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## Under G-d

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## Under G-d

### Abstract

This is a film review of *Under G-d* (2022), directed by Paula Eiselt.

### Keywords

Abortion Bans, Religious Right, Judaism, Pro-Choice, RFRA, Reproductive Rights

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### Author Notes

Dereck Daschke is a professor of Philosophy & Religion at Truman State University and holds a Ph.D. from the University of Chicago Divinity School. Particularly interested in the intersection among religion, psychology, and wellness, his academic work over more than two decades has analyzed the transformational breakdowns and creative buildups in the form of apocalypses, mysticism, new religious movements, psychedelics, the Bible, Bob Dylan, and, of course, film. He regularly teaches "Religion and Film" at Truman and has overseen a number of student research theses that have contributed to the conversation about just why it is that movies capture our meaning-making imaginations in the way they do.



**Under G-d (2022), dir. Paula Eiselt**

The title of Paula Eiselt’s documentary short contains the central conflict of the film in the space of two words. It alludes directly to the Cold War-era amendment of the Pledge of Allegiance that radically altered the meaning of the line, “One nation, indivisible.” Arguably this act of the 1954 U.S. Congress not-so-subtly asserted, by federal law, that the United States conceived of itself as under the divine jurisdiction of the concept of God as held by the Christian majority of the country. Yet, ironically, “God” in the title of the film is written in the distinct way that many religious Jews render the word, a euphemism reflecting the command in Deuteronomy 12:3-4 to avoid erasing or destroying the name of God, thus protecting its sanctity. This title, then, perfectly captures the tension felt by American Jews when caught between their freedom to live according to their faith as guaranteed by the Constitution and the encroachment of a very specifically fundamentalist or conservative Christian morality into ostensibly secular law, which Jews and members of other non-Christian faiths would be required to obey.

As Jewish religious law and custom squarely places the decision about terminating a pregnancy with the pregnant woman, this clash reached its breaking point with the 2022 Supreme Court ruling *Dobbs v. Jackson Women's Health Organization* that overturned the nearly fifty-year precedent of abortion rights guaranteed by 1973's *Roe v. Wade* decision. As the first text that appears on screen states, after the *Dobbs* ruling, "conservative Christian lawmakers proposed statewide bans on abortion, citing their religious beliefs—and their religious beliefs alone." The film focuses on Jewish resistance to such bans in the states of Indiana and Florida. In Florida, the effort is led by Rabbi Barry Silver, who says, "It's not easy being both a Rabbi and a lawyer. But it's a Jewish value to stand up against authority." Especially when a Rabbi who counsels a woman about abortion under the precepts of Jewish religious law could themselves be held criminally responsible under the new Florida abortion ban. Notably, Florida's governor Ron DeSantis signed the ban into law in a Christian church, a way of indicating, "Now we're going to push fundamentalist Christianity on everybody," says Silver. He continues, "Laws like this only care about the fetus. They don't care about the mother. She is expendable. That's why it's not Jewish. It's not rational. It's not humane." He says in Judaism the overwhelming consensus is that life begins at birth, and even the minority of Jews who recognize fetal personhood understand it to begin forty days into the pregnancy. The idea that life begins at conception is alien to Judaism.

Certainly, this entire issue evokes the cherished American notion of the "separation of church and state," understood to be enshrined by the Establishment Clause of the First Amendment to the US Constitution: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." And leading the defense at the national level against efforts to turn the US into a Christian theocracy one law at a time is Rachel Laser, the first Jew and first woman to head the Americans United for the Separation of Church and State organization. Laser

recounts the ways in which Jews have long been on the front lines of the fight for reproductive freedom, including in the origins of Planned Parenthood, where Jewish doctors often provided their services.

Not coincidentally, many of the conservative states that have moved toward abortion bans also have enacted state-level Religious Freedom Restoration Acts (RFRA), which give a very high level of privilege and protection to individuals' and groups' claims of acting according to "deeply-held religious beliefs"—which seem to invite people to use their faith as a way to get around certain laws, especially those meant to protect others from discrimination. RFRA require states to mold their laws to be "least restrictive" for a specific believer. Now those same RFRA can be used by Jews and members of other faiths to challenge abortion bans on religious freedom grounds—which in fact, the advocacy group Hoosier Jews for Choice (HJC) successfully did to invalidate Indiana's abortion ban in December 2022. In perhaps the most moving scene of the film, on the evening before the Indiana ban was set to go into effect, HJC led a modified Havdalah ritual for the group assembled at the state capitol to protest the law. Havdalah is the ritual that marks the end of Shabbat, the moving from sacred time to ordinary time, but on that night, it was meant to mark the divide between the time of having bodily autonomy and losing it. At least in this instance, by adhering to their own Jewish values—especially those about challenging authority through legal argumentation—they were able to bring themselves and their state back under the greater protection of religious freedom for all.

The film ends by stating that Rabbi Silver and his multi-faith body of co-litigants, including seven clergy from five faiths, are suing to overturn Florida's ban under that state's own Establishment Clause, and these suits are being modeled around the nation where abortion bans are very likely rightly feared to be the tip of the spear of a rising Christian Nationalist sentiment

in the United States. From their history, Jews know that such fascist movements do not end well for them. So while some well-meaning people, for a variety of reasons, may not feel that an abortion ban will impact their lives, the Jewish efforts on this front captured by this powerful short film underscore that there are more Americans' freedoms at stake in this fight than one group's reproductive rights alone.