

# Judaism's Humility about Life: A Sermon about Reproductive Justice

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If you ask kids what Rosh Hashanah is, many will say, “the birthday of the world.” Imagine the party they are picturing in their innocent minds! Rabbi Adler taught last night that “birthday of the world” is one of the five different names for Rosh Hashanah. Even President Biden’s message to American Jews begins, “This Rosh Hashanah, Jewish communities throughout America and across the globe will celebrate the birth of the world and the beginning of a new year.”

The phrase comes from our prayers. This morning, in each of our three shofar services, we said, *Hayom Harat Olam*, translated as “Today the world is born anew” but in our previous High Holy Day prayerbook it was more straightforward, “Today is the day of the world’s birth.”

The problem is that it isn’t exactly accurate. *Hayom* definitely means “today”; *Olam* is “world” or “universe”, but the middle word - it’s always the thing in the middle - the middle word is *harat* which means conception or pregnancy, the process leading to birth. *Harat* has the word *har* in it, meaning “mountain”, as if pregnancy is to become like a mountain. *Hayom harat olam*. “Today the world is conceived.” Or perhaps, “Today is the pregnancy of the world.” So is that creation? Is that life? Or potential life? A medieval commentator Rabbeinu Tam said that on Rosh Hashanah the world is in the womb and not birthed until Passover. A contemporary teacher, Sara Friedland Ben Arza is amazed by this language in Judaism at all. She says, “The use of birth imagery for creation is not common in Jewish sources. ... It is exceptional ... [that] the image it conveys is not that of a male “seeder” of the world, but rather of a pregnant mother. We are focused on the emergence from the womb, i.e. on birth itself, as the metaphor for creation.”<sup>1</sup>

So which is it, birth or pregnancy? It gets even more confusing. According to midrash, today commemorates the sixth day of creation when the first humans were created in the Garden of Eden. So the world was birthed six days ago not today, and not on Passover as Rabbeinu Tam says.

To add another dimension literally, the word *olam* which we translate as “world” also can be translated as “eternal”, about time, not physical space. When we say in our prayers *l’olam va’ed*, it means “forever and ever.” Time not space. In a sense *olam* meaning both world and eternity, represents the entire time-space continuum. So the phrase “Today is the birth of the world” can be “Today is pregnant with eternity.”<sup>2</sup>

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<sup>1</sup> As quoted by Rabbi Gordon Tucker in his thoughtful study of *Hayom Harat Olam*, “ONE SMALL LITURGICAL TEXT, ONE GIANT TROVE OF INTERPRETATION,” p. 19.

<https://static.hartman.org.il/dev/uploads/2020/09/Rosh-Hashana-Hayom-Harat-Olam.pdf>

<sup>2</sup> Many have found this short article by Rabbi David Seidenberg helpful. It offers reasoning for this translation.  
<https://www.tikkun.org/planting-the-seed-of-eternity/>

This ambiguity of translation is quite beautiful and leads to the topic of this sermon which is about life, Judaism's view of when it begins, and how that answer is not so straightforward.

Personally, it has been a while since I have connected to these questions. Rachel and I have not thought about reproductive health and planning since the time two of our three kids nearly were born on this bima - some of you remember – and now our youngest is eighteen and for the first-time celebrating Rosh Hashanah in college not at home. We still remember the feeling of deep connection we had to each of the pregnancies, the relationship formed before ever seeing our children, and the joy, awe, and profound gratitude of birth. We chose to follow Jewish tradition during each pregnancy, of not getting anything ready, not setting the baby's room, not having a baby shower, because we knew how precarious each stage of pregnancy could be. When you find out that someone is pregnant the traditional response is not *mazal tov*, but *b'sha'ah tovah* meaning “in a good time” recognizing how much is beyond our control. With all of this caution - and I remember it so viscerally - Rachel and I felt a deep attachment to the soul of each our children long before their birth.

I truly feel for our ancestors who could not allow themselves such attachment because of high infant mortality, who could not allow themselves, with their large families, the mourning rituals including the cessation from work that shiva would require for every miscarriage or stillbirth. Jewish law followed the needs of the people to mandate that we do not say Kaddish, not observe shiva or shloshim, until a baby has at least lived 30 days after birth. Can you imagine? No mourning life until after 30 days. Much has changed in modern Jewish observance to address the need for mourning earlier.

I want to pause for a moment. The mention of pregnancy may bring up challenging memories. If this is true for you, I ask you to stay with me if you are able, as I acknowledge publicly that some have found it very hard to conceive. For some it was not possible. Some have chosen not to have children or life circumstances never gave that chance. Some single people and some couples have dealt with the emotional rollercoaster of medical technology to become pregnant or have used a surrogate or adopted.

There is a reason that one of the central texts of Rosh Hashanah is the Haftarah that we just chanted containing Hannah's prayer for life, for a child. That longing is so visceral, so real for so many people. Hannah returned to the same place year after year feeling that nothing was changing and so she prayed with deep emotion. For too many women, after becoming pregnant, sometimes even between successful pregnancies, there has been the devastation of miscarriage after so much investment of love. We mourn with you today even if the memory is distant.

And for many, becoming pregnant has also meant the disquieting wrestling with whether to continue that pregnancy.

About one out of every four women in America has decided to end a pregnancy, at some point in their life, for reasons which are, in every case, intensely personal, and in some cases because continuing the pregnancy will harm the mother's life.

I hesitated to speak about this topic today. It raises many feelings and has political implications and as the one male clergy member at Mount Zion, I am sensitive about when to speak and when to listen. In conversations with Rabbi Adler, however, we agreed that this issue is both a women's issue and a human issue and all voices are needed.

However, the discourse about reproductive health in America has, by calculated design over decades, become political, so much so that many feel that a rabbi shouldn't even be discussing this topic from the bima. I am speaking because I believe we want and need a religious way - not a liberal or conservative way – to talk about life.

There are two questions I want to address: when does life begin and who gets to decide?

### **When does life begin?**

Every year I share a text from the Talmud with my confirmation students. It comes from a tractate discussing the world to come. The rabbinic sages raise the question: when does a person first gain access to eternal life and enter the world to come? It is their way they ask the question of when life begins. What is most important is that there is not an obvious answer to which they all agree. That is why they ask the question. The first sage answers “birth” but the next counters with “from when the child can speak.” Why? Because if we are in the image of God and God creates the world through speech, we become worthy of life eternal when we imitate God by articulating words. The next sage says, “conception” – yes that is there – to which another counters, “from circumcision,” that is, entering the covenant. So does life begin at conception, birth, circumcision, or when able to speak?

There is no conclusion in the Talmud just an additional answer that life begins when one can say, “Amen,” when a person can feel gratitude toward life.<sup>3</sup> This answer has implications for the end of life such as when one is in a vegetative state and can no longer bless life.

And that is where the Talmud concludes. There is no final answer.

I want us to hold onto this for a moment. Judaism values life as paramount. The mitzvah to save life, *pikuach nefesh*, as we have discussed endlessly through this pandemic, takes precedence over all the other mitzvot, the sacred obligations of our tradition.

Yet, in a central text by our sages, when given the opportunity to state clearly when that life begins, they hedge, Or more profoundly, they accept the limits of their capacity to know. Five answers are offered and there is no vote to decide which one is right. With humility, our ancestors allowed that there could not be one answer.

Personally, I wrestle with the question of when life begins. I felt a connection to the life in Rachel's womb long before birth and yet I hold onto the humility of my rabbinic ancestors who included multiple views about the beginning of life.

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<sup>3</sup> Babylonian Talmud, Sanhedrin 110b

Of course, Judaism cannot only be theoretical. There are practical situations that need answers. What is noteworthy is that over the millennia, in vastly different circumstances, time after time, when it came to pregnancy, Jewish law and tradition emphasized the life of the mother over the potential life of the fetus.

And this is true while the Jewish world has wanted babies, lots of babies. Before the Holocaust there were 17 million Jews in the world. Today nearly 80 years later, there are still not even 15.5 million. In Israel today, there is much more support for young families than America and the health care system funds pre-natal care and in-vitro fertilization as many times as desired. This does not mean that Israelis believe that every fertilized egg needs to be brought to term. There is a process to approve each situation of ending a pregnancy, but the woman or couple bringing the case is given the benefit of the doubt. Israel's laws regarding ending a pregnancy are much more lenient than America's.

### Who gets to decide?

In America, how should we be thinking about who decides? Should the fact that different religions have varying views on when life begins be a factor since the Constitution protects freedom of religion? I believe so.

In addition, one factor in decision making needs to be highlighted: there is a long history of societies trying to control women's bodies.

The traditional Torah reading for today, for those who observe two days of Rosh Hashanah, is Genesis 21, the banishment of Hagar and Ishmael and the birth of Isaac. The backstory for the banishment of Hagar, who is an enslaved woman with few rights or protection, is in chapter 16 verse 3:

וַתִּקַּח שָׂרַי אִשְׁת־אַבְרָם אֶת־הַגֵּר הַמִּצְרִית שִׁפְחָתָהּ מִקֶּץ עֶשְׂרִים שָׁנִים לְשִׁבְת־אַבְרָם בְּאֶרֶץ כְּנָעַן וַתִּתֵּן אֹתָהּ  
לְאַבְרָם אִישָׁה לּוֹ לְאִשָּׁה:

So Sarai, Abram's wife, **took** her enslaved-woman, Hagar the Egyptian—after Abram had dwelt in the land of Canaan ten years—and **gave** her to her husband Abram as wife. (*Bereshit 16:3*)

Nowhere in these verses do we see Hagar consent to having her body taken or given. She has neither agency nor dignity. She is not asked; she does not get to choose. Her reproductive life is not her own.<sup>4</sup> Fast forward to 2022, the term “Reproductive Justice” has been defined as “the human right to maintain personal bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities.”<sup>5</sup>

<sup>4</sup> With appreciation to Rabbi Danya Ruttenberg's highlighting this text in materials for the National Council of Jewish Women and for the framing language.

<sup>5</sup> I found the elegance of this statement so inspiring and challenging. It comes from *SisterSong: Women of Color Reproductive Justice Collective*. <https://www.sistersong.net/>

What is clear is that when Hagar lived and - it should not be a surprise - in modern times as well, some women have fewer choices than others based on their economic resources or the discrimination they face because of immigration status or race.

People with financial means will usually find the care they desire no matter where they live. People living in poverty most often will not unless the state allows that care locally.

This disparity of access to reproductive health in America should be a moral affront to us as Jews and should be a major factor as we figure out our positions about reproductive health public policy.

*Hayom Harat Olam:* There is another way to translate that middle word *harat*. Not “today is the day of the world’s birth” or “today the world is conceived or pregnant.” The 11<sup>th</sup> century master teacher, Rashi, suggests that the middle word is not about birth or pregnancy at all. Rather it is a shortened version of the word *harata* which means judgment. “Today the world is judged.” With Rashi’s insight, pregnancy and judgment are connected in one phrase.

We all make judgments about other people’s decisions. But do we honestly think we would make a better one for someone else’s life than they would? And if you just said yes, would you want that responsibility without knowing all that that person faces?

Our society is divided between the camps of pro-life and pro-choice. I mostly want to be identified with pro-compassion. If I see my tradition as having humility about when life begins, I choose to reserve judgment about other people’s decisions. Do I believe that everyone will make the decision I would? No, but in the end, I will trust people more than the state wishing to take that right of decision-making away.

For all these reasons, I support the National Council of Jewish Women’s leadership in fighting for everyone’s reproductive health, rights, safety, and freedom in America. With humility, I suggest that you do the same, and have conversations with friends, family, and yes, politicians, that are nuanced, thoughtful, and beyond talking points.

*Hayom harat olam. Today is the conception, pregnancy, birth, and judgment of the world all mysteriously together. With fear and trembling we reflect on times we make decisions about life and potential life, As these High Holy Days are here for us to consider our own choices in deep reflection before the True Judge and not to judge others, may they inspire our humility and compassion. Ken yih ratzon, may this not only be our will but our country’s as well.*

*Following the sermon, Cantor Jennifer Strauss-Klein sang Josh Nelson’s “Hayom Harat Olam.”*