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Series A: Union of American Hebrew Congregations, 1961-1996.

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Religious Coalition for Abortion Rights, 1981-1990.

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I am Rabbi Alexander Schindler. I serve as President of the Union of American Hebrew Congregations, the national congregational body of Reform Judaism, representing over one million people in approximately 750 congregations.

At our 1975 Biennial Convention, two thousand delegates representing their congregations in democratic fashion, voted overwhelmingly to support the constitutional right of a woman to obtain a legal abortion if she freely chooses to do so, as determined by the Supreme Court in 1973. The resolution reads in part:

The UAHC reaffirms its strong support for the right of a woman to obtain a legal abortion on the constitutional grounds enunciated by the Supreme Court in its 1973 decision in Roe v. Wade, 410 U.S. 113 and Doe v. Bolton, 410 U.S. 179, which prohibit all governmental interference in abortion during the first trimester and permits only those regulations which safeguard the health of the woman during the second trimester. This rule is a sound and enlightened position on this sensitive and difficult issue, and we express our confidence in the ability of the woman to exercise her ethical and religious judgment in making her decision.

The Supreme Court held that the question of when life begins is a matter of religious belief and not medical or legal fact. While recognizing the right of religious groups whose beliefs differ from ours to follow the dictates of their faith in this matter, we vigorously oppose the attempts to legislate the particular beliefs of those groups into the law which governs us all. This is a clear violation of the First Amendment. Furthermore, it may undermine the development of interfaith activities. Mutual respect and tolerance must remain the foundation of interreligious relations.

We oppose those riders and amendments to other bills aimed at halting medicaid, legal counselling and family services in abortion-related activities. These restrictions severely discriminate against and penalize the poor who rely on governmental assistance to obtain the proper medical care to which they are legally entitled, including abortion.

We are opposed to attempts to restrict the right to abortion through constitutional amendments. To establish in the Constitution the view of certain religious groups on the beginning of life has legal implications far beyond the question of abortion. Such amendments would undermine constitutional liberties which protect all Americans.

This resolution conforms to Judaism's traditional concern for the sanctity and protection of human life. While Judaism teaches a responsible attitude toward the moral question of abortion, it is not considered to be murder. Rabbinic law

assigns the fetus no juridical personality; it does not regard it a 'nefesh,' a living person until it leaves the womb. Jewish legal tradition is based on a portion of the Mosaic Code in Ex. 21:22:

If men strive and wound a pregnant woman so that her fruit be expelled, but no harm befall her, then shall he be fined as her husband shall assess, and the matter placed before the judges. But if harm befall her, then thou shalt give life for life.

The law is quite clear. The penalty for abortion of the fetus is monetary compensation. Abortion is not a capital crime because no murder is involved. Causing the death of the woman was clearly considered murder for which the punishment was death. A similar view is emphasized in the Mishna, the code of Jewish law which was published in 200 c.e. Mishna Ohalot 7:6 states that -

A woman who is having difficulty in giving birth, it is permitted to cut up the child inside her womb and take it out limb by limb because her life takes precedence. However, if the greater part of the child has come out, it must not be touched, because one life must not be taken to save another.

Thus to save the life of the mother, the fetus may be destroyed, but not the living child.

Rashi (11th century), a most distinguished and revered commentator on the Bible and Talmud, explains the passage in the following way:

As long as the child did not come out into the world, it is not called a living being and it is therefore permissible to take its life in order to save the life of its mother. Once the head of the child has come out, the child may not be harmed because it is considered as fully born, and one life may not be taken to save another.

Maimonides (1135-1204), another distinguished scholar further explains:

...when a woman has difficulty in giving birth, one may dismember the child in her womb --either with drugs or by surgery-- because it is like a pursuer trying to kill her...

Here, even where we are dealing with the latest stages of pregnancy, feticide is not regarded as homicide, and we are spared the painful dilemma of choosing between human life and human life.

Various Responsa indicate that abortion is permissible even if it is not to save the life of the woman. In case of rape, for instance, a woman "need not nurture seed implanted within her against her will; indeed, she may 'uproot' seed illegally sown (Resp. Or Gadol, No. 31, 1891). Rabbi Jacob Emden (1697-1776) permits abortion for "great need" - even if only to save the woman from "great pain" (She'elat Yavez 1:43). Rabbi Israel Meir Mizrachi also equated serious mental-health risk with physical health-risk (Resp. Pri Ha Aretz, Vol. III Jerusalem, 1899).

Rabbi Sllomon B, Freehof, one of the greatest modern commentators on Jewish Law, refers to the Talmudic principle that the fetus is a part of its mother and has no independent life. Therefore, just as a person may sacrifice a part of herself, such as an arm or a leg, to be cured of a worse sickness, so may she sacrifice this part of herself. Jewish Law sanctions, at times even requires, abortion when the life and well-being of the woman commend such a step.

Dr. David Feldman, a Conservative rabbi, who is a recognized expert in the field of Jewish Law, states:

The rights of the foetus, therefore, are quite secondary to the rights of the mother. She is a living human person now; the foetus is not yet a human person. The slogan we hear nowadays, "right to life," confuses this principle. When we are speaking about abortion, the issue is not at all "right to life" but, rather "right to be born." It must be stated that, in Jewish Law, there exists no right to be born, only a right to life of persons who already exist. The use of the word "persons" here is also important.

Those who oppose abortion on grounds that it is a denial of the right to life point to evidence that life begins early in the foetal stage. Yes, life may begin early, but our question still has to be: What kind of life? There is human life, animal life, plant life. Rabbinic Law has determined that human life begins at birth.

There is a wide divergence of opinion concerning the specific circumstances under which an abortion would be morally justified, with Orthodox rabbis generally taking a more restrictive position and Conservative and Reform rabbis a more liberal stance. There are similar differences within many Protestant denominations, as

well as differences between faith groups about the question of when human life begins. Even within Catholicism there are prominent theologians, like Father Charles Curran of Catholic University, who accept Catholic teaching on the morality of abortion but who do not want to see this teaching enacted into civil law due to the lack of consensus in American pluralistic society.

The historic 1973 Supreme Court decision states:

The Constitution does not define 'person' in so many words. The use of the word is such that it has application only post-natally. The unborn have never been recognized in the law as persons in the whole sense.

In his opinion, Justice Blackmun wrote:

We need not resolve the difficult question of when life begins. When those trained in the respective disciplines of medicine, philosophy and theology are unable to arrive at any consensus, the judiciary, ..is not in a position to speculate as to the answer.

For this reason, Reform Judaism has consistently opposed all efforts to subvert the 1973 Supreme Court decision which allows all religious groups the widest latitude in freely exercising their religious rights according to their understanding of the will of God. Similar testimony was presented before the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary, U.S. House of Representatives in 1976, in the hope that this would end attempts to impose the religious views of one group on all others in the United States.

The proposals currently under consideration by this Subcommittee on the Constitution are of even greater concern to us, for all define the fetus in terms at variance with Jewish tradition. Proposed Amendment SJ Res 17 defines a fetus as a person "at every stage of its biological development" and further provides for legal abortion only "to prevent the death of the mother" which is contrary to normative Judaism.

STATEMENT

OF

RABBI ALEXANDER M. SCHINDLER, PRESIDENT
UNION OF AMERICAN HEBREW CONGREGATIONS

TO THE

AMERICAN JEWISH
UNITED STATES SENATE JUDICIARY
SUBCOMMITTEE ON THE SEPARATION OF POWERS

SENATOR JOHN EAST, CHAIRMAN

sent 5/15/81

Proposed Amendment SJ 19 would declare a fetus to be a human being from the "moment of fertilization" which not only runs contrary to Jewish Law, but which automatically has the additional effect of making the use of such contraceptive devices as the pill and the IUD illegal. The Union of American Hebrew Congregations has long been on record as supporting "the right of all persons... to practice birth control as they see fit." This concern was voiced in a resolution passed in 1959 which is based on traditional Jewish emphasis on the "importance ...the well-being and the security of the family."

The proposed Human Life Statute, Legislation S 158, which would change the Fourteenthth Amendment to declare that a person exists from the moment of conception, is also contrary to normative Judaism.

If enacted, all such legislation would prevent the majority of Jews from the free exercise of their religion. Two examples will illustrate the problem. Rabbis are sometimes called upon for counseling in cases where it has been determined that the fetus will be born suffering from Tay Sachs, a Jewish genetic disease which cannot be detected until the second trimester. There is no known cure. Such children die an agonizing death by the time they are five years of age. Rabbis would be prevented from counseling such women in their anguish, for to counsel abortion, which would be permissible under Jewish Law, would place the rabbi in jeopardy of being considered an accessory to murder. The woman would be prevented from exercising her religious convictions for she would be open to the charge of murder. It would be illegal for both to follow their religious consciences under the proposed legislation. Or, a woman suffering from a neurological disease, like muscular dystrophy, on becoming pregnant, is told by her doctor that she could become paralyzed if she carries the fetus to term, causing her irreparable physical and mental harm. If, in her pain, she turns to a rabbi for advice, both would be prevented from acting according to the principles of Jewish Law which consider that the health and welfare of the woman take precedence over the potential life of the fetus.

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We also oppose all attempts to remove legislation regarding abortion from the jurisdiction of either the lower Federal Courts or the United States Supreme Court. Historically, the Federal Courts have been the greatest protectors of religious freedom, ensuring the preservation of our liberty in every State in the land.

Legislators should be aware that passage of these amendments and statutes that make abortion illegal will not end abortion any more than the passage of the Prohibition Amendment ended the consumption of alcohol or the problem of alcoholism. Passage of the Prohibition Amendment drove the problem underground, creating greater problems for society. Passage of the proposed legislation simply means that more women will die of illegal abortions.

The Union of American Hebrew Congregations has consistently opposed restrictive abortion laws which result in "illegal abortions that take a tragic and needless toll." A resolution was passed at the Biennial Convention in 1967 urging "states to permit abortions under such circumstances as...threats to the physical and mental health of the mother, rape, incest and the social, economic and psychological factors that might warrant therapeutic termination of pregnancy."

The vocal minority that would impose its religious views on all Americans claims that they are pro-life and that we are not. This is manifestly a malignity. We too affirm life. Judaism makes it a summum bonum, a bright and shining star in the firmament of its commandments. We are commanded to choose life and live it fully. It is because we affirm life and value family stability that we insist that parents be free to determine precisely how many children they can properly feed and educate and love. It is because we affirm life that we insist that all women be free to choose just when and under what conditions they bring life into this world.

It is precisely because we value life that we are opposed to accidental and indiscriminate reproduction in a world which is already overpopulated and underfed. The cries of emerging life are a delight. But we must also hear the silent crying of parents who see the bloated bellies of their starving infants and are helpless

to give them surcease.

The vocal minority grows more shrill, more intense and more intolerant of those who differ with their theology. Members of twenty-seven faith groups, representing the majority of the American people, were accused of sacrilege when they gathered to worship in peace in our nation's capital to celebrate the eighth anniversary of the Supreme Court decision allowing freedom of choice. Such bigotry is discordantly alien to the principle of diversity which has guided our nation since its founding.

It is precisely this difference in theological belief that forms the basis of the controversy regarding abortion.

It is precisely this type of religious controversy our founders sought to prevent by adopting the First Amendment. The maintenance of our democratic ideals of liberty and justice requires that legislators avoid pressure to adopt the theology of any one religious group as the law of the land. Proposed legislation would undermine this basic principle that has enabled all religions to flourish in the United States.

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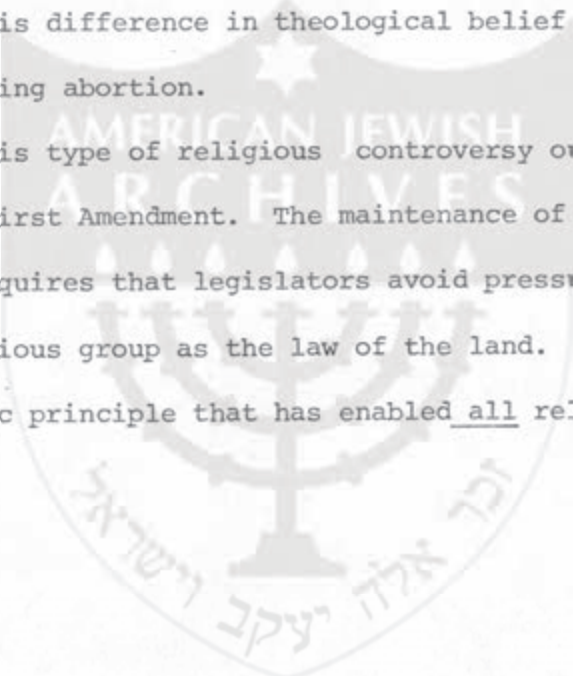
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ABORTION - JEWISH LAW

Basic Principles:

1. Abortion is not murder.
2. Abortion is morally permissible, although there are varying opinions concerning the circumstances which justify such an act.
3. Abortion may even be morally necessary, although there are varying opinions concerning the circumstances which justify such an act.
4. The life of the mother takes precedence over the potential life of the fetus.
5. Summary.

Exodus 21:22

"If men strive and wound a pregnant woman so that her fruit be expelled, but no harm befall her, then shall he be fined as her husband shall assess, and the matter placed before the judges. But if harm befall her, then thou shalt give life for life."

Mishna Ohalot 7:6

"A woman who is having difficulty in giving birth, it is permitted to cut up the child inside her womb and take it out limb by limb because her life takes precedence. However, if the greater part of the child has come out, it must not be touched, because one life must not be taken to save another."

Rashi (11th cent. C.E.)

"As long as the child did not come out into the world, it is not called a living being and it is therefore permissible to take its life in order to save the life of its mother. Once the head of the child has come out, the child may not be harmed because it is considered as fully born, and one life may not be taken to save another."

Maimonides (12th cent. C.E.)

"...when a woman has difficulty in giving birth, one may dismember the child in her womb - either with drugs or by surgery - because he is like a pursuer trying to kill her..."

Rabbi Jacob Emden (18th cent. C.E.) (She'elat Yavez 1:43)

Abortion is permissible even if only to save her from "great pain".

Rabbi Solomon Freehof (Responsa Literature)

A fetus has no independent life and, just as a person may sacrifice a part of herself, such as an arm or a leg, to be cured of a worse sickness so she may sacrifice ~~herself~~. *this part of herself.*

Summary

While there is a wide range of opinions on the matter, in general, most Rabbis are in agreement that in Jewish Law, concern for the health, both physical and mental, of the woman takes precedence.

The Union of Orthodox Jewish Congregations of America is opposed to public policy permitting abortion claiming that "from conception the fetus is considered a live person with the right of any other individual..." (NCJRAC, '79-'80). This is based on a reading of Gen. 9:6 - "He who sheds the blood of man in man, shall his blood be shed". They therefore insist that the Noachide Laws prohibit abortion. Rabbi David Feldman, who has written the definitive work BIRTH CONTROL AND ABORTION IN JEWISH LAW - disagrees with this translation. He suggests the following as more accurate: "He who sheds the blood of man, through man (i.e. a human court of law) shall his blood be shed.

The Plaut commentary on Genesis indicates a similar translation - "Whoever sheds the blood of man, By man shall his blood be shed.

If we were to take the UOJCA statement@face value, abortion would never have been permissible under Jewish Law. This is patently not true. The statement misleads Christians, particularly Catholics, as well as Jews. I included this information because some reporters and legislators believe this to be the "Jewish" position and may ask questions about it. In my opinion, the Orthodox statement was deliberately phrased in terminology similar to that of the Catholic hierarchy.



PARTICULAR JEWISH CONCERNS

HOLOCAUST

There is a growing tendency on the part of those opposed to freedom of choice to depict abortion as analogous to the Holocaust. This denigrates the full personhood of the millions who died in the most shattering and dehumanizing experience in modern history. The very people who make this charge are themselves guilty of fostering legislation similar to THE REPRESSIVE POLICY of the Nazis. Under their totalitarian rule, abortion was forbidden for Germans, but made mandatory for Jews. Jews join the majority of American in support of the 1973 Supreme Court decision which is permissive, rather than coercive. NO ONE IS FORCED TO PERFORM AN ABORTION. NO ONE IS FORCED TO HAVE AN ABORTION.

TAY-SACHS

Tay-Sachs is a Jewish genetic disease which cannot be detected until the second trimester. Babies born with this disease suffer from a neurological disorder which is incurable and results in a slow, agonizing death, usually before the age of 5. A woman who could not face the expected birth of such a child might very well be counseled by her rabbi that abortion is permissible in such a case, might even be advised to arrange one. Proposed legislation, particularly a Constitutional Amendment declaring a fetus to be a person from the moment of conception, would interfere with both the rabbi's and the woman's ability to practice their religion freely.

This is but one example. There are many other cases where the woman would suffer irreparable physical and mental harm if she were to carry the fetus to term which would present the same problem.

Passage of the proposed Constitutional AMendment would grant a fetus constitutional rights not yet guaranteed to woman.

ABORTION - RELIGIOUS PLURALISM

"The Jewish community overwhelmingly supports the 1973 Supreme Court decision regarding abortion, which is permissive, granting all women freedom of choice based on their own moral and religious consciences. Having suffered as a people the consequences of living in repressive societies, having been denied for centuries the right to live in religious freedom, we treasure our American heritage of religious pluralism. We have a particular interest in preserving the rights of all individuals to the free exercise of their religious beliefs."

--Statement - Annette Daum
RCAR Press Conference - 8/20-80

"When ministers assert before thirty million parishioners that only one brand of politics has God's approval, why, then, intolerance takes rootage. When the Moral Majority demands a Christian Bill of Rights and a prominent churchman adds that "God almighty does not hear the prayer of Jews, there should be no surprise when synagogues are destroyed by arson and Jewish families are terrorized in their homes.."

AMERICAN
ARCHIVES
--Report of the President of the
Union of American Hebrew Congregations
to the Board of Trustees - 11/21/80

CHRISTIAN BILL OF RIGHTS

Amendment I - "We believe that, from the time of conception within the womb, every human being has a scriptural right to life upon this earth (EX 20:13; Psa. 139-13-16)"

Comment: Asking the President of the United States to endorse this directly contradicts the First Amendment of the Constitution, which guarantees religious freedom. Falwell's basis for his Amendment #1 is the Sixth Commandment - "Thou Shalt Not Murder." Theologically, most Protestant denominations do not regard abortion as murder, nor does Jewish Law. Moral Majority mentality is apparently anxious to get the government off our backs and into our beds. Religious groups vary in their interpretation of when human life begins. This is a matter of belief - of opinion - not fact. In a religiously pluralistic nation, the religious views of a vocal minority should not be written into the law of the land which governs us all. People should be free to make this choice free of government coercion.

As the United States Catholic Conference recently stated, "Americanization does not call for the abandonment of cultural differences but for their wider appreciation." No one culture, no one heritage, no one religion should prevail in the U.S.

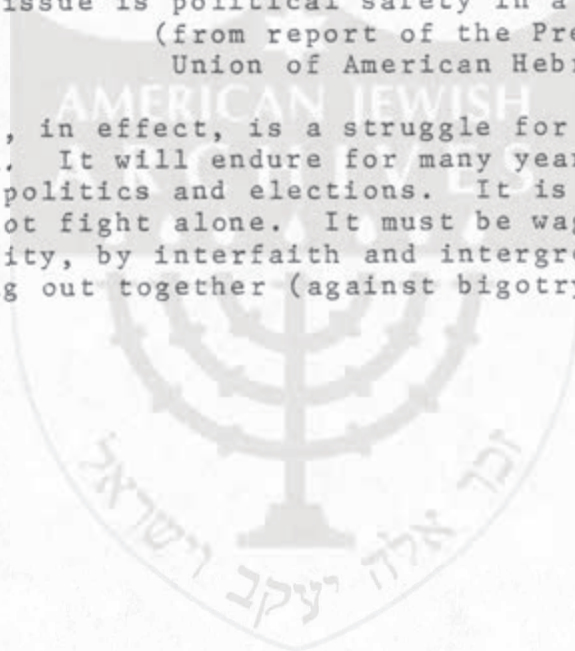
ABORTION - TACTICS

Tactics of fanatic opponents include invasion and firebombing of clinics, roughing up and harrassment of patients, death threats directed against the children of advocates of Planned Parenthood, disruption of discussions and denial of freedom of speech to pro-choice proponents - all familiar totalitarian tactics which undermine the democratic process.

Moral Majority mentality, in its fanatic, absolutist and authoritarian determination to impose its version of Christianity on all Americans cannot be allowed to succeed for the price is denial of the free exercise of religion for all other people.

"Their means are manifestly a threat to the democratic process. And their goal for a Christian America is discordantly alien to the principle of diversity which has guided our nation since its founding...The issue is political safety in a pluralistic society."
(from report of the President of the
Union of American Hebrew Congregations)

"What has begun, in effect, is a struggle for the character and the soul of America. It will endure for many years, transcending the immediacies of politics and elections. It is a struggle, therefore, we ought need not fight alone. It must be waged by the entire American community, by interfaith and intergroup coalitions of decency speaking out together (against bigotry and hate of every kind)....."



ABORTION - LEGISLATIVE HISTORY

The first anti-abortion law was not passed until 1821 when the State of Connecticut passed restrictive legislation at the behest of the medical profession to protect women from what was then regarded as a dangerous procedure. Such legislation was also subsequently passed by other states out of concern for the life and health of the woman. Current proposed legislation places precedence on concern for the fetus over that of the life and health of the woman. Abortion was not condemned by religious groups until after the Civil War. The first Federal law was not passed until 1873 and then, also, out of concern for the woman.

U.S. Supreme Court

- 1973 - Roe vs. Wade legalized abortion based on a woman's right to privacy. This right was unconditional in the first trimester. During the second trimester the state may intervene only to protect the health of the woman. Steps may be taken to protect fetal life only as the fetus becomes viable in the third trimester.
- 1977 - The Supreme Court ruled that the states have no legal obligation to pay for elective abortions.
- 1980 - By a very slim majority (5-4) the Supreme Court ruled that the States are not obliged to provide Medicaid funding even in cases where abortion is declared "medically necessary". This is now the only medically necessary procedure that is exempt from Medicaid. The Supreme Court did not consider the entire question of free exercise of religion.

Other legislation

Amendments to appropriations bills also seek to limit funding for abortion, some even attempting to interfere with the judicial process.

An amendment to one bill was passed which permits states to be even more restrictive than the federal government in their coverage of abortions for the poor. States do not have to meet minimum Federal standards and may refuse to pay for any abortion - even to save the life of the woman.

Future legislation

See pg. 3 for discussion of Constitutional Amendment. Another new tactic is for the call for States urging Congress to call a Constitutional Convention on the subject. (see page II - my address to the RCAR, 1977 for an analysis of the danger)

Fifteen states out of the necessary 34 have already passed such legislation - five in the last year alone. The pace is accelerating and we must mobilize to make this a priority issue or the entire U.S. Constitution will be up for grabs.

End of legislation history

Ironically, more restrictive legislation is being passed at the same time that polls indicate majority support for freedom of choice among most religious groups, including Catholics and evangelical Protestants.



מדינת ישראל
STATE OF ISRAEL

משרד הבריאות
Ministry of Health
Jerusalem ירושלים

לשכת השר
Office of the Minister of Health

26 December 1990

Rabbi Alexander M. Schindler
President
Union of American Hebrew Congregations
838 Fifth Ave.
New York, NY 10021-7046
USA

Dear Rabbi Schindler:

Re: Amendment to the Abortion Law

Thank you for your letter of December 14th concerning the Abortion Law Amendment.

The amendment was based on a Professional Committee, headed by Prof. Yosef Shenkar, M.D., Director of the Gynecology Department at Hadassah Ein Karem Medical Center in Jerusalem, whose recommendations were unanimously accepted by the Knesset Committee on Labor and Welfare.

Disallowing a doctor who has participated in a specific approval from performing that specific abortion is intended to prevent a conflict of interests. Similarly, the amendment cancels the abortion approval committees functioning in private hospitals. Otherwise the amendment does not affect a doctor's right to perform an abortion or change the conditions for approval of abortion.

Additional abortion approval committees will be instituted in public hospitals - according to the number of private hospital abortion approval committees which have been canceled. Abortion approval committees will be instructed to meet daily or as frequently as necessary in order to ensure the access and right of any woman to present her abortion request and to prevent any unnecessary delay in rendering essential abortions.

Sincerely yours,

Ehud Olmert, M.K.
Minister of Health

3221a/DH/yw

National Council of Jewish Women 53 West 23rd Street ■ New York, NY 10010

Joan Bronk
National President



Iris Gross, CAE
Executive Director

FAX

Joan Bronk
DATE: 1/3/91

TO: Rabbi Alexander Schindler, President
Al Vorspan, Senior Vice President
Union of American Hebrew Congregations

FAX NUMBER: 570-0895

Dear Colleague:

Happy New Year!

I am pleased to inform you that additional organizations have signed on to the statement on the American Jewish Response to Proposed Israeli Abortion Restriction. The statement with the most current list of signators was faxed to Israel on December 27th.

President Shamir has agreed to meet with the NCJW delegation visiting Israel this month.

I have written to Ambassador Shoval, on behalf of the statement signers, requesting a meeting. As soon as I hear from him, I will let you know.

Sincerely,

Joan Bronk

Joan Bronk
National President

National Council of Jewish Women 53 West 23rd Street ■ New York, NY 10010

Joan Bronk
National President



Iris Gross, CAE
Executive Director

The undersigned American Jewish organizations have long been committed to Jewish values and to safeguarding a woman's right to safe, legal abortion. We are deeply distressed at the proposed legislation pending before the Knesset which would further curtail access to abortion in Israel.

In response to a call from the Coalition to Prevent Passage of the Abortion Amendment in Israel, we join in opposing any legislation that would limit a woman's fundamental right to privacy and confidentiality in making this most personal decision. Any proposal, such as that negotiated by Ettia Simcha, the Prime Minister's Advisor on Women's Affairs and Knesset Member Menachem Porush of Agudat Yisrael, that curtails a woman's access to abortion committees, is not acceptable. We are opposed to any compromise that has the potential to reduce the number of cases considered by these committees.

In any country, whenever abortion has been restricted, the result has been a dramatic increase in the death rate for women. Women's lives and health depend on the continuing availability of a full range of reproductive health services. Working to ensure this is a priority for the American Jewish community, both men and women. We urge Israeli leaders not to risk women's lives in the interest of political expediency.

National Council of Jewish Women
American Jewish Committee
American Jewish Congress
Americans for Progressive Israel
ARZA - Association of Reform Zionists of America
B'nai B'rith Women
Federation of Reconstructionist Congregations and Havurot
Jewish Labor Committee
NA'AMAT USA
National Federation of Temple Sisterhoods
New Israel Fund
Rabbinical Assembly
The United Synagogue of America
Union of American Hebrew Congregations
Women's League for Conservative Judaism

December 27, 1990

NOTE: THIS UPDATED LIST INCLUDES NEW SIGNATORS

**RELIGIOUS ACTION CENTER
OF REFORM JUDAISM**

Robert R. Light

DATE: Sept 20, 1989
TO: Eddie Miller
FROM: Lynne Landsberg
NUMBER OF PAGES INCLUDING COVER SHEET: 3
ANY QUESTIONS? CALL (202) 387-2800.

The Religious Action Center
pursues social justice and
religious liberty by
mobilizing the American
Jewish Community and
serving as its advocate
in the nation's capital

2027 Massachusetts Ave NW
Washington, DC 20036
(202) 387-2800

Harro Gilbert, Chairman
Commission on Social Action
of Reform Judaism

Albert Vorspan
Co-Director

Rabbi David Siegel
Co-Director and Counsel

OK.

The Religious Action Center
is under the auspices of
the Commission on Social
Action of Reform Judaism,
a joint instrumentality of
the Central Conference of
American Rabbis and
the Union of American
Hebrew Congregations
with its affiliates:
American Conference
of Cantors,
Association of Reform
Zionists of America,
National Federation of
Temple Brotherhoods,
National Federation of
Temple Sisterhoods,
North American Federation
of Temple Youth.

We just got a call from RAC -

Senator Harkin has requested
that RAC submit a letter
from the religious community
in support of the FY '90

L, H + HS and Ed Appropriations Bill
section 204 which permits
women who are victims of
rape & incest to obtain abortion
if they so choose.

Alex signed a similar letter
the last go round. Would you
be so kind as to ask him to
sign the FY '90 version. We need an answer
as soon as possible. THANKS!

*Shm.
Lynne*

RCAR



RELIGIOUS COALITION FOR ABORTION RIGHTS

100 Maryland Avenue, N.E. • Suite 307 • Washington, DC. 20002 • (202) 543-7032

September 20, 1989

Senator Thomas Harkin
United States Senate
Washington, D.C. 20510

MEMBERS:

*American Ethical Union
National Service Conference
American Ethical Union
American Humanist Association
American Jewish Committee
American Jewish Congress
B'nai B'rith Women
Division of Homeland Ministries
Christian Church (Disciples of Christ)
Women's Caucus
Church of the Brethren
Women in Mission and Ministry
The Episcopal Church
Episcopal Urban Caucus
Episcopal Women's Caucus
Federation of Reconstructionist
Congregations and Hachsharas
Northern Province
The Moravian Church in America
NAHAT USA
National Council of Jewish Women
National Federation
of Temple Sisterhoods
North American Federation
of Temple Youth
Social Justice and
Peacemaking Ministry Unit
Presbyterian Church (U.S.A.)
Woman's Ministry Unit
Presbyterian Church (U.S.A.)
Union of American
Hebrew Congregations
Unitarian Universalist Association
Unitarian Universalist
Women's Federation
Board for Homeland Ministries
United Church of Christ
Coordinating Center for Women
United Church of Christ
Office for Church in Society
United Church of Christ
Board of Church and Society
United Methodist Church
Women's Division
Board of Global Ministries
United Methodist Church
United Synagogue of America
Women's League for
Conservative Judaism
YWCA National Board*

Dear Senator Harkin:

We are writing in support of Sec. 204 of the FY 1990 Labor, Health and Human Services and Education Appropriations bill, H.R. 2990, permitting women who are victims of rape and incest to obtain Medicaid coverage if they choose abortion.

The faith groups we represent hold differing views about when abortion may be a moral option, but they are united in the belief that all women confronted by a crisis pregnancy should be free to make their own moral decision, regardless of their economic circumstances.

As persons of faith, we believe that the restoration of Medicaid funding of abortion services for indigent women is a matter of simple justice and equity. When Medicaid funds are restricted, low income women and girls are effectively denied access to necessary and legal health care services which are available to women not dependent on the Federal government for their health care. Such discrimination against those who happen to be economically disadvantaged is morally unjustifiable.

Section 204 does not meet all of our concerns. However, it begins to correct an injustice and responds compassionately to the needs of some women who have suffered greatly. The number of cases of rape and incest being reported to authorities is increasing. Despite the claims of opponents of reproductive choice, women do become pregnant as a result of a violent sexual assault. Regardless of the numbers, however, it would be wrong to limit the choice of even one woman or girl who has been the victim of a violent sexual assault because she is poor.

DRAFT
(close to final)



For more than a decade, the overwhelming majority of the American people have supported the right of women to choose to terminate a pregnancy that results from rape or incest. Congress permitted such funding under earlier versions of the Hyde amendment, and we believe that it is time for Congress to do what is right by reversing this cruel provision of the Hyde amendment.

Sincerely yours,

AMERICAN JEWISH
ARCHIVES





*NARAL
Abortion 2th*

*I definitely
congratulate
them!*

April 7, 1989

*RV
4/12*

Dear Rabbi Schindler,

When the question of religious leaders was raised at the National Abortion Rights Action League, your name was one of the first to come to mind. I am writing now to ask you to lend your name to our national advisory committee.

I enclose the general letter we are sending to people we ask to join us, and the form we ask them to sign. I also enclose a copy of the most current version of our list, of which I am inordinately proud. In its final form I expect it to be like the Nixon Enemies' list--a place where it would be embarrassing not to be cited. It already includes people who have won the Nobel Prize, as well as the Pulitzer. It includes writers, actors, congressmen and congresswomen, doctors, philanthropists, artists, and many active citizens. I am keen to have the religious community well-represented, and I should very much appreciate any suggestions you may have of others who might be interested in being included on our list.

I look forward to hearing from you.

*Done
see next
page*

Many thanks,

Celia Morris
Celia Morris



YES, I WANT TO BE A MEMBER OF "The National Committee to Preserve Choice," the advisory committee for NARAL's MILLIONS OF VOICES, SILENT NO MORE! campaign.

NAME Alexander M. Schindler, Rabbi

ADDRESS 838 Fifth Avenue
New York, NY 10021

PHONE 212-249-0100

SIGNATURE _____

☐ Check here if you are willing to speak publicly for NARAL when your schedule permits.

I regret my own travel for the UAHC is exceedingly heavy and thus I cannot offer to speak for NARAL...should an occasion arise when it is possible I will be happy to be in touch with you.

WE ARE WORKING ON A TIGHT DEADLINE. WE ENCLOSE A STAMPED, ADDRESSED ENVELOPE FOR YOUR CONVENIENCE. PLEASE FILL OUT THIS FORM AND RETURN IT TO US AS SOON AS POSSIBLE.

MANY, MANY THANKS!

Congratulations on a great day in Washington on April 9, 1989!!



NARAL Dear Pro-Choice Friend:

April 6, 1989

We write to ask your help at a crucial moment for the freedom of reproductive choice in the United States. We want to include your name with those of several hundred other distinguished Americans who will constitute "The National Committee to Preserve Choice," the advisory committee to the National Abortion Rights Action League (NARAL).

We are now beginning the largest grassroots and media effort in the history of our pro-choice movement: we call it Millions of Voices, Silent No More! Our purpose is to demonstrate to the Supreme Court, the United States Congress, and the legislatures in each of the 50 states that Americans overwhelmingly support a woman's right to choose a safe and legal abortion.

Over the next few months, and in every corner of our country, we shall ask people to sign the following pledge:

I BELIEVE our Constitution protects every woman's right to make her own decision about abortion, free from the intrusions of government.

Some people want to destroy this right by making abortion illegal once more.

Americans must never be forced back to the time when millions of women risked their lives by resorting to illegal abortions--a time when thousands died.

I THEREFORE PLEDGE to oppose any attempt to interfere with a woman's fundamental right to freedom of reproductive choice.

By inviting you to join our advisory committee, we are asking you to be among our nation's leaders on an issue of fundamental importance. When you fill out the enclosed form and return it to us, you are agreeing that we can use your name on our campaign stationery and endorsing NARAL's efforts to galvanize the substantial majority supporting freedom of choice.

We count on your leadership and look forward to hearing from you!

Kate Michelman

Kate Michelman
Executive Director
NARAL

Joanne Woodward

Joanne Woodward
Chair, Millions of
Voices, Silent No More

April 7 at 4 P.M.

National Advisory Committee

Bella Abzug
Arlene Alda
Jane Alexander
Beth Armstrong
Mrs. Max Ascoli
Dore Ashton
Isaac Asimov
Ed Asner
Congressman Les AuCoin
Nina Auerbach
Lauren Bacall
Mark Lynn Baker
Alec Baldwin
Lois W. Banner
Barbara Barrie
Elizabeth Bartholet
Justine Bateman
Ed Begley, Jr.
Congressman Anthony C. Beilenson
Polly Bergen
Marilyn Bergman
Congressman Howard L. Berman
Jessie Bernard
Robert L. Bernstein
Gwenda Blair
Peter Blake
Judy Blume
Elayne Boosler
Sarah Brady
Catherine Breslin
Beau and Wendy Bridges
Jeff and Susan Bridges
Lloyd and Dorothy Bridges
Helen Gurley Brown
Robert McAfee Brown
Rosellen Brown
Carole Burnett
Mrs. Alexander Calder
Liz Carpenter
William H. Chafe
Cher
Phyllis Chesler
Rev. F. Forrester Church
Eleanor Clark
Susan Clark and Alex Karras
Ceil Cleveland
Rev. William Sloane Coffin
Johnnetta B. Cole



Judy Collins
Blanche Wiesen Cook
Barbara Corday
Midge Costanza
Nancy F. Cott
Senator Alan Cranston
Mary Dent Crisp
Cathy Lee Crosby
Irene Crowe
Jane Curtin
Lynn Cutler
Congressman Peter A. DeFazio
Congressman Ronald V. Dellums
Congressman Julian C. Dixon
Claudia Dreifus
Ellen C. DuBois
Patricia and Mike Duff-Medavoy
Robin Chandler Duke
Congressman Don Edwards
Barbara Ehrenreich
Jill Eikenberry
Zillah Eisenstein
Thomas I. Emerson
Susan Estrich
Congressman Lane Evans
Sara M. Evans
Morgan Fairchild
Frances (Sissy) Farenthold
Congressman Vic Fazio
Diana K. Feldman
Thomas Ferguson
Geraldine A. Ferraro
Naomi Fertitta
Naomi Foner
Betty Ford
Arvonne Fraser
Mayor Don Fraser
Betty Freidan
Teri Garr
Barbara Gelb
Ann Getty
Sandra M. Gilbert
Vivian Gornick
Phyllis Grann
Congressman Bill Green
Randa Haines
Jacquelyn Dowd Hall
Elizabeth Hardwick
Valerie Harper
LaDonna Harris
Betty Lehan Harragan
Heidi Hartmann
Christie Hefner
Carolyn Heilbrun



Buck Henry
Joan Hoff-Wilson
Ann Hood
Anne Jackson
Eliot and Elizabeth Janeway
Mildred M. Jeffrey
Noreen S. Jenney
Congressman Ben Jones
Vivian Jones
Barbara Jordan
Kitty Kelley
Joanna Kerns
Alice Kessler-Harris
Larry L. King
Norma Klein
Judith Krantz
Jill Krementz
Governor Madeleine M. Kunin
Cindra and Alan Ladd, Jr.
Governor Richard Lamm
Louise Lamphere
Ann Landers
Hope Lange
Jessica Lange
Sherry Lansing
Mrs. Albert D. Lasker
Sylvia A. Law
Norman and Lyn Lear
Kate Lehrer
Gerda Lerner
Isabel Morel Letelier
Congressman Mel Levine
Ann Lewis
Grace Lichtenstein
Mr. and Mrs. John L. Loeb
Congresswoman Nita M. Lowey
Ellen R. Malcolm
Jane Marcus
Paule Marshall
Penny Marshall
Elaine Tyler May
Joyce Maynard
Jewell Jackson McCabe
Marilyn McCoo
Roddy McDowell
Kelly McGillis
Ali McGraw
Victoria McMahon
Dina Merrill
Senator Howard Metzenbaum
Dr. C. Arden Miller
Kate Millett
Donna Mills
N. Scott Momaday



Esai Morales
Rita Moreno
Congressman Bruce A. Morrison
Burke Marshall
Judith Davidson Moyers
Lieutenant-Governor Evelyn F. Murphy
Hans Namuth
Jean O'Barr
Catherine Oxenberg
Senator Bob Packwood
Gregory and Veronique Peck
Congresswoman Nancy Pelosi
Mayor Frederico Pena
Esther Peterson
Marge Piercy
Sarah B. Pomeroy
Victoria Principal
Rayna Rapp
Barbara Raskin
Marcus Raskin
Lola Van Wagenen Redford
Christopher Reeve
Carl and Estelle Reiner
Susan Reverby
Adrienne Rich
Caryn Richman
Jimmie and Michael Ritchie
Ann Rockefeller Roberts
Holly Robinson
Laurance S. Rockefeller
Phyllis Rose
Virginia Rosenblatt
Cyma Rubin
Lillian B. Rubin
Mayor Anne Rudin
Dr. Jonas Salk
Harrison and Charlotte Salisbury
Congressman James Scheuer
Congresswoman Patricia Schroeder
Ally Sheedy
Cybill Shepherd
Elaine Showalter
Dr. Victor W. Sidel
Hildy Simmons
Congressman David E. Skaggs
Congresswoman Louise M. Slaughter
Lee Smith
Barbara Probst Solomon
Dawn Steel
Catharine R. Stimpson
Congressman Louis Stokes
Barbra Streisand
William and Rose Styron
John P. Sullivan

AMERICAN JEWISH
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Anthea Sylbert
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Studs Terkel
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Robert Walden
Alice Walker
Gordon G. Wallace
Robert B. Wallace
Robert Penn Warren
Dionne Warwick
Wendy Wasserstein
Sigourney Weaver
Sarah Weddington
Claudia Weill
Cora Weiss
Congressman Ted Weiss
Congressman Alan Wheat
Mayor Kathy Whitmire
Leslie H. Whitten
Tom Wicker
Roger Wilkins
Congressman Charles Wilson
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Cynthia Griffin Wolff
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Lieutenant-Governor Harriett Woods
C. Vann Woodward
Lieutenant-Governor Jo Ann Zimmerman
David Zucker
Jerry Zucker
Daphne Zuniga

AMERICAN JEWISH
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RABBI ALEXANDER M. SCHINDLER • UNION OF AMERICAN HEBREW CONGREGATIONS
PRESIDENT 838 FIFTH AVENUE NEW YORK, N.Y. 10021 (212) 249-0100

February 14, 1989
9 Adar 1 5749

Abortion file

Molly Yard, President
National Organization for Women
1000 16th Street, NW - Suite 700
Washington, D.C. 20036-5705

Dear Ms. Yard:

Your letter of February 6 and the materials enclosed were received during Rabbi Schindler's absence. He is attending meetings in Israel and will not return to his desk until the end of this month. Be assured your letter will be brought to his attention.

At this time, however, I can tell you that Rabbi Schindler will be in Massachusetts on April 9 for a long-standing speaking engagement. Thus he cannot participate in the March. He will undoubtedly be coming to Washington on Monday but at the moment I do not have definite travel plans.

An arm of our movement, the Religious Action Center of Reform Judaism, will be convening a Consultation on Conscience in Washington, April 9-11, 1989. Leaders of Reform Judaism and social activists will gather for this critical meeting. It is my understanding that delegates will take time from the Consultation to participate in the March and in Lobby Day activities. After all, the Union of American Hebrew Congregations is on record in support of ERA and Abortion Rights. To be certain our Washington staff has all of the required information on hand, I am sharing with them some of your materials.

With best wishes for a superb March and Lobby Day, I am

Sincerely,

Edith J. Miller
Assistant to the President

cc: Albert Vorspan
Glenn Stein



National Organization for Women, Inc.

1000 16th Street, NW, Suite 700, Washington, DC 20036-5705 (202) 331-0066 FAX (202) 785-8576

February 6, 1989

Rabbi Alexander Schindler, President
Union of American Hebrew Congregations
838 Fifth Avenue
New York, NY 10021

Dear Rabbi Schindler:

Sometime ago, Faith Evans, President of the Religious Coalition for Abortion Rights, mailed or gave to you my letter of December 5 concerning the April 9 March for Women's Equality/Women's Lives here in Washington.

I am writing to say how much I hope you will join with us in this most crucial action. Many lawyers who have spoken to us believe the March may be our best hope to keep the Supreme Court from overturning Roe v. Wade. Their belief is that an enormous outpouring of citizens demonstrating in support of the right of women to control their reproductive lives through safe, legal abortion can have an enormous effect.

We are working hard to have a very broad-based March with groups of all races, religions, economic levels, interests, ages, all united on behalf of women's rights. Not only are we marching for reproductive freedom and to safeguard the constitutional right to abortion which was won in 1973, but we are also marching to complete the unfinished business of the U.S. Constitution by adding the Equal Rights Amendment to it.

Churches and their leaders are a most important part of the work to safeguard Roe v. Wade, and to help in winning equality for women through the ERA. Do let us know you will join us on April 9 for the March, and, if you can, April 10 for Lobby Day.

I am enclosing again the description of the March and the various participation and order forms.

Thank you for your interest, support, and dedication to women's rights.

Yours for Women's Rights

Molly Yard, President
National Organization for Women

MY/MS

Encl.

MARCH FOR WOMEN'S EQUALITY/WOMEN'S LIVES

April 9, 1989 / Washington, D.C.

Winter, 1989

Dear President,

The National Organization for Women is pleased to invite you to co-sponsor the most important mass demonstration for women's rights in this decade — perhaps in this century — a national march to keep abortion and birth control safe and legal and to raise anew the banner to complete the unfinished business of the U.S. Constitution by passage of the Equal Rights Amendment. We are calling this historic event, to be held in Washington, D.C. on April 9, 1989, **The March for Women's Equality / Women's Lives.**

As we march to safeguard our constitutional right to safe and legal birth control and abortion, we march also to extend equal rights under the law to all women and girls by adding ERA to the Constitution. Equal rights under the law and reproductive freedom are basic to the lives of women and girls if we are ever to be equal participants with men as citizens of this country.

We are determined to make this March massive and magnificent, to send a message to the White House, the Congress and, yes, the U.S. Supreme Court that we won't go back, that a reversal of the *Roe v. Wade* decision legalizing abortion will cost the lives of thousands of young women and girls. Our government — all three branches — has to understand that American women will not docilely return to an era of compulsory pregnancy or to "back alleys" to risk their lives in order to save their futures. Should abortion become illegal there will be wholesale disregard of the law and organized crime will move to take over the business of illegal abortions.

The right wing's attack on women—until now a nuisance by a fanatical minority seeking to impose its moral views on the majority — has now gained the full support of the Reagan/Bush Administration and of the U.S. Department of Justice. The latter, knowing for a month that the Missouri case challenging *Roe v. Wade* had been appealed to the Supreme Court, waited until just after the election to urge the Court, in an unusual move, to take on the appeal so that *Roe v. Wade* could be re-argued.

The handwriting is on the wall. Women's right to reproductive freedom will be before the present Supreme Court — the Court that Justice Blackmun warned us about in September when he said, "there's a very distinct possibility (that) *Roe v. Wade* (could) go down the drain — this term." The "court of public opinion" has never been more important than it is right now. That's why we made an immediate decision to enlarge the March beyond the ERA, our original focus.

We've talked to many lawyers in the past several weeks. To a person, these attorneys believe the cause of legalized abortion must now be taken to the people — that the people speaking with one, loud voice is our best hope to protect this essential constitutional right.

That's why I'm writing to you. For this March to be truly the voice of the people, we need your participation.

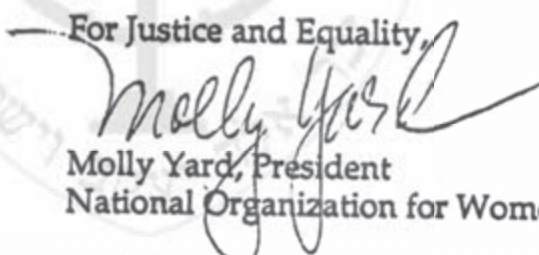
The March will be processional, composed of delegations from a myriad of groups. Each delegation will be composed of a minimum of 20 marchers and will carry a uniform tricolored banner of purple, white and gold panels like the suffragists carried. We want to tie our current challenge to the historic fight for women's rights waged by our great foremothers, such as Margaret Sanger and Susan B. Anthony. We invite you to come, bring as many friends, family members, as you can, forming a delegation if possible.

In addition to the March, we also will sponsor in Washington a Congressional Lobby Day for women's rights on Monday, April 10. We will highlight our support for ERA and for all legislation of importance to women. But we will especially expose those members of Congress who stand in the way of a woman's ability to exercise her constitutional right to control her reproductive life by denying medicaid funding for abortion and precluding federal employees' health insurance from covering abortion. We will further put the spotlight on those members who move to add anti-abortion amendments on legislation affecting women. We will insist the Equal Rights Amendment be moved without such an amendment.

We are determined to make this March the largest outpouring of support for women's rights in history. We will be inviting many dignitaries, elected officials and celebrities. We want Americans — women, men and children — from all walks of life and every part of the country to be there. It is absolutely essential that our numbers on April 9 tower over our opponents' January 22 annual march, and any other activities they may organize in response to the crisis that has been generated at the Supreme Court.

Please help us make this March the truly historic and politically significant event it must be. Let this March reshape the debate on why abortion cannot be outlawed, why such a prohibition could not be enforced, why women are determined to move forward in the struggle for our rights. Let us make certain that henceforth the press and media discuss the momentum of the actual majority that wants abortion kept legal and that supports full, legal equality for all women.

For Justice and Equality,


Molly Yard, President
National Organization for Women

MARCH FOR WOMEN'S EQUALITY/WOMEN'S LIVES

APRIL 9, 1989, WASHINGTON, D.C.

MARCH PARTICIPATION FORM

Delegation Information

Please complete and return

YES, COUNT US IN!

WE WILL ☐ JOIN THE MARCH

☐ LOBBY DAY

Name of Organization _____

Contact Person _____

Address _____

Address (if different from organization address) _____

City, State, Zip _____

City, State, Zip _____

() - () -

() - () -

Phone: Days _____

Nights _____

Phone (if different from office number) _____

Alternate Contact _____

() - () -

Phone: Days _____

Nights _____

☐ Our Delegation will be using our Tri-colored Banner from a previous march.

☐ We wish to order a banner per the information on the attached form

☐ Delegates will participate in Lobby Day, April 10, 1989

Mail to: National Organization for Women • 1000 Sixteenth Street, N.W. Suite 700 • Washington, D.C. 20036-5705

Note: Please return the *Resolution of Support* with this participation form. However, if your resolution must be held for a board meeting of your organization, please do not hold the participation form but return it as soon as possible to indicate your interest in and intention to join the March.

MARCH FOR WOMEN'S EQUALITY/WOMEN'S LIVES

April 9, 1989 / Washington, D.C.

MARCH FACT SHEET

PURPOSE:

To show the country that we who support keeping abortion and birth control safe and legal are the overwhelming majority. Thousands will march to send an unmistakable message to the Nation that women will not go backwards. Also to show the country the overwhelming support for passage of the Equal Rights Amendment.

WHEN:

Sunday, April 9, 1989 **MARCH AND RALLY -
WASHINGTON, D.C.**
Monday, April 10, 1989 **LOBBY DAY -
WASHINGTON, D.C.**

**TIME OF
MARCH:**

Assemble at 10:00 a.m.
March and Rally will be completed by 5:00 p.m.

Assemble - site to be confirmed, (either on the Mall between 7th and 14th Streets, N.W. or the Ellipse behind the White House)

March - Pennsylvania Avenue past the White House, up Pennsylvania Avenue to the Capitol

Rally - Capitol West Side

DELEGATIONS:

Any group having 20 or more participants may be classified as a delegation. Two members of this delegation should be designated as marshals. All delegations must register with the March Office no later than March 20, 1989. Individual participation is also welcome.

**SPECIAL
FEATURES:**

Participants are urged to wear white clothing in the tradition of the Suffragists and to march in delegations.

Delegations are, upon registration, urged to purchase a banner bearing their name or initials. Banners will be the same style as the purple, white, and gold banners used by the Suffragists.

Special transportation will be available for those who are unable to walk or negotiate the March route.

HOUSING:

We will be negotiating room rates at several metropolitan area hotels. Because of the Cherry Blossom festival and the expected numbers of tourists in D.C., we are encouraging you to arrive and leave on Sunday, unless you plan to stay for Lobby Day. If you need information on hotel rooms, contact us at the NOW office.

LOBBY DAY:

Monday, April 10, 1989 will be a Lobby Day for the ERA and against anti-abortion legislation/amendments. We will push legislation on minimum wage, parental leave, pay equity, and child care.

FOR MORE INFORMATION CONTACT:

March for Women's Equality/Women's Lives
National NOW Action Center
1000 Sixteenth Street, N.W.
Suite 700
Washington, D.C. 20036-5705
(202) 331-0066

March for Women's Equality Women's Lives

April 9, 1989
Washington, DC

KEEP
ABORTION
SAFE
AND
LEGAL

PASS
THE
ERA

Assemble: 10 a.m. on the Mall

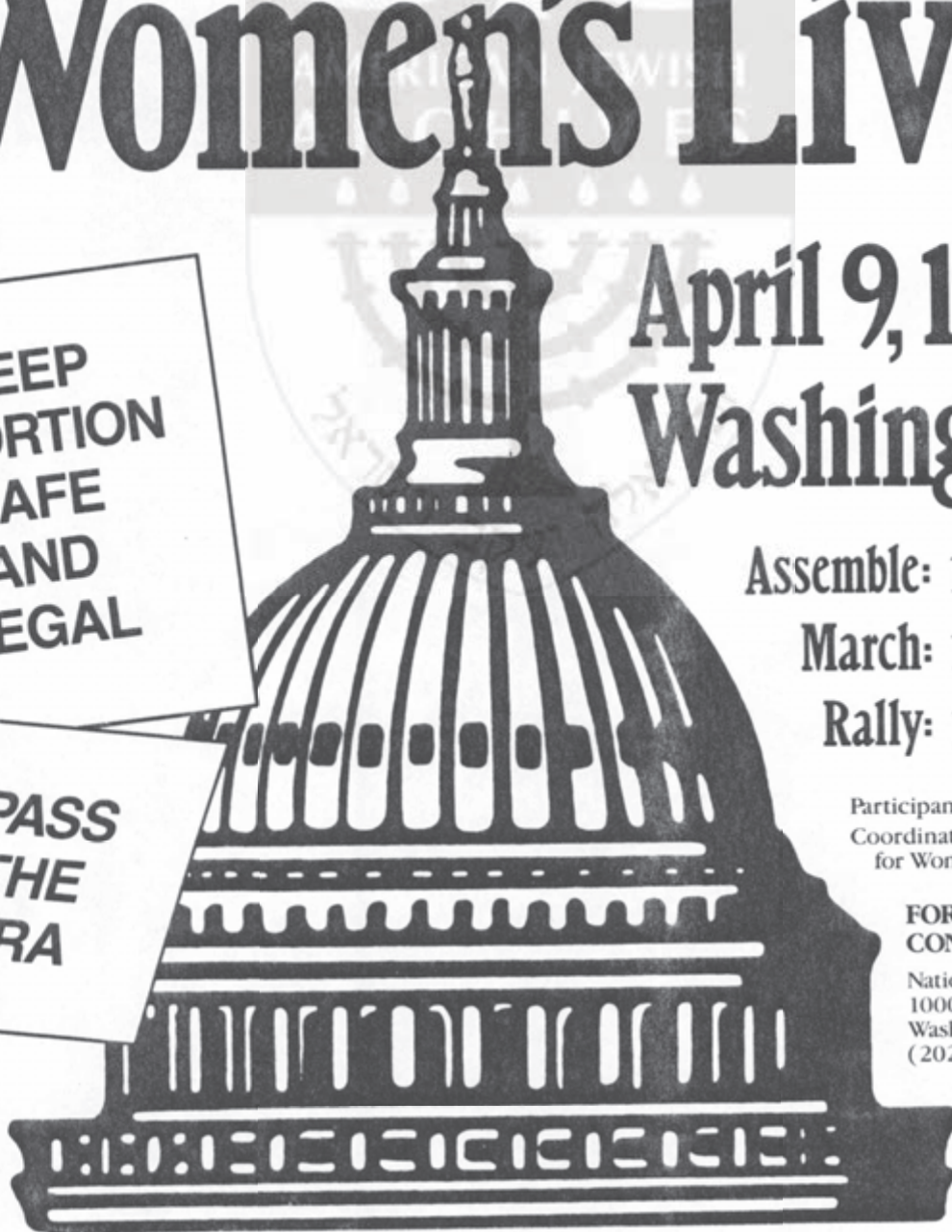
March: 12 noon Step Off

Rally: 1:30 Capitol West Side

Participants are urged to wear white.
Coordinated by the National Organization
for Women

**FOR FURTHER INFORMATION
CONTACT:**

National Organization for Women
1000 16th Street NW, Suite 700
Washington, DC 20036-5705
(202) 331-0066



01/19/89

15:50

☎ 202 667 9070

RAC

+++ AL & ALEX

001

RELIGIOUS ACTION CENTER OF REFORM JUDAISM

Abortion

*OK
Jill*

DATE: ~~1/19~~ 1/19

TO: EDIE MILLER

FROM: ALICIA PARK

NUMBER OF PAGES INCLUDING COVER SHEET: 3

ANY QUESTIONS? CALL (202) 387-2300.

The Religious Action Center
pursues social justice and
religious liberty by
mobilizing the American
Jewish Community and
serving as its advocate
in the nation's capital

2027 Massachusetts Ave NW
Washington, DC 20038
(202) 387-2300

Harris Gilbert, Chairman
Commission on Social Action
of Reform Judaism

Albert Weissman
Co-Director

Rabbi David Saperstein
Co-Director and Counsel

The Religious Action Center
is under the auspices of
the Commission on Social
Action of Reform Judaism,
a joint instrumentality of
the Central Conference of
American Rabbis and
the Union of American
Hebrew Congregations
with its affiliates:
American Conference
of Cantors,
Association of Reform
Zionists of America,
National Federation of
Temple Brotherhoods,
National Federation of
Temple Sisterhoods,
North American Federation
of Temple Youth.

This is a press statement for the
Religious COALITION for ABORTION
RIGHTS' PRESS statement ON
MONDAY 1/23/89.

Please have Rabbi Schindler MAKE
ANY CORRECTIONS AND ~~PLEASE~~ LET
US KNOW ASAP. THE STATEMENT
MUST BE PUT IN A PACKET
THIS AFTERNOON.

Thanks,
Alicia

p.s. IGNORE the "I AND R" around
court cases.

RELIGIOUS ACTION CENTER FAX NUMBER: (202) 667-9070

01/19/89 15:52 202 667 9070

RAC

+++ AL & ALEX

002

In 1973, the Supreme Court ruled that abortion is a constitutional right since a woman's right to privacy takes priority over consideration for the unborn. The Union of American Hebrew Congregations supported the Court's decision in 1973 and today reaffirms its strong support for the right of a woman to choose to obtain a legal abortion.

The Jewish people have always held high the sanctity of human life. We firmly believe that the question of when life begins is a matter of religious interpretation and not medical or legal fact. It is precisely because of this belief, that we express confidence in a woman's ability to exercise her ethical and religious judgement regarding the termination of a pregnancy.

Furthermore, as a religious organization which has traditionally been in the forefront of civil rights efforts, we are deeply disturbed that the Department of Justice has arisen as the new champion of efforts to restrict abortion rights. Make no mistake about it, when laws restricting abortion rights are enacted, civil rights are at stake.

It is the duty of the Administration to ensure the rights of all our citizens. President Bush, we urge you to see clearly that those who attempt to chip away at a woman's right to a safe and legal abortion jeopardize the high standard of living to which we, fortunate enough to benefit from medical technology, have become accustomed and to which we have a right.

President Bush, you have promised us "a kinder, gentler nation." Women dying from back alley abortions is neither kind nor gentle. This, however, will be the price we will pay if forced to turn back the judicial clock by virtue of a reinterpretation or rejection of *Roe v. Wade*.R

Therefore, we call upon the Supreme Court to uphold *Roe v. Wade* and to reaffirm the rights expounded therein as we cosign the Religious Coalition for Abortion Rights sponsored amicus brief in *Webster v. Reproductive Health Services*.R

In order to further demonstrate our support for the freedom of choice, the Union of American Hebrew Congregations is urging its members to participate in the National Organization for Women's historic march for women's rights on April 9, 1989.

AMERICAN JEWISH
ARCHIVES





Religious Coalition for Abortion Rights, Inc.

100 Maryland Avenue, N.E. Washington, D.C. 20002 (202) 543-7032

Fredrica F. Hodges
Executive Director

October 24, 1984

MEMBERS:

National Ministries
American Baptist Churches ✓
American Ethical Union
National Service Conference
American Ethical Union
American Humanist Association
American Jewish Congress
B'nai B'rith Women
Catholics for a Free Choice
Women's Caucus
Church of the Brethren
Division of Homeland Ministries
Christian Church (Disciples of Christ)
Episcopal Urban Caucus
Episcopal Women's Caucus
Federation of Reconstructionist
Congregations and Havurot
National Council of Jewish Women
National Federation
of Temple Sisterhoods ✓
North American Federation
of Temple Youth
Pioneer Women/NA'AMAT
Committee on Women's Concerns
Presbyterian Church (U.S.A.)
Council on Women and the Church
Presbyterian Church (U.S.A.)
General Assembly Mission Board
Presbyterian Church (U.S.A.)
The Program Agency
Presbyterian Church (U.S.A.)
Union of American
Hebrew Congregations
Unitarian Universalist Association ✓
Unitarian Universalist
Women's Federation
Board for Homeland Ministries
United Church of Christ
Coordinating Center for Women
United Church of Christ
Office for Church in Society
United Church of Christ
Board of Church and Society
United Methodist Church ✓
Women's Division
Board of Global Ministries
United Methodist Church
United Synagogue of America
Women's League for
Conservative Judaism
YWCA National Board

MEMORANDUM

To: RCAR Board Members
From: Freddie Hodges
Executive Director
Re: Campaign '84

Many members of RCAR affiliates throughout the country are asking what national RCAR intends to do about the continuing exploitation of the abortion issue in Campaign '84.

Rabbi Mintz of the PA RCAR has taken the time to write and submit the enclosed text as an Open Letter to Archbishop John O'Connor to be published in the New York Times.

It has been suggested that it be signed by the heads of our member groups, RCAR as an organization or failing united thought, Rabbi Mintz himself.

In an effort to expedite communication and the decision-making process, I have also sent a copy of this memo and the text to heads of organizations or appropriate contacts.

Please call your respective Presidents, Chairs, etc. as soon as possible as time is of the essence. After a decision is reached, please call me at 543-7032.

Thanks in advance for your immediate attention to this memo.

Edw
2nd sign it (a yr) if they get the seeds & the other
ask al's counsel group

David S
to sign

Mell
Hara Hest
Kober
Boyle
U. W.
David

Rosa
will pay me for

AN OPEN LETTER TO ARCHBISHOP JOHN O'CONNOR

We write in response to your recent posture on the abortion issue as it relates to this election campaign. We, who oppose your views on abortion and oppose those views on the basis of our own religious convictions, cherish your right to voice your opinion no less than we cherish our own liberties. We uphold your right to act out of the tradition you represent and out of the convictions of your own conscience.

However, we resent and take sharp exception to the concept that Catholics who are elected to public office to represent a pluralistic constituency must support the church's views in the political arena.

Further, we respectfully suggest that you do grievous injury to the electoral process and to our civil and religious liberties when you suggest that those who support the 1973 Supreme Court decision have created "a Holocaust mentality in the U. S." or support an institution similar to slavery. To the best of our knowledge no woman in the U. S. has ever been forced by her government to submit to an abortion and no victim of the Nazi holocaust or of slavery in the U. S. ever chose to be so victimized. Your analogies are both fallacious and inflammatory.

Stated simply, we ask: Have American women the right to act on the basis of their own moral and spiritual values or will the state impose its values upon them?

You believe that the state is required to intervene when evil doers take innocent human life. Countless millions of your fellow citizens on the basis of their profound religious convictions do not equate abortion with either the holocaust, nor with homicide. We support women as moral decision-makers and believe that abortion may be included among the responsible options available to a woman faced with a problem pregnancy.

Respectfully,



EMILY R. AND KIVIE KAPLAN BUILDING
2027 MASSACHUSETTS AVENUE, N.W.
WASHINGTON, D.C. 20036
(Code 202) 387-2800

Co-Director: ALBERT VORSPAN

Co-Director and Counsel: RABBI DAVID SAPERSTEIN

Abortion

Religious Action Center

Commission on Social Action of Reform Judaism

צדק צדק תרדף

Justice, Justice Shalt Thou Pursue

January 22, 1982

Rabbi Alexander M. Schindler
Union of American Hebrew Congregations
838 Fifth Avenue
New York, New York 10021

Dear Rabbi Schindler;

As you probably are aware, the Senate Judiciary ^{Committee} will soon vote on S.J. Res. 110, Hatch's anti-abortion amendment. I have been working closely with Rabbi Saperstein and Annette Daum on S.J. Res. 110, and we all agree that the U.A.H.C. should write to every member of the Senate Judiciary Committee opposing S.J. Res. 110. We also feel that a letter signed by you would be most effective. Because we know how busy you are, we have taken the liberty of drafting a model letter for this purpose. Of course, please feel free to revise the letter in any and all ways you wish. Annette Daum would be happy to help you in any way she can.

As soon as you are done with your revision, please call Rabbi Saperstein at the R.A.C. to make arrangements for sending the letter to the appropriate senators. Since the Senate Judiciary Committee may vote on S.J. Res. 110 as early as the beginning of February, we would appreciate hearing from you very soon.

Thank you for your assistance and looking forward to hearing from you soon,

Sincerely,

Ellen Kotler

Ellen Kotler
Intern, Religious Action Center

I am Rabbi Alexander Schindler, President of the Union of American Hebrew Congregations, an organization of over one million Jews in over seven hundred congregations throughout the United States. On behalf of the U.A.H.C., I strongly urge you to oppose S.J. Res. 110, and all other efforts to overturn the Supreme Court's decision in Roe v. Wade.

In its official resolutions, the membership of the U.A.H.C. has consistently endorsed the position of the Supreme Court that the question of when life begins is a matter of religious belief and not of medical or legal fact. We view S.J. Res. 110 as a serious threat to the religious liberties guaranteed us by the First Amendment. The separation of church and state guarantees that intensely personal, religious decisions are to be made not by the state, but rather by individuals following the dictates of their consciences and religious beliefs. To allow the federal government or the states to enact one religious perspective on abortion into law would compromise the religious liberties of those denominations which do not share that belief, and which believe that abortion may be a moral alternative to a problem pregnancy.

According to Jewish law, the fetus does not become a full person until after birth; abortion, therefore, is not equated with murder. Any anti-abortion legislation arising as a result of S.J. Res. 110 would thus prevent Jews from the free exercise of their religion. In recent testimony before the Senate Subcommittee on the Separation of Powers, I provided examples of just how such legislation would infringe on our religious liberty:

Rabbis are sometimes called upon for counseling in cases where it has been determined that the fetus will be born suffering from Tay-Sachs, a Jewish genetic disease which cannot be detected until the second trimester. There is no known cure. Such children die

(2)

an agonizing death by the time they are five years of age. Rabbis would be prevented from counseling such women in their anguish, for to counsel abortion, which would be permissible under Jewish Law, would place the Rabbi in jeopardy of being considered an accessory to murder. The woman would be prevented from exercising her religious convictions for she would be open to the charge of murder. It would be illegal for both to follow their religious consciences under the proposed legislation. Or a woman suffering from a neurological disease, like muscular dystrophy, on becoming pregnant is told by her doctor that she could become paralyzed if she carries the fetus to term, causing her irreparable physical and mental harm. If, in her pain, she turns to a rabbi for advice, both would be prevented from acting according to the principles of Jewish Law which consider that the health and welfare of the woman take precedence over the potential life of the fetus.

We cannot overlook what the consequences of S.J. Res.110 or other anti-abortion legislation might be. Without legal abortion, over one million women a year might be forced to carry an unwanted pregnancy to term or seek an illegal, unsafe abortion, risking their health and possible prosecution for manslaughter or even murder. Included would be the victims of rape and incest; the over 30,000 children per year under the age of 15 who face problem pregnancies; the women suffering from heart disease, diabetes, cancer, and other ailments who would face grave injury if forced to carry the pregnancy to term. It is also possible that two of the most effective contraceptives in use today, the birth control pill and the intra-uterine device, would be made illegal since they affect biological processes after conception.

S.J. Res.110 is not merely bad policy, it is dangerous policy. It is dangerous to the lives of millions of women, and dangerous to our precious tradition of religious liberty. We urge you to oppose this measure and all other legislation which would threaten a woman's right to choose a safe, legal abortion.

Boyer

TEMPLE ISAIAH

STEPHEN FUCHS, RABBI

December 10, 1981

Answered by al

5885 ROBERT OLIVER PLACE
COLUMBIA, MARYLAND 21045
(301) 730-8277

Rabbi Alexander Schindler, President
Union of American Hebrew Congregations
838 5th Avenue
New York City, New York 10021

Dear Alex:

You noted at the Boston Pops concert that I had lost my voice while "thundering into the microphone" during the debate over the abortion resolution. I may have lost my voice, Alex, but in passing the resolution we did, our union has lost its conscience.

Manny Rose proposed the mildest imaginable amendment suggesting only that abortion was a matter requiring deep and serious thought. Even that was too much for our body. Someone said the amendment might imply a "negative judgement" against abortion. Is it our wish to suggest that abortion is somehow a positive act for a healthy, married Jewish woman of child-bearing age? I am appalled!

Then, there were the two speakers who said that Rose's amendment might be seized by those who would make abortion illegal as ground on which to base their campaigns. Are we capable of no more than a knee-jerk reaction to the Moral Majority and other voices of the radical religious right? Can we do no more than reflex "yes" when they say "no"?

We had a marvelous opportunity to fashion a thoughtful statement which would have affirmed the right of women to abortions and decried attempts to diminish that right, but which, at the same time, showed the importance of allowing Jewish children to be born. Our movement could have broken new ground in the abortion debate, but instead we passed a resolution which in this post-Holocaust era barely pays lip service to the value of human life. I cannot help but believe that history will judge our action harshly.

On another subject - since I took the liberty of quoting you, I am sending you a copy of the December 3 Op. Ed. page from the Baltimore Sun. I welcome any response you may have.

Sincerely,

Stephen

Rabbi Stephen Fuchs

cc: Albert Vorspan

December 15, 1981

Rabbi Stephen Fuchs
5885 Robert Oliver Place
Columbia, Maryland 21045

Dear Steve:

Alex has asked me to reply to your letter of December 10.

There was a long and serious discussion within the Resolutions Committee on Manny Rose's proposal and the Resolutions Committee ended up making the same judgment that the General Assembly finally did.

That decision may have been good or bad, but you should forgive me if I think it is melodramatic for you to say the Union lost its conscience because it didn't agree with you on a particular amendment. There have been several issues on which you and I have disagreed, but I think it would be wrong for either one of us to attribute to the other a lack of conscience because of a difference of opinion on an issue in which reasonable people can differ.

Thanks for sending Alex the excellent essay on anti-Semitism.

Warmest regards.

Cordially,

Albert Vorspan

AV:rh

bcc: Rabbi Alex Schindler

November 24, 1981

Ms. Patricia A. Gavett
Executive Director
Religious Coalition for Abortion Rights
100 Maryland Avenue, N.E.
Washington, D.C. 20002

Dear Ms. Gavett:

It had been my hope to be able to participate in the special service on January 22, 1982 to commemorate the 9th anniversary of the Supreme Court decision legalizing abortion. Much to my regret, I now find that my travel schedule precludes my being in Washington for this important event. I am truly sorry that it is not possible for me to be with you and other leaders of the Religious Coalition for Abortion Rights for the service.

The Union of American Hebrew Congregations should, of course, be among the organizations represented. May I suggest that you consider inviting Albert Vorspan, UAHC Vice President and Director of our Commission on Social Action, or Rabbi David Saperstein, director of our Religious Action Center in Washington.

With regrets and with every good wish for a meaningful and memorable gathering, I am

Sincerely,

Alexander M. Schindler

av
DS



Religious Coalition for Abortion Rights

100 Maryland Avenue, N. E.
Washington, D. C. 20002
(202) 543-7032

Helen R. Parolla
Chairperson

Patricia A. Gavett
Executive Director

MEMBERS:

National Ministries
American Baptist Churches
American Ethical Union
National Women's Conference
American Ethical Union
American Humanist Association
American Jewish Congress
Women's Division
American Jewish Congress
B'nai B'rith Women
Catholics for a Free Choice
Division of Homeland Ministries
Christian Church (Disciples of Christ)
Episcopal Women's Caucus
National Council of Jewish Women
National Federation of Temple Sisterhoods
General Assembly Mission Board
Presbyterian Church in the US
Committee on Women's Concerns
Presbyterian Church in the US
Union of American Hebrew Congregations
Unitarian Universalist Association
Unitarian Universalist Women's Federation
Board of Homeland Ministries
United Church of Christ
Office for Church in Society
United Church of Christ
Board of Church and Society
United Methodist Church
Women's Division
Board of Global Ministries
United Methodist Church
The Program Agency
United Presbyterian Church, USA
Council on Women and the Church
United Presbyterian Church, USA
United Synagogue of America
Women's League for Conservative Judaism
Young Women's Christian Association

October 9, 1981

Rabbi Alexander Schindler
Union of American Hebrew Congregations
838 Fifth Avenue
New York, NY 10020

Dear Rabbi Schindler:

January 22, 1982 will be the ninth anniversary of the Supreme Court decision legalizing abortion. Already the anti-abortion organization, March For Life, is well into planning their annual march to Capitol Hill to harass and harangue Members of Congress.

The other pro-choice groups have requested that the Religious Coalition for Abortion Rights repeat and make a tradition of the memorable church service that was held so successfully last year. We have just received funding for this project and are therefore planning another religious service at noon on Friday, January 22, 1982 in the New York Avenue Presbyterian Church in Washington, DC. The program would follow a format similar to last year.

We will renew our request to meet with President Reagan and, if refused again, we will hold a brief press conference to announce that fact. We will also, as we did last year, arrange meetings with Senate leaders.

We would be honored to have you participate in the activities of January 22nd. Your presence in the nation's capital, along with other denominational leaders, will once again demonstrate the importance of the abortion issue and freedom of choice. This will be a critical time to show support as, shortly thereafter, the Senate will be voting on a Constitutional amendment which will enable them to ban all abortions.

The coordinator for the special event is Mary Ann Kelley. She can be reached in the office on Mondays and Fridays. The other days she can be reached at home by calling (301)422-3507.

Wanda Decker
WAC
before
response

I guess so
overheard
Heard BB to
spot for WAC.

Friday

V

1/24 - Florida

+ now request for 1/20 La

Rabbi Alexander Schindler
October 9, 1981
Page 2

Your participation will help make this yet another memorable event. Since the time grows near, we would appreciate a response at your earliest convenience.

Sincerely,

Patricia A. Gavett
Patricia A. Gavett
Executive Director

PAG/crw



*Rel. Aahlt
O'Brien*

November 19, 1981

TO: Brenda Bregman, RCAR Staff

FROM: Edith J. Miller, Assistant to the Preisdant, UAHC

RE: UAHC PUBLICATIONS

In response to your memo of November 16, following is the information requested:

- 1/ REFORM JUDAISM, newspaper sent to every member-family of every Reform Congregation, 1,200,000. Published 8 times a year.
- 2/ Aron Hirt-Manheimer, Editor, 838 Fifth Avenue, New York, N.Y. 10021
212-249-0100
- 3/ Contacts: Rabbi Richard S. Sternberg - 202-232-4242
Rabbi David Saperstein - 202-387-2800
2027 Massachusetts Avenue, N.W.
Washington, D.C. 20036

Rabbi Sternberger is Director of the UAHC Mid-Atlantic Council

Rabbi Saperstein is Director of the Religious Action Center



Religious Coalition for Abortion Rights

100 Maryland Avenue, N. E.
Washington, D. C. 20002
(202) 543-7032

November 16, 1981

TO: RCAR Board of Directors
RCAR Member Organizations

FROM: Brenda Bregman, RCAR Staff

RE: Organizational Publications

The national RCAR office is in the process of collecting information on newsletters and magazines published and distributed to your constituencies. The purpose of this is to identify potential networks for dissemination of information about the recent abortion-related developments in Congress.

As you know, Senator Orrin Hatch's Subcommittee on the Constitution is currently holding hearings on proposals to outlaw abortion through a constitutional amendment. In addition, the "Human Life Statute", which declares human life to exist from conception and would outlaw abortion by a simple Congressional majority, is scheduled for Senate floor debate in mid-December. These two developments have heightened the need for public awareness of the threats posed to abortion rights by the right-wing in Congress.

We are attempting to contact the appropriate person or office within our member groups which is in charge of writing and publishing newsletters or magazines to a national constituency. We hope to gain access to member publications for brief articles and alerts about the current threats to abortion rights.

In order to begin alerting the religious and lay community as soon as possible, we are hoping to receive and correlate the requested information by December 3. It would be most helpful if you would forward the following information to us at your earliest convenience:

*Name of your organizations/denominations major publication, frequency of publication, and numbers of people who receive it;

*Name, address, and phone number of publications editor;

*Name, address, and phone number of denominational/organizational president or a contact person within the organization who can make policy decisions.

If you are not able to send the requested information to us by December 3, please bring it with you to the Board of Directors meeting on that day.

DISPATCH



Religious Coalition for Abortion Rights

100 Maryland Avenue, N.E., Washington, D.C. 20002 (202) 543-7032

November 20, 1981

97-2

HUMAN LIFE BILL (HLB, S. 158/S. 1741) Floor Action in December

BACKGROUND: In January of this year Sen. Helms (R-NC) introduced S. 158, the Human Life Bill, which defines the term "person" in the 14th Amendment to the Constitution to include the fetus from the moment of conception. The bill was designed to reverse the 1973 Supreme Court decision decriminalizing abortion. Sen. John East (R-NC) began extensive hearings on S. 158 in the Subcommittee on Separation of Powers, which he chairs, in April. He had hoped that testimony from a hand-picked group of scientists and legal scholars would support the two basic premises of the bill: 1) that "actual human life begins at conception." and 2) that Congress has the authority to define the terms of the Constitution under the enforcement clauses of the 5th and 14th Amendments. The plan was to rush the bill quickly through subcommittee and committee - both of which have an anti-choice majority - and onto the floor for a vote before the pro-choice groups could mobilize against it.

However, a tremendous outcry from the public and his Senate colleagues forced Sen. East to expand the hearings and to guarantee a balanced slate of witnesses. With Sen. Baucus and his staff holding East to his commitment of fairness, the hearings demonstrated conclusively that the vast majority of scholarly opinion rejects both of the bill's tenets. Nevertheless, the bill was reported out of the subcommittee by a vote of 3-2 in July. The subcommittee recommended, however, that the full Judiciary Committee postpone considering S. 158 until the Constitution Subcommittee could hold hearings and report a constitutional amendment on abortion. (Sen. Hatch began holding hearings on an abortion constitutional amendment in October and expects to report out an amendment late this year or early next. An alert will be issued in the near future on a new version of constitutional amendment sponsored by Hatch and endorsed by the U.S. Catholic Conference.)

Meanwhile, Sen. Helms, not satisfied with the slower committee process, has reintroduced the HLB, this time as S. 1741, and managed by parliamentary maneuvering to by-pass the committee and have the bill placed directly on the Senate calendar. Sen. Howard Baker (R-TN), as current Majority Leader, has indicated that he will not stand in the way of S. 1741, and in fact has promised Helms that the "social issues", including abortion, will be permitted on the floor for debate and possibly for a vote sometime in December. Although Sen. Helms may choose not to bring the HLB up at that time, anti-abortion groups that support the bill are embarked on an all-out campaign to pressure the Senators into passing it.

It is at least possible that at some point the administration will get into the act and press for passage of the HLB. President Reagan has already endorsed the concept and the Attorney General, William French Smith, has said that the Justice Department is prepared to pursue legislation to limit the ability of federal courts to protect "implied" constitutional rights, like the right to privacy, which is the basis for the Roe decision.

RECOMMENDED ACTION: Constituent pressure is the only way to ensure that S. 158/S. 1741 will not become law. If the Senate passes S. 1741, then we can expect a discharge petition to bring the HLB to the floor in the House as well.

Senators must be urged to oppose S. 1741 and any other bill which would reverse the Roe v. Wade decision. If your Senators are pro-choice encourage them to speak out on the floor and to their colleagues in private against this legislation. House Members should be discouraged from signing any discharge petitions. Every message should include a statement of support for the 1973 Supreme Court decision in Roe, or else Senators may feel that if S. 1741 is defeated they must then support some form of Human Life Amendment or even a "compromise" constitutional amendment later on.

1. Letters should be sent to: The Honorable _____, U.S. Senate, Washington, D.C. 20510 and The Honorable _____, U.S. House of Representatives, Washington, D.C. 20515. If possible, send a carbon to President Reagan, or write him directly expressing opposition to efforts to limit the ability of the federal courts to protect constitutional rights.
2. Make appointments to visit your Senators while they are in the state, or meet with Senate staff.
3. Write letters to the editor - Members of Congress pay special attention to these. If pro-choice editorials or letters appear in your local paper, clip and send them to your Senators.
4. Pass this Dispatch along to your friends, and relatives, your ministers, your doctor, etc., and encourage them to contact their elected officials.
5. Remember, there may be as little as one month to generate the groundswell of public opposition necessary to counter the anti-abortion momentum on S. 1741.

IMPACT OF THE BILL: If S. 1741 were to pass, it would:

1. Precipitate a constitutional crisis by directly challenging the court's role as final arbiter of the Constitution and as guarantor of constitutional rights. In 1973, the Supreme Court determined in Roe v. Wade, that "the word 'person' as used in the 14th Amendment does not include the unborn." Nevertheless, supporters of the HLB believe that Congress' right to enforce the 14th Amendment also permits them to further define the terms, including the word "person", through legislative fact-finding. This assumption jeopardizes the delicate system of checks and balances which has been so important to the protection of American rights. S. 1741 would also remove laws enforcing this definition of person from the jurisdiction of the lower federal courts.
2. Set a dangerous precedent. "Congressional power to rescue an otherwise unconstitutional law by the expedient of redefining the terms of the 14th Amendment would have dizzying implications well beyond the abortion controversy....Reducing the Constitution to whatever those in power want it to mean is an awfully high price to pay for making Roe disappear." (Profs. John Hart Ely and Laurence Tribe, Harvard Law School).
3. Require states to pass legislation to implement and enforce fetal personhood
 - **S. 1741 would prohibit states from using public funds or facilities for abortions, even if a woman's life is at stake, if she is a victim of rape or incest, or if the fetus she carries is found to be severely deformed. Currently, states are free to fund Medicaid abortions with state revenues despite the severe limitations on Federal funds.
 - **S. 1741 would virtually eliminate amniocentesis and second trimester abortions, since nearly all are performed in hospitals which receive public funds.
 - **S. 1741 permits states to outlaw all abortions, by providing a "compelling state interest in the life of the fetus as a person entitled to equal protection.
 - **S. 1741 allows states to prohibit the IUD and some forms of the pill which prevent implantation of the fertilized ovum.
 - **This statute does not require state action in order to take effect. Even if states that do not pass anti-abortion legislation on the basis of this statute, any interested party - organization or individual - may initiate court action on behalf of a fetus to enforce equal protection under the Constitution.
4. Impinge on existing constitutional rights
 - **The rights of the pregnant woman would be subordinate to the rights of the fetus, and she may be challenged legally for any activity which jeopardizes the fetus.
 - **By enacting one definition of personhood into law, direct and indirect sanctions would be placed against the teachings of those religious denominations which do not share that belief, and which believe that abortion may be a moral alternative to a problem pregnancy.
 - **Any enforcement provisions would necessarily violate a woman's right to privacy, and the decision on whether to carry a pregnancy to term could no longer be an individual decision.
 - ** S. 1741 opens the way for differing constitutional standards for the separate states.
5. Adversely affect the lives of millions of American women
 - **As many as, or more than, 1 million women every year may be forced to (a) carry unwanted or dangerous pregnancies to term, regardless of risks to their own health or the well-being of their families, or (b) seek unsafe, illegal abortions, with risks to life and health, and of prosecution for a crime.
 - **Close to 1 million teenagers had unintended pregnancies in 1978; 30,000 of these were children under 15, and a vast majority were unmarried. One third of the teenage pregnancies ended in abortion. This option would no longer exist in states which choose to outlaw abortion on the basis of fetal personhood.
 - **Women who are victims of rape or incest will be forced to carry the pregnancy to term or put themselves outside the protection of the law by seeking an illegal abortion.
6. Create chaos for state and local governments by changing innumerable existing laws in the areas of tort, inheritance, social services, etc., affecting "persons".

ARGUMENTS: 1. There is no consensus in our society about the personhood of the fetus prior to birth. To enact one particular definition of fetal personhood into law is to advance one theological belief not held by all, and to jeopardize the freedom of religion. In our pluralistic society we have an obligation to protect the right of individuals to follow the teachings of their own faith in matters of moral conscience.

2. Congress is given the power to enforce the 14th Amendment, not to redefine its terms. It ill behooves our highest governing body to use what even an opponent of Roe calls a "cute" legislative maneuver to bypass a Supreme Court decision simply because the support to overturn it by constitutional amendment does not exist.

3. S. 1741 sets a frightening precedent for setting aside constitutionally protected rights by simple majority vote, for undermining the role of the judiciary in protecting those rights, and for violating the Separation of Powers.

Remarks by Rabbi Alexander M. Schindler
Freedom of Choice in Abortion
Religious Coalition for Abortion Rights
Washington, D.C.
January 22, 1981



I am glad to add my voice to those of my colleagues--men and women of divergent theologies but also of many common convictions--who are here to celebrate the past and to secure the future- to mark the anniversary of the 'freedom of choice' decision, and to marshall our resources against those who seek to erode and to reverse it.

I speak for the preponderant majority of America's Jews, who join you in this coalition gladly. We do so out of our perception of present-day human need, no less than in response to the mandates of our faith.

Judaism makes therapeutic abortion a viable option. Rabbinic law assigns the fetus no juridicial personality; it does not regard it a 'nefesh,' a living soul until it leaves the womb. Therefore Jewish law sanctions and at times even requires abortion when the life and well being of the mother commend such a step.

Those who oppose us in our efforts claim that they are pro-life and we are not. This is manifestly a malignity. We too affirm life. Judaism makes it the summum bonum, a bright and shining star in the firmament of its commandments. We are commanded to choose life and to live it fully.

We join you in this coalition precisely for this reason. It is because we affirm life that we insist that parents be free to determine precisely how many children they can properly feed and educate and love. It is because we affirm life that we insist all women be free to choose just when and under what conditions they bring life into this world.

It is precisely because we value life that we are opposed to accidental and indiscriminate reproduction in a world which is already overpopulated and underfed. The cries of emerging life are a delight. But we must also hear the silent crying of parents who see the bloated bellies of their starving infants and are helpless to give them surcease.

There is another charge against us, not infrequently made of late, which requires a refuting. The self-styled pro-lifers say that we engineer a state slaughter of innocents which is reminiscent of the Holocaust.

What 'chutzpah' this, what gall, what a perversion of the truth!

Our program is permissive, is it not? It serves the cause of a meaningful life. No one is compelled to perform an abortion. No one is required to undergo it. Everyone is free to choose life as he desires.

Was the Holocaust all this? Did it serve the cause of life? Were those who stumbled out of the box-cars in Auschwitz free to turn to the right or to the left? Could those who entered those infamous showers choose oxygen instead of cyanide?

Analogous to the Holocaust indeed! The Holocaust is sui generis, unprecedented in its evil. There is a yawning gorge of blood which separates this from all other cataclysms engulfing modern man. The Holocaust defies all analogy.

Our opponents are raising the shrillness-level of their argumentation. They have also grown in strength. Religious and political extremists have joined forces and they are determined to impose their particular brand of politics and morality on the laws of this land. The two become indistinguishable. It is almost as if the Almighty had given Moses on Sinai not the Ten Commandments, but the lexicon of the radical right.

The means of our opponents are manifestly a threat to the democratic process. And their goal of narrow theological and political conformity is discordantly alien to the principle of diversity which has guided our nation since its founding.

The focus of our concerns must widen, therefore. It is no longer just the single issue of free choice in abortion which is before us- the issue is rather political safety in a pluralistic community.

What has begun, in effect, is a struggle for the character and for the soul of America. It will endure for many years transcending the immediacies of politics and of elections. It is a struggle, therefore, which none of us need fight alone. It must be waged by the entire American community, by interfaith and intergroup coalitions of decency speaking out together against bigotry and hatred of every kind.

Let us, then, worship and work together and thereby find that strength which flows only from the companionship of kindred and aspiring souls.



Interreligious

STATEMENT BY ANNETTE DAUM
COORDINATOR, DEPARTMENT OF AFFAIRS

at Press Conference, sponsored by Religious Coalition for Abortion Rights
8/20/80

Judaism has revered the sanctity of human life for thousands of years. We have a long tradition of concern for the family and the well being of the woman within that relationship. While abortion is a serious moral question, the fetus is regarded as potential human life, not considered a person until the moment of birth. Its claims are secondary to those of the human person who already exists - the woman. In normative Judaism, abortion is morally permissible, for the life and health of the woman take precedence over that of the fetus. Attempts to depict abortion, the termination of pregnancy, as analogous to the Holocaust, denigrates the full personhood of all those who died as a result of the Nazi determination to murder an entire people - the Jews. Nazi policy was never permissive regarding abortion, which was forbidden for Germans but mandatory for Jews.

The Jewish community overwhelmingly supports the 1973 Supreme Court decision regarding abortion, which is permissive, granting all women freedom of choice based on their own moral and religious conscience. Having suffered as a people the consequences of living in repressive societies, having been denied for centuries the right to live in religious freedom, we treasure our American heritage of religious pluralism. We have a particular interest in preserving the rights of all individuals to the free exercise of their religious beliefs.

We believe that the Hyde Amendment prohibits poor women from the exercise of their religious rights regarding abortion and must express our disappointment that the Supreme Court did not consider this vital question in ruling this Amendment constitutional. By protecting the potential life of the fetus, even when such protection damages the health of the woman, the Supreme Court now appears to undermine the 1973 decision. The new, unjust ruling creates second class citizenship for poor, pregnant women. Only they may now be denied Medicaid funding for the medically necessary treatment of their choice based on their own moral conscience. The Government is making an offer women can refuse only by
→ resorting to suicide. The practical effect is forced motherhood for the poor no matter the cost to a woman's physical and mental health. Encouraging birth under these conditions cannot enhance family stability.

We need to mobilize the pro-choice majority to express our sense of outrage at this decision which has given new life to those who would deny all women the right to reproductive freedom based on their own moral and religious conscience.

Abortion in the U.S., 1980

Because of the delay involved in collecting and processing data, the most recent figures available on abortion in the U.S. are for 1977, four years after it was legalized by the Supreme Court decisions in *Roe v. Wade*. Those rulings were based on the constitutional right of individual privacy, and held that in the first trimester of pregnancy the state could not interfere with a woman's decision on whether or not to have an abortion. In the second trimester, states could regulate abortion only in the interest of protecting the health of the woman, but in the third trimester, when the fetus may be viable, the state may prohibit abortion except when the woman's life or health is in danger.

The following facts and statistics are from the Abortion Surveillance Report of the Center for Disease Control, U.S.-DHEW, and Family Planning Perspectives published by the Alan Guttmacher Institute.

- . 1,079,430 abortions were performed in the U.S. in 1977.
- . 92% of all abortions took place in the first trimester of pregnancy; 59% took place in the first 8 weeks.
- . 8% of all abortions took place between 12 and 21 weeks of gestation. Three major factors account for second trimester abortions:
 1. genetic diseases such as Tay-Sachs or Downs syndrome which cannot be detected until after the 12th week of pregnancy;
 2. irregular menstrual periods or ignorance of reproduction which delays diagnosis of pregnancy, especially in the very young;
 3. lack of adequate funds to pay for an abortion or of access to abortion services.
- . Physicians do not knowingly perform abortions after 21 weeks. If diseases such as renal failure or eclampsia present an immediate danger to the woman's life, premature delivery is induced, and every effort is made to sustain the life of a viable infant.
- . From 1973 to 1977 there were 3,433,000 pregnancies among unmarried teenagers. 49% were carried to term; 37% were aborted; 14% ended in miscarriage.
- . 31% of all abortions in 1977 were obtained by teenagers; 77% by unmarried women.
- . 60% of all pregnancies in white women age 15 - 19, and 90% in black women of the same age, occurred outside of wedlock.
- . About one in every eight U.S. women of reproductive age has had an abortion.
- . Given an average contraceptive failure rate of 5%, if every American woman of childbearing age used one of the available contraceptives, there would still be 2 million unplanned pregnancies every year.



Religious Coalition for Abortion Rights

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Women's Division
Board of Global Ministries
United Methodist Church
The Program Agency
United Presbyterian Church, USA
Council on Women and the Church
United Presbyterian Church, USA
United Synagogue of America
Women's League for Conservative Judaism
Young Women's Christian Association

January 6, 1981

Rabbi Alexander Schindler
President, UAHC
838 Fifth Avenue
New York, New York 10021

Dear Rabbi Schindler:

January 22 is rapidly approaching and the final plans for our worship service and press conference are at last falling into place. As you can see from the enclosed leaflet, we have had a marvelous response from our religious leaders, and we are very grateful to each of you for giving so generously of your time and efforts.

As for your specific role in the day's program, we would like to ask you to give a five minute sermonette during the service. You may wish to touch briefly on the Jewish perspective on abortion and perhaps comment on the current attempts to imprint a particular brand of Christian theology and morality on the laws of our land. However, you are certainly free to address whatever aspect of the issue you choose.

The schedule for the day is as follows:

10:30 - 11:15: Participants will assemble in the Lincoln Parlor of the New York Avenue Presbyterian Church, 1313 New York Ave., NW.

11:30 Processional and Service. Press conference participants, as well as those conducting the service, will be a part of the processional. To highlight the religious nature of the program, we ask that all clergy wear appropriate vestments.

- 1:00 Press Conference, Radcliffe Room, New York
Avenue Presbyterian Church.
- 2:00 Luncheon, New York Avenue Presbyterian Church.
- 2:45 Depart by chartered bus for Capitol Hill.
- 3:00 - 5:00: Conferences with Congressional leaders.

If you have any questions or if we can be of assistance to you in any way, please let us know. We look forward to sharing this special day with all of you.

Sincerely,

Patricia A. Gavett

Patricia A. Gavett
Executive Director



Faith Triumphant Over Fear

The Religious Coalition for Abortion Rights

Urges You

*To Join Us In An Inter-Faith Service
Commemorating the 8th Anniversary
of the Supreme Court Decision
Allowing Freedom of Choice*

DATE: Thursday, January 22, 1981

TIME: 11:30 a.m.

PLACE: The New York Avenue Presbyterian Church
"The Church of the Presidents"
1313 New York Avenue, N.W.
Washington, D.C. (1 1/2 blocks from Metro Center)

Participants

*William P. Thompson, Stated Clerk
United Presbyterian Church, USA*

*Rabbi Alexander Schindler, President
Union of American Hebrew Congregations*

*Rev. Dr. Kenneth Teegarden, President
Christian Church (Disciples of Christ)*

*Rt. Rev. Walter D. Dennis
Episcopal Diocese of New York*

*Rev. Dr. Wyatt Tee Walker
Canaan Baptist Church*

*Ruth Daugherty, President
Women's Division, Board of Global Ministries
United Methodist Church*

*Eleanor Gregory, President
United Presbyterian Women*

*Lillian Maltzer, President
National Federation of Temple Sisterhoods*

*Chiae Herzig, Co-President
Women's Division, American Jewish Congress*

*Marilyn Breitling
United Church of Christ*

*Rev. Avery D. Post, President
United Church of Christ*

*Rev. Eugene Pickett, President
Unitarian Universalist Association*

*Rev. Frederick D. Wertz
Bishop of Washington, United Methodist Church*

*Rev. Patricia McClurg
General Assembly Mission Board
Presbyterian Church in the U.S.*

*Rev. Pat Merchant Park, Chair
Episcopal Women's Caucus*

*Rev. Joseph O'Rourke
Catholics for a Free Choice*

*Goldie Kweller, President
Women's League for Conservative Judaism*

*Natalie Gulbrandsen, President
Unitarian Universalist Women's Federation*

*Rev. S. Garry Oniki
United Church of Christ*

*Blair Stambaugh, Vice President
Young Women's Christian Association*

For Further Information, Please Call 202-543-7032

JUDAISM AND ABORTION

**Testimony presented by
Rabbi Balfour Brickner**

Statement of the
Religious Coalition for Abortion Rights
before the
Subcommittee on Civil and Constitutional Rights
of the
Committee on the Judiciary
U.S. House of Representatives
March 24, 1976

I am Rabbi Balfour Brickner, a national sponsor of the Religious Coalition for Abortion Rights. I serve as the national director of the Department of Inter-Religious Affairs for the Union of American Hebrew Congregations, central congregational body of Reform Judaism in the United States. My organization embraces over 1 million constituents in over 750 congregations throughout this country. While we do not always agree on all matters of policy, I am pleased to say that there is an overwhelming consensus on this subject of the constitutional right of a woman to be free to choose to have a legal abortion. As recently as November, 1975, our national movement, gathered in a national general assembly of nearly 2,000 delegates, overwhelmingly endorsed a resolution on the subject of abortion which reads in part:

The Supreme Court held that the question of when life begins is a matter of religious belief and not medical or legal fact. While recognizing the right of religious groups whose beliefs differ from ours to follow the dictates of their faith in this matter, we vigorously oppose the attempts to legislate the particular beliefs of those groups into the law which governs us all. This is a clear violation of the First Amendment . . .

We oppose those riders and amendments to other bills aimed at halting medicaid, legal counselling and family services in abortion-related activities. These restrictions severely discriminate against and penalize the poor, who rely on governmental assistance to obtain the proper medical care to which they are legally entitled, including abortion.

We are opposed to attempts to restrict the right to abortion through constitutional amendments. To establish in the Constitution the view of certain religious groups on the beginning of life has legal implications far beyond the question of abortion. Such amendments would undermine constitutional liberties which protect all Americans.

One would have hoped that three years after the United States Supreme Court's historic decisions of January 22nd, 1973, it would no longer be necessary to justify whether the freedom to choose a legal abortion should be available to women in this country, especially during the early weeks of pregnancy. I am saddened that again one has to defend against those who, by one legislative tactic or another, would seek to overturn the judicial decision of the highest court of our land in a matter which in our judgment ought to remain a matter of individual conscience.

I do not question the right of any individual or group to seek such a reversal; that is indeed inherent in our democratic process. But it does sadden me to realize that once again the forums of government are burdened with a matter where competing religious groups so strongly disagree. It is probably quite correct to suggest, as some have, that opposition to the civil right of a woman to obtain a legal abortion can be

traced to the activity of organized religious groups. The American Law Institute was undoubtedly correct when it determined that objections to abortion reform are not primarily grounded on legal considerations but rather on some religious beliefs which deem abortion sinful because it is considered murder.

If it is true, as I believe it is, that theology has played an inordinately important role in determining our value judgments on the subject of abortion, then how much the more should the view of Justice Oliver Wendell Holmes be heeded when he said that "moral predilections must not be allowed to influence our minds in settling legal distinctions" (*The Common Law*). The coercive powers of the state must not be employed in the service of sectarian moral views. To do so would be to violate the establishment clause of the First Amendment: "Congress shall make no law respecting an establishment of religion . . ."

The preservation of that right of individual conscience was essentially what the Supreme Court of the United States sought to support in its historic decision. Just as the state must never say (and has not said) that a person not wishing an abortion must have one, so too the state must never be allowed to legislate so as to prevent a woman wishing an abortion from having one. *The right of individual conscience must be maintained.* That right is being challenged again, and the agencies of the state are being asked to arbitrate and decide between conflicting theological beliefs. That places the agencies of civil government in an unfair and untenable position.

There are those who believe that a fetus is a full human being from the moment of conception. But there are also those, and I number myself among them, who seriously question that conviction. Certainly we in the Reform Jewish movement would hold that such a definition is subject to so much question that it should be impossible for any legislative body to deal with this matter definitively. Determining when life begins is a medical and theological matter—not a legal one.

I do not wish to enter into a debate on the subject of when life begins. That is a matter of personal belief and individual conscience. I respect another's differing view. This difference of perception is so important that one individual's or one group's view must not be imposed on another. Neither can the right to hold a differing view be denied nor an action taken as a result of such a variant perception be circumscribed or prevented.

Roman Catholics, Methodists, Orthodox and Reform Jews, humanists, and atheists can and do differ on the crucial issue of when life begins and thus over whether an abortion is or is not murder. Some maintain that life begins at the moment of conception, others with "quickening," still others at birth. It is not a new controversy. In ancient Greece, Aristotle held that life begins for males 40 days after conception and for females 80 days after conception. Under Roman law 40 days was the determining point for both sexes. An abortion before that time was not considered murder. The thirteenth century Roman Catholic theologian St. Thomas Aquinas held that the beginning of life and soul occurred at the moment a fetus first moved in the womb. It was not until 1869 that the Roman Catholic Church under Pope Pius IX proclaimed the doctrine of "immediate animation." Until that time the Roman Catholic Church seemed to accede to some more ancient law.

Neither is there total agreement on this issue in the world of science. Does life begin when sperm reaches egg, or when sperm penetrates egg? Is it when the chromosomes inside the egg and sperm pair or when fertilized egg begins to split for the first time? Or, is it when the egg becomes attached to the wall of the womb or even at some later stage? There is no way of presently deciding this old argument.

Judaism has its view too. In Judaism, a fetus is not considered a full human being and for this reason has no "juridical personality" of its own. In Judaism, the fetus in the womb is not a person (*lav nefesh hu*) until it is born (Rashi, *Yad Ramah*, and *Me'iri*, all to *Sanhedrin* 72b). According to Jewish law, a child is considered a "person" only when it is "come into the world." Thus, there is no capital liability for foeticide. By this reckoning, abortion cannot be considered murder. The basis for this decision is scriptural. The Biblical text states:

If men strive, and wound a pregnant woman so that her fruit be expelled, but no harm befall her, then shall he be fined

as her husband shall assess, and the matter placed before the judges. But if harm befall her, then thou shalt give life for life. (*Exodus* 21:22)

Talmudic commentators made the teaching of this Biblical passage quite explicit. They said that only momentary compensation is exacted of him who causes a woman to miscarry. No prohibition is evident from this scriptural passage against destroying the unborn fetus. Clearly, and here the major rabbinic commentators on the Bible agree, the one who was responsible is not culpable for murder, *since the unborn fetus is not considered a person.* This concept is reiterated in many different instances and in many different places in rabbinic writing.

The classic source for this Jewish attitude toward the status of a fetus and thus toward abortion may be found in the *Mishnah*, a preliminary code of Jewish law that dates back to the second century of the common era and forms the basis of the *Talmud*, the most definitive statement of Jewish law available in our tradition. Here it states: "A woman who is having difficulty in giving birth, it is permitted to cut up the child inside her womb and take it out limb by limb because her life takes precedent. However, if the greater part of the child has come out, it must not be touched, because one life must not be taken to save another" (*Mishnah Ohalot* 7.6). Rashi, the pre-eminent commentator on the Bible and the *Talmud*, explains the talmudic passage as follows: "As long as the child did not come out into the world, it is not called a living being and it is therefore permissible to take its life in order to save the life of its mother. Once the head of the child has come out, the child may not be harmed because it is considered as fully born, and one life may not be taken to save another."

There are, to be sure, laws relating to fetuses more than 40 days old. Laws of ritual uncleanness must be observed for fetuses older than 40 days (see the *Mishnah Niddah* 3.5), suggesting that the unborn fetus, though not considered a living person (*nefesh*), still has some status. However, nowhere does it state that destroying this fetus by premature artificial termination of pregnancy is prohibited.

It is clear that Jewish law does not equate abortion with murder. Moreover, it totally disagrees with those who consider a fetus "a person." In this, Jewish law agrees with the majority opinion of those on the Supreme Court, who stated:

The Constitution does not define 'person' in so many words. The use of the word is such that it has application only postnatally . . .

The unborn have never been recognized in the law as persons in the whole sense.

Despite this plethora of evidence from Judaism recognizing the legality of abortion, Orthodox Jewish authorities have taken and continue to hold a negative view toward abortion. Indeed, most Orthodox rabbis prohibit this act, except in such special instances as when a woman is impregnated through rape or incest or when it is clear that continuation of the pregnancy to birth would constitute a clear danger to the life and/or health of the mother.

The reasons traditional Judaism generally prohibits abortion despite the rabbinic literature permitting therapeutic abortion are complex and diverse. Some Orthodox rabbis are more lenient in this area than are others. Conservative and Reform Judaism drawing from this long tradition take the more liberal stance.

While Jewish law teaches a reverent and responsible atti-

tude to the question of life and thus views abortion with great concern, reasons affecting basic life and health may sanction or even require therapeutic abortion. Were the beliefs of another religion concerning abortion to be enacted into law, our right to follow our religious convictions as we understand them would be abrogated. This is a most serious matter since Jewish women are particularly subject to Tay-Sachs disease—a genetic disease fatal to infants. No Tay-Sachs child has ever lived beyond 5 years of age and they die an agonizing death. Tay-Sachs disease cannot be detected until the second trimester and thus no therapeutic action can be taken until that time.

The differences in religious belief regarding abortion should be quite obvious to any and all. Yet hard as it may be, in the absence of any theological, religious or scientific agreement, the agencies of society have an obligation to seek a path through conflicting theology and belief so as to protect the rights of all.

What should be their yardstick?

In our judgment the criteria that ought to be applied should be a civil one: that is, one which interferes least with individual conscience. Or, to put it positively, that which guarantees most the individual freedom of every member of society in the free exercise of that member's religious, unreligious or even a-religious commitment.

A second criterion that ought also to be applied is that which considers the legitimate and compelling interests of the state (the government, be it federal, state or local). That is what the Supreme Court considered in *Roe v. Wade*.

In considering the state's interest in maternal health, the Court took into account the fact that modern medical techniques have greatly reduced the risks in abortion. In the first trimester of pregnancy (roughly the first 12 weeks or three months), a properly performed abortion presents no more, and apparently even less, of a threat to a woman's life than childbirth. Therefore, the Court said, during this period the state may not interfere with the decision to terminate a pregnancy except to require that the abortion be done by a physician . . .

As for the state's interest in protecting the fetus, the Court held that legally the word 'person' as used in the Constitution applies only after birth and that therefore the Fourteenth Amendment's provision that no person shall be deprived of 'life, liberty, or property, without due process of law' does not apply to the unborn. Thus the Court concluded that the fetus is not a 'person' with constitutional rights. In the light of the sharp disputes among physicians, theologians, philosophers, and others as to when life begins, the Court further concluded that neither courts nor legislatures could, by adopting a single theory on when life begins, override a woman's constitutional right to choose abortion. (*Abortion: public issue, private decision* by Harriet F. Pilpel, Ruth Jane Zuckerman and Elizabeth Ogg. Public Affairs Pamphlet No. 527, 381 Park Avenue South, New York, N.Y. 10016)

As a religionist and as a civil libertarian I find that posture acceptable. It is basic, it is fundamental, it is just. It ought to be sufficient. It is a position which neither compels nor restricts the right of an individual's conscience and it guarantees every woman that right freely to choose. This right to conscience is a freedom which I as a religious person believe is worth fighting for even against every effort to restrict, curtail or deny that right.

If the polls are correct it would seem that the majority

of Americans (Roman Catholics included) share that belief. In February, 1976, 1,117 men and women were polled nationally by the Knight-Ridder Newspaper Poll. That poll put the following statement to those it interviewed: "If a woman wants to have an abortion, that is a matter for her and her doctor to decide and the government should have nothing to do with it." Ninety-eight percent of the Jews polled agreed, 82 percent of the Protestants polled agreed, and 76 percent of the Catholics polled agreed; 81 percent of the total group polled expressed agreement.

One final word. My religious tradition is one which has revered and sanctified human life for nearly four thousand years. During the time when "religious men" were marching heedlessly across the face of the world in wanton destruction of the family of man, in the name of Christ or Allah, we, the Jewish people, were teaching our children that the home was a "mikdash m'at," a miniature sanctuary where parents and children ministered in the house as priests before an altar of God. We have always sought to preserve a sensitive regard for the sanctity of human life. It is precisely because of our regard for that sanctity that we see as most desirable the right of any couple to be free to produce only that number of children whom they felt they could feed and clothe and educate properly; only that number to whom they could devote themselves as real parents, as creative partners, with God.

It is precisely this traditional Jewish respect for the sanctity of human life that moves us now to support legislation which would help all women to be free to choose when and under what conditions they would elect to bring life into the world. It is that regard for the sanctity of human life which prompts us to support legislation enabling women to be free from the whims of biological roulette and free mostly from the oppressive, crushing weight of ideologies and theologies which, for reasons that escape my ken, continue to insist that in a world already groaning to death with overpopulation, with hate and with poverty, there is still some noble merit or purpose to indiscriminate reproduction. Let those who cry so for the unborn express the same kind of active concern for the already born and the too frequently dying.

I am well aware that the issue of abortion is one that is emotionally charged. I am well aware that there are some citizens of this country who hold deep religious convictions which cause them to consider abortion morally wrong. I do not quarrel with their view. But I cannot believe that the state has the right to foist through legislation the religious conviction of any one group upon all the citizens of the country. To do so would discriminate against large segments of our population, and would foster the return to illegality and the continuation of deception in the matter of abortion. It would particularly negatively affect the poor and the indigent among us.

If the Supreme Court's ruling on abortion were to be overturned or if legal barriers to block the effects of the decision are imposed, the disastrous and well-known consequences that accompanied the former restrictive abortion laws could once again reach alarming proportions. That would be truly hurtful to our society, already overburdened with more social problems than it can resolve. I urge you to leave the situation as it presently stands.



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