In November 1970, nearly 1,000 members of the Women’s League for Conservative Judaism flocked to the Concord Hotel in Kiamesha Lake, New York, for their biennial conference. In addition to spirited prayer, group discussions, and scholarly presentations, the conference provided an opportunity to propose, debate, and ratify statements of public policy. In years past, Women’s League members had passed resolutions supporting religious freedom in the United States and the civil rights of African Americans. However, they had yet to discuss a statement regarding the sexual and reproductive rights of American women.

But in 1970, amidst the growing visibility of the feminist movement and the recent decriminalization of abortion in Hawaii and New York, delegates from the League’s Mid-west branch proposed the organization’s first policy statement on reproductive rights. With great excitement, Women’s League members unanimously passed a resolution claiming “freedom of choice as to birth control and abortion” as “inherent in the civil rights of women.” Three years before the Supreme Court’s Roe v. Wade decision made legal access to abortion the law of the land, Women’s League became the first organization of the Conservative Jewish movement publicly to support a woman’s legal right to terminate a pregnancy.

In spite of the enthusiasm generated by this endorsement of a woman’s right to reproductive autonomy, Women’s League members overhauled their statement 12 years later. In response to concerns of prominent Conservative rabbis such as Jewish Theological Seminary (JTS) professor Robert Gordis, they passed a new resolution that continued to support legal abortion, but offered very different reasons for doing so. The revised statement framed access to legal abortion not as a woman’s civil right but as a First Amendment religious right, grounded in “the principle of

Public Resolutions on a “Private” Issue

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separation of church and state guaranteed by our constitution.” Further, it quoted Gordis’s opinion that abortion should be “legally available, but morally restricted,” and stated that Women’s League members deplored the “burgeoning casual use of abortion.” Not only did this resolution no longer champion women’s reproductive autonomy, it also painted women as a group whose sexual behavior needed to be policed by religious, if not legal, arbiters.

As this brief account suggests, examining the ways that American Jews confronted the issue of reproductive rights in the 1970s and 1980s complicates popularly accepted dichotomous notions of liberal vs. conservative, secular vs. religious, and pro-choice vs. pro-life. Indeed, the responses of many American Jewish organizations to the abortion controversy did not fall neatly into any of these categories.

Analyzing Jewish responses to this critical political debate, therefore, opens up new avenues for understanding how American Jews have intervened, quite publicly, in the supposedly “private” matters of sexuality and reproduction.

The issue of reproductive rights erupted as a major political controversy in the 1970s and 1980s. This period marked the beginning of the “pro-choice” movement, often (incorrectly) coded as secular or anti-religious in nature, whose adherents argued forcefully for a woman’s right to sexual and reproductive autonomy. It also saw the birth of a growing contingent of “pro-life” activists, often (and just as incorrectly) assumed to represent the voice of American religion, who sought to restrict abortion out of concern for the fetus and fear that the procedure gave women license to engage in illicit sexual behavior without consequences.

When the members of Women’s League took their stands on abortion, they negotiated tangled political territory surrounding religion, sexuality, and gender. As historian Joan Scott reminded us in a recent essay on “Secularism and Gender Equality” (2013), attempts to separate religion from the state, a key goal of modern Western democracies, also had the effect of placing religion in the same private domain within which all sexual activity and—until the 20th century—all women were supposed to remain.

Over the course of American history, efforts to entwine religion and sexuality within the private sphere have sometimes empowered and other times disempowered women. During the suffrage movement, for instance, this arrangement gave American women a chance to expand their public influence by claiming for themselves a finer moral compass derived from their presumed greater capacity for religious sentiment and sexual purity. By the late 20th century,
however, politically conservative religious leaders secured a powerful voice in American politics through their attempts to restrict women’s sexual and reproductive autonomy. Often, the only religious voices given public credence in these discussions of reproductive rights were those seeking to limit or abolish the abortion procedure.

This political climate forced representatives of American Judaism to consider their public statements on abortion carefully. Because Jewish traditions do not support the idea of ensoulment at conception, and because Jewish law demands abortion in certain cases to save a mother’s life, many American Jewish religious authorities advocated for legal abortion. But how could those Jewish leaders hope to maintain their credibility in the American public sphere during a political moment that linked religious legitimacy with attempts to constrain sexual and reproductive rights?

Women’s League’s revised statement on abortion must be considered within this context. Arguing that abortion must be “legally available but morally restricted” allowed representatives of the Conservative movement to claim that Jewish tradition, no less than Christianity, also policed women’s sexuality. However, and in contrast to solutions offered by conservative Christians, they insisted that Jewish authorities reserved the right to dictate women’s sexual and reproductive behaviors according to their own religious traditions, without interference from the state.

Those who believe in a woman’s right to sexual and reproductive autonomy might consider the shift in Women’s League’s statement disappointing, or even a capitulation to the (then all-male) rabbis of the Conservative movement. However, this story represents more than a mere tale of co-optation, and in fact gives us a sense of the significant, if limited, power that Women’s League members wielded within their movement. After all, while all of the constitutive bodies of the Conservative movement ultimately joined Women’s League in publicly backing legal abortion by 1983, this consensus emerged only after significant debate. As late as 1980, Gerson Cohen, then Chancellor of JTS, still believed the issue of abortion to be so problematic that he refused “to take a stand... on the abortion question, even though Conservative Jewish organizations have done so.” And yet, despite their reservations, Conservative leaders never endorsed any public resolutions against Roe v. Wade. In effect, after Women’s League backed legal abortion in 1970, other representatives of Conservative Judaism no longer had the option of officially opposing abortion without causing a rift within the movement. Women’s League’s original 1970 resolution exerted real and lasting political effects.

The story of how the Women’s League for Conservative Judaism confronted the issue of reproductive rights is more complicated, and far more interesting, than determining whether or not that organization ended up on the “pro-choice” or “pro-life” side of the political divide. In fact, Jewish engagements in abortion debates trouble these very categories, as some Jewish organizations that backed legal abortion did not necessarily support a woman’s right to choose it independently. Rather, this history tells us a great deal about how Jews navigated the contested terrain of gender, sexuality, and religion in late-20th-century America. Perhaps most importantly, examining how American Jews participated in these controversies through their religious organizations reminds us that issues of sexuality and reproduction are undeniably political, despite every effort to render them personal and private.