

## Yom Kippur 5783: Who Do We Sacrifice on the Altar of America? Rabbi Lisa Berney

On Rosh Hashanah, we tell the very famous biblical story of a father who very nearly sacrificed his son, but didn't.

On this Yom Kippur, I'd like to share the not-so-famous biblical story of a father who actually did sacrifice his daughter.

In one of the bleakest tales from our tradition, Jephthah, a disinherited son with a fraught lineage, agrees to fight the neighboring Ammonites on the condition that if he's victorious, he will become head of the tribe. On the eve of battle, Jephthah vows that should he return in triumph, he will sacrifice the first thing to come out of the door of his home to meet him when he returns.

So, when his daughter races out of the house with a timbrel in her hand, dancing to greet him and celebrate his victory, Jephthah decries what he feels he must do. After all, a vow was sacrosanct in Israelite tradition, and failing to fulfill one was believed to make a mockery of God.

Jephthah's daughter dutifully directs her father to fulfill his vow, asking only for two months' time together with her friends... to mourn the life she would not get to live. She is remembered as a pious and faithful woman, and according to legend, it became customary for women to spend four days each year chanting dirges in her memory.<sup>1</sup>

But Jephthah's daughter is never named. And throughout the story, she remains nothing more than a nameless victim of Jephthah's thoughtless vow. And yet, he becomes a hero, saving his hometown from the Ammonites and earning the unquestioned praise of his countrymen and of the Biblical text.

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<sup>1</sup> Judges 11:40.

And while Jephthah's daughter receives the honor of lamentations sung in her name, no one attempts to interfere with the fulfillment of her father's vow. No one objects. No one resists. No one suggests that there can be another way. A vow made must be fulfilled, even if it means that Jephthah's daughter must be **sacrificed** to preserve the norms of Israelite piety.

But did it really have to be this way?

In the very next book of the Bible, Saul, the first King of Israel, makes a reckless vow of his own. While chasing enemy forces in full retreat, Saul vows that, "any man who eats food before night falls and I take revenge upon my enemies shall die."<sup>2</sup> His soldiers, of course, become faint with hunger but none of them eat, except for the king's son, Jonathan, who never heard his father's oath. So he eats honey from a beehive he passes in pursuit of the enemy.

Saul quickly learns that his troops had sinned against God by eating and, shortly thereafter, discovers that the culprit is his son. Jonathan then stands before his father, prepared to die for unknowingly breaking his father's oath, and Saul indeed orders his execution.

But it never comes.

Saul's soldiers rally to protect Jonathan, saying, "Should Jonathan die after bringing great victory to Israel? Never! As God lives, not a hair of his head shall fall to the ground!"<sup>3</sup> Though the king is prepared to fulfill his vow, his soldiers refuse to allow it, and Jonathan is spared. In refusing to permit Jonathan's death, Saul's forces reveal that the Israelites, when sufficiently motivated, possess the power to challenge their own norms. Not only do they defy the conventions of Israelite society. They also defy the command of their king, saving Jonathan in the process...

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<sup>2</sup> 1 Samuel 14:24.

<sup>3</sup> 1 Samuel 14:45.

Two very similar stories with two very different outcomes.

And it shouldn't be lost on us... the differing conclusions to each tale are not brought about by the person wielding power and authority. It's not as though one father changes his mind, while the other doesn't. No, it is the response from the community, to either allow the sacrifice of human life or to prevent it, that causes the two stories to end differently.

And does any one of us believe it's just a coincidence that the man is the one they save, while the woman is the one who is sacrificed? The altar of social piety, it seems, is only meant for one gender.

According to Biblical scholar Danna Fewell, the death of Jephthah's daughter delivers an alarming signal about the waning health of Israelite society. She writes, "**The death of the daughter, the silence of God, and the absence of the people are but signs of something rotten with the spiritual state of the People Israel.**"<sup>4</sup> Following the sacrifice of Jephthah's daughter, our people's narrative descends further and further into violence, corruption, and despair, with women consistently featured as the victims or pawns of the machinations of gods and men.

Three thousand years later, has enough changed?

Jephthah's daughter has once again been placed in harm's way, and once again, those in power appear prepared to sacrifice her upon the altar of social piety... The only question is, will *we* be the community who mourns her... or the community who intervenes and refuses to allow it?

Ever since the United States Supreme Court ruled on *Dobbs v Jackson* this past June – eradicating a woman's fundamental right to choose what happens to her own body – the lives and liberties of women throughout our country have been placed at grave risk, with laws in 14 states banning abortions except in life-threatening cases, and many more restricting access almost completely. This is the altar of America, upon

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<sup>4</sup> Danna Nolan Fewell, "Judges," 71.

which the freedoms, the health, and the very lives of American women have been offered for sacrifice.

Whenever pregnant women in these states suffer ectopic pregnancies, miscarriages, or hemorrhaging — all situations where abortion has been established as the standard of care — women must now turn to lawyers, rather than doctors, to determine when they may receive necessary medical care to safeguard their lives. Meanwhile, oncologists must wait for pregnant cancer patients to get sicker before receiving treatment, with some hospitals establishing legal committees to evaluate whether an injury, illness or pregnancy complication is severe enough to justify an abortion.

“One study of two Dallas hospitals in the nine months after the Texas ban took effect found that women had to wait an average of nine days for their conditions to be considered life threatening enough to justify abortion. Many suffered serious health consequences while they waited, including hemorrhaging and sepsis, and one woman had to have a hysterectomy as a result.”<sup>5</sup> Because, though these state abortion bans nominally protect the life of a women, they won’t protect it until it’s in jeopardy, which can often be too late. And they certainly don’t protect her health.

Nor should we forget that these dystopian laws disproportionately threaten women of color or women in lower socio-economic brackets who already face increased risks of death or complications in childbirth, and who do not have the resources to travel outside their state to seek the care they need.

But these mortal threats often overshadow another grave threat – the threat to women’s freedom. Countless women across America will no longer get to choose if they finish high school, or go to college, or follow their career paths, or decide when and if to start a family because

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<sup>5</sup> [Medical Impact of Roe Reversal Goes Beyond Abortion Clinics, Doctors Say - The New York Times \(nytimes.com\)](https://www.nytimes.com/2022/07/26/us/politics/roe-reversal-impact.html)

women in the states with antiabortion laws are no longer free to control their own bodies.

And, make no mistake, our tradition does not share in this view. While certain religions may believe that life begins at fertilization, Jewish tradition does not. And though Jewish tradition teaches that the potential for human life deserves our care, under certain circumstances, Jewish law not only permits abortion, it mandates it... to protect the life and wellbeing of a mother.

Thus, while antiabortion legislation represents first and foremost an attack upon the safety and freedoms of women, it also represents an attack upon our free exercise of religion.

Three millennia have passed... but it remains unassailably true: “the death of the daughter, the silence of God, and the absence of the people are but signs of something rotten.”

But we are not helpless bystanders. We can do far more than simply mourn the senseless loss of life and freedom that threatens the women of America. We can object. We can interfere. We can resist. Like Saul’s soldiers, we can defy those in authority, and show them that there is another way, a better way.

And we wouldn’t be the first.

In 1965, a University of Chicago student named Heather Booth helped a friend’s sister get an illegal abortion. When other women began to reach out for help, she and a group of young feminists developed a system that became known as the Jane Collective to help women access safer and more affordable procedures. This group of women were able to assist more than 11,000 women in getting safe abortions between 1969 and 1973.

This summer, we witnessed another community stand against those seeking to oppress women, as voters turned out in record numbers to oppose an amendment to the Kansas Constitution that would have paved

the way for tighter abortion restrictions. Despite a flood of funding from Christian fundamentalist groups, confusing language designed to deter voters, and 100-degree August heat, people of all political persuasions stood in line for hours to safeguard women's bodily autonomy in Kansas.

But there is still so much more to do. With election season nearly upon us, now is the time to act, to take every step possible to ensure that we need never again mourn Jephthah's daughter. And I mean, right now, because in a few moments, you'll find a pledge card, crafted by our Leo Baeck Temple community organizing leadership team, with steps we need to take to strive for women's freedom and for fairness and justice for all who live in this land.

- First and foremost, you are invited to support California's Proposition 1, which preserves reproductive choice and contraception as a constitutional amendment in California. Our congregation, along with many other synagogues and faith partners, have endorsed this November ballot measure.
- We are also inviting you to engage in our numerous get out the vote initiatives, which give expression to our Jewish democratic values, as Rabbi Chasen taught last night.
- Whether you want to travel with us to Nevada during election week to help register voters and act as poll observers.
- Or to postcard to infrequent voters to encourage them to register.
- Or to get informed about what is on the ballot this November, including which measures our congregation and its institutional partners are endorsing.
- Or to make sure that you and those in your household are registered to vote.

Some among you may be asking yourselves, "Why am I looking at a pledge card on Yom Kippur?" I can only say that it's because our tradition demands nothing less. In fact, on Yom Kippur we traditionally hear these words from the prophet Isaiah:

“Is this the fast I desire? A day for us to starve our bodies? Is it bowing the head like a bulrush and lying in sackcloth and ashes? Do you call *that* a fast? A day when God is favorable? No, THIS is the fast I desire: to unlock the fetters of wickedness and untie the cords of lawlessness. To let the oppressed go free; to break off every yoke. It is to share your bread with the hungry, and to take the wretched poor into your home; when you see the naked, to clothe them, and not to ignore your own kin...Only then, shall your light shine in darkness.”<sup>6</sup>

THIS is the work of Yom Kippur. Not simply to fast, or to pray, or to search our souls for inspiration – although we should do all of those things – but to look with open eyes upon the injustices that stand before us and to commit ourselves toward their repair. We don’t have the luxury of fear, of despair, of apathy. We don’t get to say, “I’m too old” or “I already fought this battle once before,” or “It’s time for someone else to take the mantle,” or “I don’t do politics.”

Because, friends, the political world is where we take the things we talk about in temple and turn them into more than just idle talk. Moral change in our society is achieved through political change – which makes our religion, at its very essence, *especially* on Yom Kippur – political. And, now more than ever, though we wish it weren’t so, women’s bodies have been made political – and our religion demands that we respond to that reality. We can’t ignore it. We can’t sit this one out... because, as we learned three millennia ago, **“The death of the daughter, the silence of God, and the absence of the people are but signs of something rotten”** – something rotten that we can and must fix.

Over the past year, I have sat in many rooms with women from our congregation, women who have been brave enough to share their own stories of abortion, carried out legally and illegally... women whose mothers and aunts and friends were injured or died in a back-alley abortion... and women whose lives were saved by this very same procedure. And many others, like me, who have been able to celebrate

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<sup>6</sup> Isaiah 58:5-7, 10

my body's life-giving power instead of being imprisoned by it because I grew up with the protections secured by a generation of women who refused to mourn another Jephthah's daughter.

And I pray that's not the world of my daughters. Or the world of your daughters and granddaughters and nieces—that they are not sacrifices on the altar of America, because we demanded a different story for them.

And we can.

In 2012, Savita Halappanavar, a 31-year-old dentist in Ireland arrived at the hospital in pain. She was 17 weeks pregnant and miscarrying. Though the hospital staff told her husband that there was no way to save the pregnancy, they said that she had to wait because the fetus still had a heartbeat. Savita developed a fever, and by the time the fetal heart was gone, she was in organ failure. Nearly 3 days later, she was dead.<sup>7</sup>

You see, decades earlier, Ireland's leaders had enacted an amendment to their nation's Constitution, creating a near total ban on abortion. Women who could afford to do so traveled out of the country for the procedure, while others fell as sacrifices of the law. Yet, when Savita died, her husband publicly decried the country's restrictive abortion laws as the culprit for her death, and her story became a rallying cry as activists rose up until the amendment was finally overturned in 2018.

“This is for Savita,” they said.

This is for *all* of us.

I'd like to close with a blessing for those who've had or aided an abortion written this Rosh Hashanah by Rabbi Stephanie Crawley of Temple Micah in Washington D.C. Dear ones, this is for you:

Mi Sheiberach Imoteinu -God of our Mothers -

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<sup>7</sup> [Opinion | The Women Who Died After Abortion Bans - The New York Times \(nytimes.com\)](https://www.nytimes.com/2012/09/11/opinion/the-women-who-died-after-abortion-bans.html)

Bless these brave ones

Who stand before you

Be with them now- as you were with our mothers

God of Sarah,

Who aided her to have a child when she wanted it *-because* she wanted it

*Be with them now*

God of Rachel,

Who suffered and suffered for a child and then died while giving birth -

Ensure that no one is forced into that same reality

*Be with them now*

God of Dinah,

Do not abandon us when we have had our bodies stolen from us through violence and subjugation

*Be with them now*

God of Yocheved - the mother of Moses,

Help us all maintain the ability to bring children into the world *only when and if we want to* -Only when we've decided that the world is right

*Be with them now*

God of Hannah,

Who thought she only had worth because of her womb

Teach us all to see our value in our wholeness

*Be with them now*

Bless their holy bodies

And Bless their decisions -

The ones they had the ability to make

The ones that they fought to make possible

The ones that stood against immoral legislation

And the ones made in the embrace of freedom

May they always know agency and dignity and love

May this community never fail to rise in support

And Be with those who stand beside them in courage -

Who lend their voices and their funds

Who drive to clinics and accompany them inside

Who shout over protesters

Who ensure care and safety

*Be with them now*

And be with us all, now

Give us the strength to fight back and continue supporting women

Help us create systems of justice that serve *every* person

That center the souls that belong to bodies that others seek to ban

In this new year, help us build a new, just world

A world *birthed* of freedom and care.