

2022 Abortion Rights Fact Sheet

JCPA has been committed to safeguarding and strengthening the right to reproductive choice since 1973, when the Supreme Court ruled in *Roe v. Wade* that the right to an abortion is constitutionally protected. For decades, we have advocated at the state and federal levels, joined amicus briefs, and adopted policy resolutions in support of reproductive and religious freedom.

We believe everyone has the right to make their own reproductive decisions, including accessing an abortion.

JCPA believes in the foundational principle of separation of church and state, which prohibits the governmental imposition of religious beliefs. Prohibiting abortion access enshrines a narrow religious perspective into law, in violation of the Establishment Clause, and is contrary to Jewish law, traditions, and our principal value of saving a life. Judaism compels us to stand for *all* life, and we prioritize the *life and health of a pregnant person*. While we treat a fetus with great significance, it does not merit the status of a person until the moment of birth and then it has equal status with the person giving birth. If the fetus endangers a person's life physically or, according to at least some Jewish religious authorities, through mental anguish, Jewish law supports abortion of a fetus up until the moment of birth. Rabbis and other clergy should not fear liability when providing counseling to pregnant individuals that is consistent with their Jewish values.

We know that abortion bans do not stop abortions; they only stop safe abortions. This decision will disproportionately impact people of color, those who are low-income, and young people. Studies show that banning abortions leads to poor health outcomes for the pregnant person, long-term poverty, and other adverse health and economic impacts. This ruling could even lead to death if a person experiences an ectopic pregnancy or other life-endangering condition threatens the life of the pregnant person if the pregnancy is carried to term, as would be required in those states that have passed “trigger” laws banning abortion without exception.

Statements

- [JCPA Condemns Supreme Court Decision Overturning *Roe v. Wade*](#) (June 2022)
- [JCPA Condemns Texas' New Anti-Abortion Law](#) (September 2021)
 - “JCPA condemns Texas’ new anti-abortion law, which bans abortion after six weeks into a pregnancy and enables citizens to sue abortion providers, as well as anyone who “aids or abets” an abortion after six weeks.”
- [JCPA is Committed to Protecting Women’s Reproductive Freedom](#) (May 2019)
 - JCPA condemns Alabama’s new law banning abortion even in cases of rape and incest, as well as other extreme anti-abortion bills in various states. These measures undermine women’s reproductive freedom, endanger women’s health, and criminalize women who get abortions and doctors who perform them.”

Legislation

| Policy | Description | JCPA Position | Status |
|--|--|---------------|---|
| Hyde Amendment | Prohibits abortion coverage on Medicaid | Oppose | In Effect |
| Global Gag Rule | Prevents aid organizations from receiving US funding if they provide abortion care or information as one of their services | Oppose | In Effect |
| Affordable Care Act's Contraceptive Coverage Provision | Requires insurance companies to cover birth control at no cost | Support | In Effect |
| Equal Access to Abortion Coverage in Health Insurance (EACH) Woman Act | Repeals the Hyde Amendment and requires federal and federally funded facilities to offer abortion care | No Position | Introduced in the House and Senate |
| Women's Health Protection Act | Permits health care providers to deliver abortion services without unnecessary limitations | Support | Passed in the House (218 – 211) Failed in the Senate (46-48) Failed in the Senate (49-51) |

Policy Resolutions

- [1993 Principles on National Health Care Coverage](#)
 - “We seek a national health care plan that serves *everyone living* in the United States. Health care should not be employment dependent and should not exclude anyone with prior medical conditions.” (emphasis mine)
 - “We seek a health care plan that provides [...] comprehensive reproductive health services for men and women.”
- [1995 Resolution on Violence Against Reproductive Health Facilities](#)
 - “[C]ondemns the outrageous terrorist attacks committed against reproductive health clinics, health care providers and clients.”
- [2004 Resolution on International Family Planning](#)
 - “Repeal the Global Gag Rule.”
- [2005 Resolution on Reproductive Choice](#)
 - “JCPA believes that reproductive health decisions are best made by individuals in consultation with their families and health care professionals and based on personal religious beliefs.”

- “Restrictions on the right to choose and lack of access to services threaten this constitutionally-protected individual right.”
- [2014 Resolution on Reproductive Health](#)
 - ”The question of abortion is a sensitive one and personal decision in this area should be made in consultation with recognized halachic authorities.”
 - “Merely completing a form notifying an insurance company or third-party administrator of a religious non-profit organization’s objections to furnishing contraceptive coverage should not be seen as imposing a “substantial burden” on the organizations religious exercise.”

Orthodox Union’s Abstention from JCPA’s Reproductive Care Policy

The Union of Orthodox Jewish Congregations of America, a JCPA member, has long standing policy of not joining in JCPA statements on reproductive rights:

[The Orthodox Union] cannot endorse a public policy that does not reflect the complex response of halacha to the abortion issue. In most circumstances, the halacha proscribes abortion, but there are cases in which halacha permits and indeed mandates abortion. The question of abortion is a sensitive one and personal decisions in this area should be made in consultation with recognized halachic authorities.