

Yom Kippur 5783
Rabbi Sara Y. Sapadin
Temple Emanu-El
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“CHOOSE LIFE”

According to the mystics, before God created this world, God created many others. Though these worlds were perfectly beautiful, they were fundamentally lacking. “In these previous worlds,” writes Rabbi Seymour Rossel, “...everything was without flaw, but...the real spark of life—freedom, free will, the opportunity and ability to choose good from evil...—these were missing.”¹ Not so in our world. At the heart of *this* creation, and at the CORE of *our* existence, is the ability to choose.

And so it is with Yom Kippur: at the heart of *this* sacred observance is this ability to choose. Rabbi Harvey Fields writes: Every year [at Yom Kippur] one is afforded the opportunity to determine one's own life for better...This holy day teaches us our greatest gift: “Freedom of choice is given.”² For all of us whose souls are heavy with longing—to be better, to do better, to work better, to love better; our tradition teaches us, we *can* choose a path towards change. And for all of us who feel caught in the grooved patterns of our lives, or trapped by decisions made long ago, our faith affirms, we have the power to move ourselves forward, to choose a new direction.

Today, choice is both a gift and an obligation. The freedom to choose opens up new possibilities as we enter Yom Kippur. But the responsibility to choose is essential to the work of atonement. According to Rabbi Leo Baeck, “Atonement is no mere act of grace or miracle of salvation.... It demands the free ethical choice and deed of the human being.”³ Therefore, we cannot be granted atonement unless we CHOOSE to repent. And we cannot be forgiven unless we CHOOSE to make amends. And we cannot rehabilitate ourselves or our relationships unless we CHOOSE to examine our behavior.

On Yom Kippur, we are asked to CHOOSE again and again. It is a mandate, but so too is it an affirmation, that we are CAPABLE of making such choices, even in matters of life and death, as is evidenced by our Torah reading this morning, in which we heard the words: “I have set before you life and death... choose life.”⁴ Our commentaries note the explicit choice given to the Israelites here.⁵ They, like us, have the power to choose between these two paths, one which promotes LIFE, and the other, DEATH. While the text clearly privileges life, the ultimate choice is up to us. God will not choose for us; we are duty-bound to choose

¹ “Before this World,” as told in Seymour Rossel, The Essential Jewish Stories, p. 268, adapted from **(Zohar 1:24b)**.

² (Avot 3:19; B.S. Jacobson, *Meditations on the Torah*, p. 173) quoted in Dov Peretz Elkins. *Yom Kippur Readings: Inspiration, Information And Contemplation* (Kindle Locations 1398-1400). Kindle Edition.

³ Rabbi Leo Baeck, “Judaism and Atonement,” Dov Peretz Elkins. *Yom Kippur Readings: Inspiration, Information And Contemplation* (Kindle Locations 1456-1460). Kindle Edition.

⁴ Deut. 30:19

⁵ Kabbalist Or HaChayim notes on Deut 30:19: “Here the Israelites are given [the] choices between life and death” and Tur HaAaroch on Deut 30:19

for ourselves. Maimonides, the great medieval scholar, wrote: “One shouldn’t believe the theory that God decrees whether a person should be righteous or evil. It’s not true! Every person [can] be righteous like Moses...or wicked, like King Jeroboam.”⁶ The choice is ours.

In this sanctuary, today and every day, we affirm every person’s fundamental right to choose. But outside this sanctuary, this right is under threat. In the wake of the June 24th Supreme Court *Dobbs v. Jackson* ruling, which overturned *Roe v. Wade*, eliminating the federal right to an abortion and dispensing with nearly 50 years of precedent, we are now living in a world where access to abortion care has been removed from millions of people in desperate need of such support. As I stand here today, abortion is virtually* banned in fourteen states of our nation; and in four more states, abortions are highly restricted.⁷ It is projected that about half of the United States will establish abortion bans or strict gestational limits to abortion in the near future.⁸ Former Supreme Court Justice Stephen Breyer, along with Justices Elena Kagan and Sonia Sotomayor describe this stark new reality in their blistering dissent: “As of today, this Court holds, a state can always force a woman to give birth, prohibiting even the earliest abortions. A state can thus transform what, when freely undertaken, is a wonder into what, when forced, may be a nightmare.”⁹

It has been said on this bimah many times before, but it bears repeating: Abortion justice is a Jewish issue. As Sheila Katz, CEO of the National Council of Jewish Women reminds us: “One in four people who can become pregnant will have an abortion by age 45, and that includes people in the Jewish community. Our tradition views abortion as essential healthcare, not only permitted but in some cases commanded when a life is at risk.”¹⁰ On this holy day of Yom Kippur, a day when freedom of choice infuses every word we utter and every ritual we perform, we decry the tragic loss of reproductive freedom and choice in our nation.

This morning, we add our voices to the outpouring of moral indignation that has exploded across the Jewish spectrum in response to the overturning of *Roe v. Wade*:

Our own Reform movement has stood firm in its support for abortion justice, with leaders like Rabbi Marla Feldman, Executive Director of Women of Reform Judaism, stating: “We are outraged that the Supreme Court...has stripped women and others who can become pregnant of the fundamental right to make essential health care decisions without governmental interference.”¹¹

⁶ Hilchot Teshuvah 5:2

⁷ <https://www.nytimes.com/interactive/2022/us/abortion-laws-roe-v-wade.html>

⁸ <https://www.nytimes.com/interactive/2022/us/abortion-laws-roe-v-wade.html>

⁹ https://www.supremecourt.gov/opinions/21pdf/19-1392_6j37.pdf

¹⁰ <https://www.ncjw.org/news/new-national-council-of-jewish-women-campaign-urges-rabbis-to-fight-for-reproductive-freedom/>

¹¹ <https://rac.org/press-room/reform-movement-leaders-denounce-supreme-courts-decision-dobbs-v-jackson-womens-health-0>

The Rabbinical Assembly, representing Conservative rabbis, also asserts: “Denying individuals access to the complete spectrum of reproductive healthcare...deprives those who need medical care of their Constitutional right to religious freedom.”¹²

And in the Orthodox community, prominent thought-leaders Rabbi Dov Linzer and Rabba Sara Hurwitz released this statement, just prior to the decision coming down: “To deny women the right to choose is to assume that they cannot be responsible to give this consequential decision the full weight that it deserves. It is to infantilize women, to exhibit a lack of trust in them to be responsible moral agents.” They add: “In the case of women committed to Jewish law [this decision] is to rob them of the ability to be true not only to the dictates of their conscience, but to their faith as well.”¹³

These words of condemnation affirm: abortion bans do not reflect *our* Judaism. Denying abortion access and eliminating a person’s ability to decide in matters of reproductive health is an affront to our Jewish faith, a faith which does not criminalize abortions, a faith which prioritizes the health and wellbeing of the pregnant person, and a faith which upholds the inviolability of bodily autonomy.

In a 1990 essay, entitled, “Reform Judaism, Bioethics, and Abortion,” the late rabbi and philosopher Alvin Reines wrote, “It is a violation of Reform Jewish principles...to usurp a woman's right to self-authority in the matter of abortion; and no governmental decree can be accepted that violates the moral integrity and religious practices of Reform Jews. No impulse in humans is a greater evil than the rage to exercise authority over others... It is this demonic lust ...which must be challenged.”¹⁴

*And challenge we will, because as Jews we cannot and will not stand by as our fundamental rights to health, dignity, and autonomy are callously and cruelly trampled. Nor can we stand by knowing that those deprived of abortion care are more likely to end up financially insecure or trapped in abusive relationships as a RESULT of that denied care.*¹⁵ And we cannot stand by knowing that draconian abortion laws amplify structural inequities that already exist in this country, disproportionately harming those who are struggling economically; those who identify as Black, Indigenous, or people of color; those who are immigrants, young people, people with disabilities, individuals in rural communities, trans-men, and non-binary people too; all risk harm with this decision.¹⁶

On this Yom Kippur, we challenge this assault to our rights and our faith by heeding the call at the core of this sacred day, the call to CHOOSE. CHOOSE! Our Torah commands us. CHOOSE to fight for moral agency. CHOOSE to stand up for reproductive freedom. CHOOSE to protect the fundamental right to bodily autonomy. But the call to choose doesn’t end

¹² <https://www.rabbinicalassembly.org/story/conservative-rabbis-strongly-condemn-us-supreme-court-decision-overturn-abortion-rights>

¹³ Rabbi Dov Linzer and Rabba Sara Hurwitz, <https://www.sefaria.org/sheets/421224.1?lang=bi&with=all&lang2=en> (in response to the Dobb’s leak)

¹⁴ <https://polydoxy.org/reform-judaism-bioethics-and-abortion/>

¹⁵ Information from NCJW- <https://drive.google.com/file/d/19-n7rPyThUKuwZdu1Uo4dXknL1h1BUvX/view>

¹⁶ Information from NCJW- <https://drive.google.com/file/d/19-n7rPyThUKuwZdu1Uo4dXknL1h1BUvX/view>

there. It continues: “I have set before you life and death... CHOOSE LIFE, that you...may live.”

Yes, we challenge this ruling by CHOOSING LIFE. That phrase, so closely associated with anti-abortion activists, does NOT belong to them. Today, we must talk about what it means to CHOOSE LIFE for the safety and dignity of the pregnant person. Decades ago, before Roe had been decided, Baptist Minister Harris Wilson, a man responsible for setting up a clergy service for those seeking abortion, wrote a letter about what it meant to choose for the life of the pregnant person:

“As a minister,” he began, “I must consider the human trauma of a live, breathing woman and her interests over against the interests, whatever they might be, of a fertilized ovum...There are millions for whom...abortion...is a matter of conscience to be protected by the society in which they live...”¹⁷

Minister Wilson urges us to remember that the individual seeking abortion care is a person, a person with hopes, dreams and fears; a person who feels and hurts; a person making their way through life, just like you and me. Those who seek abortion care aren’t any different from us; they are our family and friends, our colleagues and co-workers; they are all of us, and we are them.

Rabbi Rachael Pass, a Reform colleague who has written powerfully about her own abortion experience, offers these words on the notion of CHOOSING LIFE:

“What does it mean,” she asks, “that the life of the pregnant person comes before that of the fetus?” She goes on to answer: “It means that [the pregnant person’s] physical needs and pain levels are prioritized over the birthing of the child...¹⁸ It means that their mental health is prioritized over the birthing of the child.¹⁹ It means that their dignity and honor are prioritized over the birthing of the child.²⁰ It means that the primary consideration in the Jewish question of abortion is the needs of the person giving birth, their life, their health and their dignity.” Rabbi Pass concludes by stating: “There is nothing more sacred than the right to live one’s life as one chooses... In having an abortion, I chose my life.”²¹

So yes, today we CHOOSE LIFE to safeguard the health, dignity, and future of the pregnant person.

We CHOOSE LIFE to prevent another pregnant person from dying of ectopic pregnancy, or life-threatening sepsis after an incomplete miscarriage.²²

And we CHOOSE LIFE to validate the unfathomable pain of discovering a pregnancy is no longer viable.

¹⁷ Kaplan, Laura. The Story of Jane (p. 65). Knopf Doubleday Publishing Group. Kindle Edition.

¹⁸ (Rabbis Josef Trani and Jacob Emden)

¹⁹ (Rabbi Mordecai Winkler)

²⁰ (Rabbi Ben-Zion Ouziel)

²¹ <https://blogs.timesofisrael.com/i-am-a-rabbi-my-abortion-was-a-sacred-choice/>

²² <https://www.cbsnews.com/news/abortion-doctors-ectopic-pregnancy-risk/>

We CHOOSE LIFE to guard against the trauma of forcibly having to carry any unwanted pregnancy to term.²³

And we CHOOSE LIFE to protect and care for those who've been impregnated by rape or incest.

We CHOOSE LIFE that the Pregnant Person MIGHT LIVE, that they might be able to take care of themselves and their existing children, their families and dependents.

And we CHOOSE LIFE that they might continue with their schooling or career paths.

We CHOOSE LIFE to honor the hope and promise of a bright future; after all, as writer Laurie Penny reminds us, "this pregnant person might be the next Mozart or...Mandela."²⁴

Yes, we CHOOSE LIFE to avert the proven increases in poverty, debt and partner violence that happen when pregnant people are denied abortions.

And we CHOOSE LIFE so that pregnant people might avoid deportation on account of said pregnancies.

We CHOOSE LIFE in order that a pregnant person's gender identity might not be compromised, nor their body ruthlessly subjected to violence.

Yes, today we CHOOSE LIFE so that PREGNANT PEOPLE might SURVIVE,²⁵ recognizing what Justices Breyer, Kagan, and Sotomayor pointed out in their dissent: "...an American woman is 14 times more likely to die by carrying a pregnancy to term, than by having an abortion."²⁶

The urgent appeal in our Tradition to CHOOSE LIFE is not abstract; it is real and tangible and actionable. On this Yom Kippur, we can and must CHOOSE LIFE by involving ourselves in the work of abortion justice, by reaching out to organizations already active on the ground, organizations like the [National Council of Jewish Women](#), with whom we at Emanu-El have partnered many times. So too, we can make a difference by learning about the specific work of REPRODUCTIVE JUSTICE, an approach that frames this struggle through the lens of racial and economic disparity, and has been, and continues to be led by Black women and other women of color. [SisterSong](#) is one such organization leading this charge. But perhaps the greatest impact we can make right now is financial. The [Jewish Fund for Abortion Access](#), for example, provides emergency relief to those directly impacted by abortion bans. The Fund pays for travel, abortion care and counseling for all

²³ <https://www.courier-journal.com/story/opinion/2022/08/10/abortionprevents-legacy-of-trauma-for-childhood-pregnancies-opinion/65397588007/>

²⁴ <https://lauriepenny.substack.com/p/do-women-have-a-right-to-life>

²⁵ <https://abcnews.go.com/US/challenges-increase-immigrants-accessing-abortion-roe-reversal/story?id=86404717>

²⁶ https://www.supremecourt.gov/opinions/21pdf/19-1392_6j37.pdf

those in need of such support during this exceptionally fraught time.²⁷ It is nothing less than a lifeline at a moment when so many lives hang in the balance.²⁸

One need only listen to the testimony of those who've been there. A woman from Michigan shares: "I was in an abusive relationship, severely depressed, and in my first semester of law school. An abortion saved my life."²⁹ A woman from California echoes: "My abortion saved my life. I had an ectopic pregnancy which put my life at risk. I couldn't risk leaving my two children motherless."³⁰ Christina Ward, an artist and photographer, adds: "My teen years were... marked with instability and painful family struggles...I was struggling emotionally...I know [my abortion] saved my life."³¹ These are but three stories out of scores, all of which convey the very same message: an abortion can mean the difference between life and death.³²

On this Yom Kippur day, as our Torah calls out to us: "I have set before you life and death," may we do everything in our power to CHOOSE LIFE for every pregnant person across our nation. May we strive, relentlessly, to ensure that all pregnant people have the right to make their own moral, ethical and faith-based decisions about their bodies, their health, and their futures. And may we immerse ourselves in advocacy and activism to protect the critical abortion access we currently have, and expand it where it has been severely restricted or eliminated. May we give generously of ourselves, our time, and our resources to all those facilitating life-affirming and life-saving abortion care to pregnant patients in need. And may we, guided by God's loving example, commit ourselves to creating a community where anyone impacted by pregnancy termination feels supported, welcomed and embraced. Our Jewish values, grounded in the preservation of human dignity and the pursuit of justice, demand nothing less. Today, we CHOOSE LIFE. Tomorrow, we fight for it.

Amen.

²⁷ NCJW's Post Roe Action Guide, <https://drive.google.com/drive/folders/1aqabZyclBxqV4PequN-xpDKONVyfgaXr>

²⁸ Inspired by Danya Ruttenberg U'ne Taneh Tokef, "So much still hangs in the balance."

²⁹ <https://www.aclu.org/news/reproductive-freedom/your-abortions-your-voices-your-stories>

³⁰ <https://www.aclu.org/news/reproductive-freedom/your-abortions-your-voices-your-stories>

³¹ <https://cardinalpine.com/story/my-abortion-saved-my-life-dont-take-this-choice-away-from-other-women/>

³² https://www.stltoday.com/opinion/columnists/frail-an-abortion-saved-my-life-and-helped-me-escape-an-abusive-relationship/article_d9635f28-3ccd-51d3-9fbc-dd4cfc869bc1.html