

Testimony against HB 598 (Ohio's Abortion Trigger Ban Bill)

May 26, 2022

Ohio Statehouse

Rabbi Sharon Mars

Chairman Wilkin, Vice Chair Swearingen, and Ranking Member Brown,

My name is Rabbi Sharon Mars, and I live in Bexley, Ohio.

Behind every pregnancy there is a story.

My own story goes like this: In 1996, my first pregnancy was deemed medically untenable due to a rare and fatal kidney disorder of my fetus.

As heartbroken as my husband and I were to be told by our medical team that our baby could not live at 24 weeks in utero, we made the unimaginable but critical decision in conjunction with our doctor and many other medical and legal resources to end our pregnancy.

That CHOICE was an excruciating one to make, but what made our situation one iota easier was that we had the emotional and physical support of a medical system that took us and our totally unique situation and this fetus seriously.

There was a team of gynecologists, obstetricians, neonatologists, nephrologists, and medical ethicists who determined the facts of our case, based on the presenting evidence of my health as well as the fetus', which determined that it would not live past birth.

As crushing as that pregnancy loss was, I came through it because of the love of my family and the care of a medical system and a legal system which took me as a woman, as a mother, as a human being with a unique and difficult circumstance — as well as that potential life inside me — seriously.

Had I not been supported by those entities, I don't know whether I would have been able to pursue pregnancy again and gone on to have my three healthy children who are now young adults.

I feel grateful beyond measure for the blessing of living in this country and I am heartbroken at the prospect that my rights as a woman are being threatened. Radical constitutional reinterpretations and narrow religious agendas — that represent neither my life experience nor

my faith tradition – threaten my rights and the rights of all Ohioans who can experience pregnancy.

As a rabbi, I strive to lead and live in covenantal relationship with the Divine. Jewish law's foremost concern is to uphold and take steps to protect the life and liberties of the mother.

The medieval Jewish legal thinker Maimonides, who also happened to be a physician, determined based on legal case study, that abortion was prohibited except to save a mother's life.

Over time and with the advance of modern medical technology, Jewish law has evolved to make exceptions for the pregnant mother who faces serious health concerns which may impact the health of her child.

In these cases, the woman's health was and is considered tantamount in Jewish law, even as the well-being of the child in utero is of extreme concern.

Jewish law insists that the viability of a fetus is somewhere around 24 weeks of gestation — NOT at conception. Jewish law recognizes both a fetus and a pregnant person as having worth and value, but at no point does a fetus ever have more value than the pregnant person carrying that pregnancy.

HB 598 seeks to subvert the moral agency of pregnant persons, banning abortion in our state outright without regard to the social, moral, and religious implications which such a radical decision would have.

Let me be clear: my religious values are not represented in this legislation, and people who hold my religious values will indeed suffer great harm if this bill is signed into law.

HB 598 seeks to enshrine a very narrow set of religious beliefs about life into state law. These beliefs are neither Jewish, nor are they respectful of the right of Jewish people to practice our religious values in accordance with Jewish law.

The question of when personhood begins, what the significance of conception is, and what rights a pre-viability fetus holds are all questions that draw very different answers among Ohioans of religious faith and values.

My religious values teach me that the individual has both the right and the responsibility to make ethical, moral choices about their healthcare in all situations. Whether or not to have an abortion is a question best answered by the person who is pregnant, because that person is the expert on their own experience, needs, and pregnancy.

God calls to us today from the book of Deuteronomy: “I call heaven and earth to witness against you today: I have put before you life and death, blessing and curse — Now **choose life**, so that you and your children may live and that you may love...your God, **listen** to God’s voice, and **hold fast** to God!”

We are commanded to choose life and to listen to God’s voice and to hold fast to God. We are pro-life and pro-choice.

To choose life means to listen to the voice of the young black woman who is three to four times more likely to die from pregnancy or childbirth-related causes than white women because of racism and lack of access to high-quality health care in this country.

To choose life means to listen to and protect the middle school girl whose step-father sexually abused her, resulting in an unintended pregnancy.

To choose life means to listen to and to protect the white college student who was raped walking through campus, thus altering her body and her psyche and her future.

To choose life means to listen to the voices of all of these pregnant persons and to establish protections for all people who can become pregnant so that they may live without fear in their homes and schools and communities, so that they may live out the true and infinite potential of their lives — to not be limited in their choices by having the religious views of others substituted for their own religious values, and to not be limited in their ability to access healthcare to only the options someone else pre-determines are just, moral, or ethical.

Let these people who can become pregnant instead LIVE in self-determination, and let us together cultivate a society in which children come into the world under the very best of circumstances, each child a beloved and wanted child, growing up in a community that cares about the full potential of their lives as responsible, educated, hard-working citizens.

Let us remember the words of Dr. Martin Luther King, Jr. today that, “We are caught in an inescapable network of mutuality, tied in a single garment of destiny.” Tied, mind you, not by the harsh shackles of criminalization, forced-birth, and bondage to state-mandated

pregnancies, but tied by the strong bonds of mutual respect, honor for people's freedom in decision-making, and free access to the very best and safest healthcare options our state and nation can afford.

I ask you, our elected officials, to choose life by listening deeply to the voices of people who can become pregnant, by holding fast to protect the reproductive rights of pregnant people throughout our state, by embracing our "inescapable network of mutuality."

I ask you to oppose HB 598, which represents an assault on the bodily autonomy of people who can become pregnant in our state.

I ask you to oppose HB 598, which disregards my religious tradition and my religious values by codifying someone else's religion in law that governs the bodies of all Ohioans.

I ask you to oppose HB 598, which is neither constitutional nor compassionate but is actually contradictory to our noble and inextricable existence on earth.

Thank you very much for hearing my testimony today.

I would be happy to answer any questions the committee members may have.