

To: Health and Government Operations Committee
From: Nancy Schweiss
Subject: Testimony in Favor of Right to Reproductive Freedom, House Bill 705

Thank you for the opportunity to submit testimony. I write as a lifelong Marylander, a mother, a proud Jew, and a concerned citizen. For the entirety of my reproductive years, I was protected by the U.S. Supreme Court ruling *Roe v. Wade*. I fear for the women who have lost the protections that I had.

Nothing impacts a woman's life more profoundly than the decisions of when and if she is to have a child. The outcome of that decision affects her ability to obtain an education, employment, and her ability to care for and nurture her existing children. Contraceptive methods fail. Prenatal screening reveal abnormalities. Access to abortion needs to remain an option. Woman must be allowed to follow their own moral, ethical, and faith, and religious frameworks and to take into account their personal circumstances and physical and emotional well-beings. Medical care providers' must be allowed to act in their patients' best interest.

For members of the U.S. Jewish Conservative movement, government restrictions on reproductive health care are at odds with their religious freedom. The Rabbinical Assembly (RA), the organization that represents Conservative rabbis in the U.S, explicitly calls for the right to make decisions affecting one's own pregnancy including abortion care. This stance is addressed in a paper disseminated from their Committee for Jewish Law and Standards (CJLS) written by Rabbi Susan Grossman, Rabbi Emerita of Beth Shalom Congregation in Columbia, MD. In that paper, Rabbi Grossman writes:

Judaism is a life affirming religion. [The Bible places] the value of human life above almost all other commandments. Nevertheless, there are different aspects or qualities of life, and not all forms of life are equivalent nor can lay claim to the same rights and protections.¹

... Rabbinic law views the fetus as part of its mother's body ... and it is to be treated as such. ... Neither gestational age nor viability serves to grant the fetus a legal or religious identity independent of its mother prior to birth. ...²

The CJLS guidance is founded on the precept that a fetus is not a person, and that finding is based in part on Exodus 21:22-23 which states the penalty for causing a woman to fall and miscarry is a fine but the penalty for causing a woman to fall and die is "life for life". Thus, "While the death of the woman would be a capital offense according to the Torah, the destruction of the fetus is not, for clearly the fetus is not a person under the law." Rabbi Grossman notes also "This position was affirmed by later Talmudic commentators."³

Raising a child is a sacred responsibility. No one should be forced to raise a child that they are not physically, emotionally, and financially prepared for nor should they be forced to carry an unwanted pregnancy to term and bear a child to be adopted or raised in foster care. I urge the committee to approve House Bill 705.

¹ Grossman, Rabbi Susan, "Partial Birth Abortion" and the Question of When Human Life Begins", page 1. <https://www.rabbinicalassembly.org/jewish-law/committee-jewish-law-and-standards/teshuvot-database>.

² Ibid., page 3.

³ Ibid., page 4.