

Yom Kippur 5782 - 9/16/2021 - From Here to Where?

Isabell Wilkerson, in her book, *Caste*, explained how “The Nazis needed no one to teach them how to hate, but what they did was they sent researchers to the United States to study Jim Crow laws here in the United States, to study and to research how the United States had managed to subordinate and subjugate its African American population.”

<https://www.savannahnow.com/story/entertainment/columns/2020/10/03/nazis-learn-ed-from-us-segregation-says-author-wilkerson/114853284/>

Since the civil war and since World War II, American Klu Klux Klan members and neo-nazis have freely exercised their right to vote in national and state elections in order to create a society more in their image wherever they could.

Four years ago a city finally moved to remove a statue of the treasonous, confederate general, Robert E. Lee in Charlottesville, Virginia. A group of neo-nazis and white supremacists marched through the town waving their tiki torches screaming “Jews will not replace us.” Is this what our World War II veterans fought and died for? No one liked the old Nazis, why has America and American citizens tolerated neo-Nazis in this country since the end of World War II?

In Texas, a bunch of conservative politicians work diligently to take away civil rights of their own citizens; the rights for citizens to vote in free and fair elections, the rights for women to govern their own physical and medical needs, the right to be something other than a white, conservative, fundamentalist male living legally and peacefully in the United States of America. As a Jew, I seem to remember some laws from Nuremberg, Germany that set up laws against Jews and took away our civil rights.

The removal of the statue in Virginia led to the violent murder of 32 year old, Heather Heyer, when a neo-nazi drove through the crowd of liberal counter-protesters. Apparently, Fascism is alive and well today in America hidden in the cloak of patriotism and “true” Americanism. So many individuals who bask in the freedoms of America, currently use those freedoms to espouse hatred and intolerance.

In Arizona, Texas, Georgia, Florida, Ohio, New York, Oklahoma elected American politicians work diligently to create difficulties for citizens to exercise their civil voting rights.

Robert E. Lee owned a small number of slaves, was definitely involved in administering the day-to-day operations of a plantation and the recapture of runaway slaves.^[87] Lee even separated his slave families, and only in 1862, did Lee free the slaves that his wife inherited, but that was in accordance with his father-in-law's will.^[88] Not by his choice. https://en.wikipedia.org/wiki/Robert_E._Lee

He wasn't someone we should want statues of to honor him in the centers of our towns.

In today's world we all stand witness to the tipping of the balance between right and wrong. Today we stand across from a great divide in which we look across the abyss and see the other side as wrong minded while they view us and see us as wrong minded. Who raised these individuals? Their American values might be considered original values, while many of our modern values of acceptance, tolerance, equality, justice and freedom for all ring of the true intentions of our Constitution and the Declaration of Independence.

In what world do any of us think it is a good idea for neighbors to start spying on and suing their neighbors just because they don't agree with their neighbor's medical choices, the results of a tragic rape, or their doctor's recommendation not to carry a failed pregnancy to term due to risks to the expecting mother?

Was it a good idea for neighbors to spy on and betray neighbors in Stalinist Russia? Was it a good idea in Nazi Germany? Is it a good idea in Iran, Afghanistan, Communist China or North Korea? In a nation where Church and state are supposed to be separate, in a state that is all about citizens' rights to do anything they want, Texas lawmakers have jumped right over rational governance straight into unconstitutional theocratic authoritarianism all in the name of democracy. Some might say their actions are even unamerican.

Where exactly do we go from Texas? The Texas Tribune explains how "Senate Bill 8 bans abortions after whenever an ultrasound can detect what lawmakers defined as a fetal "heartbeat," which can be as early as six weeks into pregnancy before most women even know they're pregnant. Medical and legal experts say the term is misleading because embryos don't possess a heart at that developmental stage. Similar bills have been passed by other states and held up by the courts, but Texas' version has a twist.

Instead of having the government enforce the law, the bill turns the reins over to private citizens — who are newly empowered to sue abortion providers or anyone who helps someone get an abortion after a fetal "heartbeat" has been detected. The person would not have to be connected to someone who had an abortion or to a provider to sue.

Proponents of the new law hope to get around the legal challenges that have tied up abortion restrictions in the courts. While abortion providers typically sue the state to stop a restrictive abortion law from taking effect, there's no state official enforcing Senate Bill 8 — so there's no one to sue, the bill's proponents say.

"It's a very unique law and it's a very clever law," said Josh Blackman, a constitutional law professor at South Texas College of Law Houston. "Planned Parenthood can't go to court and sue Attorney General [Ken] Paxton like they usually would because he has no role in enforcing the statute. They have to basically sit and wait to be sued."

<https://www.texastribune.org/2021/05/18/texas-heartbeat-bill-abortion-law/>

The war on women has escalated to defcon 1. No one is playing around anymore. For any of us who have read or who have been watching the Handmaids' Tale on television, we are all watching the beginning of its next chapter play out in reality in Texas, Ohio, Mississippi, Alabama and Florida.

Texas and Georgia seem so far away. Not our state. Not our problem. Until it is our problem. France thought the same thing once upon a time. They thought they were safe from Germany too. As Jews we are trying to raise our kids in as much safety as possible in hopes they can live meaningful and successful lives. We live in Chicago, in a Jewish epicenter, hoping to stay as far away from non-Jewish, religious fundamentalism as possible. Yet, this is very much our problem. Texas represents our worst fears. First they take the rights away from women. Then they take the rights away from scientists, then from people who don't think like them, look like them, vote like them... We all know how this ends. People don't want to call it what it is, but when you begin to take basic freedoms away from certain citizens it just whets the appetites for the possibility of taking away more rights from even more citizens.

Many Jews and non Jews care for women's rights and the right to choose. The majority of us fear for all the citizens who find their vote stolen, purged, blocked, erased. This isn't just about erasing a citizen's right to vote or right to choose. This is about control. This is about instilling fear. This is about intrinsic racism and the desire for religious and white supremacist rule even though religion and white supremacy aren't supposed to have a foothold in our governments.

These politicians don't really care about the well being of the babies after they are born. They just want to make sure to cause suffering to all the women who find themselves needing or wanting an abortion. They don't fight to punish or limit the rights of the men who impregnate these women, so it isn't really about unwanted pregnancies. They don't care if the mother dies carrying to term a life threatening pregnancy. They don't care if the babies are unwanted. They only want to wield their power. They just care about controlling women who they think are beneath them and deserve what they get for getting themselves pregnant. Texan Rapists are more likely to be treated leniently than a woman who seeks an abortion or someone who drives her or provides her medical procedure.

Once the baby is born, the politicians for sure care if the mothers go on welfare or the state has to pay for the babies upbringing, education and needs after the baby is born. They castigate these impoverished and overburdened families and make sure the system is slanted against them in every way possible to make sure these children have a most dangerous path to survive to adulthood.

Our ancient rabbis teach us that a baby isn't a viable life until after a mother gives birth and the child draws its first breath. Dr. Fred Rosner, in his article "The Fetus in Jewish Law," wrote: "An unborn fetus in Jewish law is not considered a person (Heb. nefesh, lit. "soul") until it has been born. The fetus is regarded as a part of the mother's body and not a separate being until it begins to egress from the womb during parturition

(childbirth). In fact, until forty days after conception, the fertilized egg is considered as “mere fluid.” These facts form the basis for the Jewish legal view on abortion...

<https://www.myjewishlearning.com/article/the-fetus-in-jewish-law/>

Most of us can't imagine having to make the decision to have an abortion. More of us than we can comprehend most likely had to make the difficult decision to have an abortion or know a friend who had an abortion. None of these choices have ever been made lightly.

“Attorney General Merrick B. Garland announced that the Department of Justice has filed a lawsuit to prevent the State of Texas from enforcing Senate Bill 8 (SB8), “The Act is clearly unconstitutional under long standing Supreme Court precedent,” said Attorney General Garland. “The United States has the authority and responsibility to ensure that no state can deprive individuals of their constitutional rights through a legislative scheme specifically designed to prevent the vindication of those rights.”

<https://www.justice.gov/opa/pr/justice-department-sues-texas-over-senate-bill-8>

George Thomas wrote in *The Atlantic Magazine* wrote

“The history of democracy as grasped by the Founders, drawn largely from the ancient world, revealed that overbearing majorities could all too easily lend themselves to mob rule, dominating minorities and trampling individual rights. Democracy was also susceptible to demagogues—men of “factional tempers” and “sinister designs,” as Madison put it in “Federalist No. 10”—who relied on “vicious arts” to betray the interests of the people.”

<https://www.theatlantic.com/ideas/archive/2020/11/yes-constitution-democracy/616949/>

The values of our society continue to be turned upside down. Men who claim to have the public's interest at heart, really just work on their agenda, failing to govern for the entire population of their state. On this Yom Kippur as we look inward to find forgiveness and seek forgiveness we must also give great thought to what kind of country we want to live in. Voters' rights continue to be restricted and undermined state after state. Texas is just one more step towards theocratic rule similar to that found in Saudi Arabia, Iran or Afghanistan.

Religious beliefs are not supposed to be used to govern our states or our country. Modern American laws were never meant to make it harder to vote, harder to live, harder to make personal health choices. The wake up calls keep coming one after the other. As Jews we know all too well what happens if we don't heed the wake up calls and move to action. For us to retain the sweet freedoms that allow us our safety and religious freedoms we must fight to keep religion out of our government, fight for just representation for the well being of all citizens, not just for those who can buy the government and pay for the laws they wish existed.

We must choose what kind of world we want to help create. Yom Kippur is a time of deep inner reflection. It is a time to think about who we want to be and how we wish to change the world around us in the year to come. I wish I had more answers. I do know that we cannot sit idly by and just pray for our safety and the safety of others. We must be the voices for those who have no voice before they come to take our voices away from us once again.

May we be the force that ends the tyrants' reign to help speak for those who cannot speak, to defend the rights for the defenseless and to help save those who cannot save themselves.

Cayn yehi ratzon - may this be God's will.

Afternote

...Intentional abortion is not mentioned directly in the Bible, but a case of accidental abortion is discussed in Exodus 21:22-23, where Scripture states: "When men fight and one of them pushes a pregnant woman and a miscarriage results, but no other misfortune ensues, the one responsible shall be fined as the woman's husband may exact from him, the payment to be based on judges' reckoning. But if other misfortune ensues, the penalty shall be life for life."

The famous medieval biblical commentator Solomon ben Isaac, known as Rashi, interprets "no other misfortune" to mean no fatal injury to the woman following her miscarriage. In that case, the attacker pays only financial compensation for having unintentionally caused the miscarriage, no differently than if he had accidentally injured the woman elsewhere on her body. None of the rabbis raise the possibility of involuntary manslaughter being involved because the unborn fetus is not legally a person and, therefore, there is no question of murder involved when a fetus is aborted."

<https://www.google.com/amp/s/www.myjewishlearning.com/article/the-fetus-in-jewish-law/amp/>