abraham equates fear of God with a basic commitment to ethical norms."ⁱⁱ

Many people believe that they hear the voice of God, that they know exactly what God wants—not only for them individually, but for entire societies—and that God's will is, by definition, moral. For such people, imposing their vision of God's will on others is both a religious requirement and an ethical one.

In America, this phenomenon is not new. As Rabbi Segal laments, “American slavery of Black Africans was considered biblically approved by Christian and Jewish voices alike.”ⁱⁱⁱ Today, religion is used as an excuse for oppression primarily in matters related to gender and sexuality, whether the specific issue is the role of women, equal rights for people of all sexual orientations and gender identities, or reproductive health care. Rabbi Segal rightly notes that “as Jews in America, we support the First Amendment’s protection of the free exercise of religion. It is the ‘bulwark of religious freedom and interfaith amity’ that has made America a refuge for Jews.” And yet, he adds: “We live in the tension of wanting limitless religious freedom for ourselves and, at the same time, limits on religious expressions that cause harm.”^{iv}

Many Americans hold a firm religious conviction that abortion is murder. In their minds, that’s not merely a belief, but God’s word and will. For them, a fetus is a person, so killing it is murder. Some do permit abortion to save the pregnant person’s life, since that might be considered self-defense rather than murder. Others permit additional exceptions, such as in cases of rape, incest, or a threat to the pregnant person’s health that would not necessarily kill her. Still others envision no exceptions whatsoever, as they view even a life-threatening pregnancy as God’s will. Either way, these folks would offer the pregnant person no vote.

The extent to which some people are certain of their religious views was driven home to our Confirmation class and me two years ago, when two of our students, Tillie Reagler and Sydney Shemper, lobbied our Arkansas representatives in D.C. for abortion rights. While Senator Boozman has always acknowledged our differing religious beliefs respectfully, Senator Cotton’s chief speechwriter presumed not merely to assert that **his** religious beliefs should control American law, but even that Tillie and Sydney, backed by me, had misrepresented Jewish tradition! Needless to say, the man arguing with me about Judaism’s position is not Jewish.

With biblical basis in the Book of Exodus,^v Judaism has never considered killing a fetus to be murder. If a pregnancy threatens the pregnant person’s life, the rabbis require that the fetus be killed to save the mother, up to the moment of birth.^{vi} Our Talmudic Sages explained that, in Judaism, the fetus has the same status as any other part of the person carrying it, like an arm or leg.^{vii} To this day, all Jewish legal authorities agree that the wellbeing of the pregnant person is the only permissible cause for abortion, though various authorities differ over how great the threat must be.^{viii}

Still, we who value the First Amendment do not imagine that Jewish law should be imposed on all Americans. We similarly oppose those would transform

other religious views into laws that would restrict all Americans’ rights—including, in this case, a pregnant Jewish person’s right to terminate a pregnancy in keeping with her own religion.

Rabbi Segal rightly notes that American Jews want “limits on religious expressions that cause harm.”^{ix} Make no mistake: bans and onerous restrictions on abortion cause tremendous harm, particularly to pregnant people who are poor and disproportionately people of color. Wealthier people can travel to another state—though, if *Roe v. Wade* is thrown out, that may require a very long drive, like from New Orleans to southern Illinois. The Texas law, somehow still in effect today, is downright Orwellian, permitting literally **anybody** to sue **anybody** who helps a pregnant Texan secure an abortion, potentially costing a middle-income clinic worker \$10,000 times the infinite number of random people who sue her.

The religious arrogance that would harm so many Americans today may begin with Abraham and his certainty that God wants him to slaughter his son for sacrifice. I would not be the first to suggest that Abraham fails that test. Maybe God wants to examine whether Abraham could be trusted to implement the covenant on his own, with moral reasoning about what God really wants, or would require God’s continuing direct intervention. God persists in providing direct guidance for centuries. As Rabbi Segal explains, the rabbis decreed that prophecy—that is, God’s direct word to humans—ended with Malachi, and for good reason: “The Rabbis understood that you cannot maintain a social contract or justice system if everyone has a ‘God told me so’ escape clause.”^x

We are living in a time when too many Americans are attempting to take what they believe God has revealed to them and impose it on our entire society, often in a way that harms many people, particularly the powerless. As Rabbi Segal says, “Rabbinic tradition calls us to check our own prophetic certainty, even on our most passionately fought social justice battlefronts.”^{xi} Let us call on all Americans to join us in that religious humility and to enhance the freedom of every person in this land.

Amen.

ⁱ Claire Carlisle, “Kierkegaard’s world, part 3: The story of Abraham and Isaac,” *The Guardian*, March 29, 2010, [Kierkegaard's world, part 3: The story of Abraham and Isaac | Clare Carlisle | The Guardian](#).

ⁱⁱ Rabbi David J. Segal, “The Abraham Bind: The *Akeida* and Religious Freedom,” *The Social Justice Torah Commentary*, Edited by Rabbi Barry H. Block, New York: CCAR Press, 2021, p. 22.

ⁱⁱⁱ Segal, p. 25.

^{iv} Segal, p. 21. Rabbi Segal is quoting a Union of American Hebrew Congregations (now Union for Reform Judaism) 1965 Resolution on Separation of Church and State, [Separation of Church and State | Union for Reform Judaism \(urj.org\)](#).

^v Exodus 21:22-23.

^{vi} Mishnah Ohalot 7:6.

^{vii} Babylonian Talmud, Gittin 23b.

^{viii} “Abortion to Save Siblings from Suffering,” TFN No.5755.13 171-176, CCAR Responsa, 1995, [TFN no.5755.13 171-176 - Central Conference of American Rabbis \(ccarnet.org\)](http://www.ccar.org/TFN/TFN%20no.5755.13%20171-176%20-%20Central%20Conference%20of%20American%20Rabbis%20(ccarnet.org).).

^{ix} Segal, p. 21.

^x Segal, p. 23.

^{xi} Segal, p. 24.