

**Commission on Unalienable Rights:**  
**All Public Comments from the AJWS community**

July 2020

Robert Bank | New York, NY

July 28, 2020

U.S. Department of State Commission on Unalienable Rights:

As the head of a faith-based organization committed to upholding the human rights of vulnerable people across the world, American Jewish World Service (AJWS), I write to express our grave concern in the results of the work of the Commission on Unalienable Rights. While we have engaged in every opportunity to consult with the Commission since its creation, it is clear no steps were taken to remedy the shortcomings in the process or its outcome. Indeed, despite a nod to the unalienable rights enshrined in our founding, the Commission's report is yet another sign that Secretary Pompeo and the Trump administration seek to undermine the rights of millions around the world and to end U.S. moral leadership on human rights.

Since its creation in July 2019, we have followed the developments of the Commission. We have attended all of the public meetings and we have submitted comments opposing what we saw as the dangerous potential for the Commission to elevate freedom of religion over other human rights. Now we know that our fears were not misplaced.

The Commission, with a stroke of its pen, has rejected the values espoused in our founding documents and the spirit of the Universal Declaration of Human Rights (UDHR), choosing to view freedom of religion and property rights as the "foremost" of human rights to the detriment of all other human rights. This conclusion is profoundly damaging to long-established and internationally recognized human rights. It plainly creates a hierarchy of rights. The recommendations also reiterate misguided comments made by Commissioners and Secretary Pompeo that suggest that basic dignity for all is actually a proliferation of new rights. We call this out for what it is: a poorly veiled attempt to promote discrimination against women, girls, lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) people, and other vulnerable communities.

In releasing this troubling document, the Secretary made remarks that were deeply distressing, outlining a vision that would intensify the administration's efforts to make American diplomacy the willing handmaiden of despots and religious ideologues around the globe. His denigration of a free media and full-throated attacks on protesters fighting for equality and equal rights within our own country lay bare that his own positions are antithetical to the spirit of human rights.

It is also disturbing that in the days after the "draft" report was released, the Secretary was already instructing Department staff to use its precepts to guide their decision making. In doing so, Secretary Pompeo shows that his true intention for the culmination of this Commission was

to simply rubberstamp his personal religious views in order to upend decades of U.S. and international practice around human rights. It also makes a mockery of the public consultation process – yet another example of this Commission’s flagrant disregard for federal statutes around transparency, consultation and public commissions.

I have attached our original [organizational comment](#) of concern, dated March 31, 2020, as well as the [sentiments of hundreds of Jewish clergy](#) across the United States from the same month. It is clear that the Commission has not made any attempts to integrate these comments into its process or findings thus far. However, the Commission would be well-served to review these submissions as they are in line with international human rights standards and were drawn from American Jewish World Service’s decades-long practical human rights experience around the world, as well as from our faith tradition that stretches thousands of years.

American Jewish World Service recommits to ensuring that the rights of all people are upheld despite the efforts of the Commission and Secretary Pompeo. We believe that all people are made in the Divine image, or *b'tzelem Elohim*, and we will continue to fight for equality and justice for all people, in particular the most vulnerable, around the globe.

Regards,

Robert Bank  
President and CEO of American Jewish World Service

Rabbi Eliot Baskin | Denver, CO

Dear Commissioners and Duncan Walker of the Commission on Unalienable Rights,

As a community based rabbi who lives in Denver, Colorado and volunteers internationally in Guatemala, Myanmar, and Indonesia, I write to express my serious reservations about the State Department’s Commission on Unalienable Rights and its dubious agenda of undermining human dignity, particularly, the ability of women, girls, and LGBTQI people to access their sexual and reproductive health and rights, including abortion services, around the globe.

Rev. Dr. Martin Luther King, Jr. famously said "no one is free until we are all free." This idea, profound in its simplicity, echoes Jewish teachings—the Biblical command to "love your neighbor as yourself," and Hillel the Elder's famous principle, "that which is hateful to you do not do to your neighbors." In my volunteering in the Global South I had the opportunity to meet indigenous peoples, migrants, and locals of every other, sexual orientation and religion which reaffirmed my belief in the inherent human dignity of all and that we are all children of God and made in the Divine image, regardless of gender or sexual orientation.

Coming from Colorado, the location of the Denver Mint and as an avid coin collector, I resonate with a rabbinic teaching about the minting of coins:

Adam was created as a single individual to teach you that whosoever destroys a single soul, Scripture considers it as though he had destroyed a whole world...Also, to proclaim the greatness of the Blessed Holy One: for if a person strikes many coins from one mold, they all resemble one another, but the Blessed Holy One fashioned every person in the stamp of the first person, and yet not of them resembles his/her fellow. Therefore every single person is obliged to say: the world was created for my sake...(Talmud Bavli, Sanhedrin 37a). If we are all "minted" by God, how can there be a hierarchy of rights?

As a cisgender male, I learned about the challenges and discrimination of transgender people when my nephew transitioned this past year. He shared stories of discrimination, hate and horror which reinforced my desire to learn more and to champion the rights of all LGBTQI individuals, both here and abroad.

*Tzedek, tzedek tirdof* / תְּדֵק תְּדֵק תִּרְדֹּף Justice, justice thou shalt pursue (Deuteronomy 16:20). Our tradition teaches that the word, "Justice" is repeated because justice applies to everyone, not just some. Justice, justice must we pursue for all, especially for women, girls and LGBTQI everywhere.

I implore the Commission on Unalienable Rights to get it right for the rights of all!

Sincerely,

Rabbi Eliot J. Baskin

Cantor Vera Broekhuysen | Haverhill, MA

To the members of the Commission on Unalienable Rights and Mr. Walker:

As an American and as a faith leader, I am appalled by your findings and recommendations, and I strongly oppose them. I believe that your recommendations would cripple protections worldwide for the human rights of LGBTQIIA people, which are central to my Judaism. I believe that your recommendations would pave the way for countries – our beloved USA among them - to deny access to crucial health care such as sexual and reproductive health services, including abortion, to their residents.

The Commission's report claims to prioritize "property rights and religious freedom." Your recommendations do not protect my religious freedom, so perhaps you will clarify which, and whose, religious tenets you are trying to liberate. There are seven different genders named in the Oral Torah, Mishnah and Talmud, each referred to dozens, even hundreds of times, with accompanying guarantees for appropriate ritual & medical attention. Only two of those genders are "male" and "female." My friends, my family, my congregants, my colleagues who identify elsewhere on the gender spectrum, could be irreparably harmed if their rights were upheld only when politicians decide it "most accord[s] with national principles, priorities, and interests at any given time," as you unconscionably recommend in this report. They could be turned away by

doctors, employers, landlords, schools, banks, bakeries. They could be treated as inferior, without recourse to laws that ought to protect them.

Torah tells Jews that God created all of humanity “b’tzelem Elohim,” in the image of God (Genesis 1:27). All of humanity. No exceptions. To live safely in one’s gender identity is a human right, and your recommendations would abridge that right. I believe that one of religion’s most important functions is to help people live together with more respect for one another’s differences, more tenderness, more understanding. The use of “religious freedom” in your report as a tool to diminish, not expand, support for human dignity, is to me a desecration.

Your report calls same-sex marriage and abortion “divisive social and political controversies.” Consensual committed adult sexual relationships are essential to many, many people’s health and happiness. These relationships deserve the protective formalization of law, irrespective of sexual orientation and gender identity. Our US Supreme Court has agreed – and so too should our foreign policy. In the Torah we read, as God creates a life partner for the first person, “lo tov heyot ha’adam l’vado” – it’s not good for a human to be alone (Genesis 2:18).

Abortion is not a political controversy. Abortion is a personal medical choice, lived – or not – in our bodies and our families. My mother, z”l (may her memory be for a blessing), was a nurse practitioner. I accompanied my mother as she provided in-home healthcare for a fourteen-year-old juggling her freshman year of high school with caring for her one-year-old daughter. I listened to my mother explain fertility as gently as possible to a thirty-two year old mother of eight children, who had been practicing the rhythm method backwards throughout her entire sexual history. I watched my mother shake with sobs two years later at the dinner table one night, after caring that day for a twelve-year-old rape victim, traumatized and hopeless, to whom the Catholic rules of the hospital had prevented Mom from offering the option of an abortion.

Reproductive control, including abortion, is health care, and the choice of whether or not to terminate a pregnancy is a deeply important choice that each pregnant person must be able to make for themselves, in consultation with their health care providers and, if applicable, their own religious tenets. Denying access to that care endangers countless lives as people are forced to seek abortions outside of licensed medical practice. Many Jewish halakhic (religious legal) rulings allow for termination of a pregnancy if a parent’s life (or spiritual/emotional/mental integrity) is on the line. Limiting access to abortion infringes upon Jewish rights, by removing abortion from our options for medical care.

Religious freedoms are bounded where other people’s bodies, other people’s human rights, begin.

A nation whose founding Constitution, while securing the “Blessings of Liberty to ourselves and our Posterity” assigned just 3/5 personhood to people of color, would do well to remember that.

-Cantor Vera Broekhuysen

Cantor Jack Chomsky

As a Past President of the Cantors Assembly long associated with the pursuit of justice and prayer, action and thought, I write on behalf of the Assembly and with the full support of its President and surely many of its members to decry the actions of the Commission on Unalienable Rights in seeking to limit and harm the rights of women, girls, people of varied sexual orientation and other vulnerable groups across the world.

There are many places in our Jewish sacred texts and our prayers that challenge us to do better than the proposed policies and actions of the Commission. Every Tuesday morning, we are either inspired or haunted by the words of the *Shir Shel Yom* – the Psalm of the Day that concludes our morning prayers. In Psalm 82, God cries out about the judges “How long will you judge unjustly and respect the rights of the wicked?” This is the world in which we find ourselves, where those who have the right and obligation to lead and to protect the poor and vulnerable instead cater to the powerful and wealthy while disenfranchising those most in need of protection – here in the United States and around the world – and do so in language that suggests the opposite of what they are doing. Thus, in the name of religion of freedom, they create policies in which institutions have religious freedom that denies it to individuals. The resulting policies place women and poor people at disadvantage and lead to hardship, sickness and death.

Freedom of religion and conscience should not be used as a way to infringe upon the rights of others. **I encourage the State Department to reject these recommendations and uphold international human rights and the rights of the most vulnerable.**

Our tradition calls on us again and again to demand justice – not only for ourselves but for those most in danger. Every day we intone the words of Psalm 146, which calls upon us to be partners with “the One who made heaven and earth, the seas and all that is in them,” to “execute justice for the oppressed, give bread to the hungry, free those imprisoned, open the eyes of the blind, raise those who are bowed down, love the righteous, protect strangers and maintain those without parents.”

Actually, the text says that God will do those things – but deep in Jewish thought, practice and culture is the idea that God does those things through us and with us – that our role is *l'taken olam b'malchut shadai* – to *perfect* the world in the rule of the Almighty.

As those who stand before our congregants in prayer – though we can only do so virtually in these fearful pandemic times – we are responsible in both directions – to inspire people to provide the healing and justice in our world – and to bring to our people assurance that God cares about these things.

Too often, those who are seeking to deny others the protections of the greater society invoke God's name in exactly the opposite and confusing and confused way.

As I noted at the outset, I personally have a long record of commitment to justice and fairness and equal access in my local community and across the country beyond the personal needs of the Jews in my city or across the land – recognizing that as we are fortunate to have risen to many positions of wealth and power and good fortune – but never forgetting that we were once slaves, we were once immigrants, we were once – and sadly are once again – the focus of brutal discrimination and anti-Semitism.

**It is imperative that any work of the Commission truly protect the rights of all people – and not masquerade as justice when it is exactly its opposite.**

Cantor Jack Chomsky

Past President, Cantors Assembly

Rabbi Aderet Drucker | Bethesda, MD

Dear Commission on Unalienable Rights:

My name is Aderet Drucker, and I am the Executive Director and Community Rabbi of the Den Collective, an organization that convenes members of the Jewish community to connect with Jewish culture and religious practice.

As a religious and community leader, I staunchly oppose the Commission on Unalienable Rights and its recommendations, which would usurp the rights of women, girls, LGBTQI+ people, and other vulnerable groups across the globe, all under the guise of maintaining “freedom of religion and conscience”. I object to my religion being used as an excuse to strip my fellow human beings of the basic rights to which they are entitled. The Commission’s recommendations do not reflect the beliefs of my religion. As Jews, we believe in *b’tzelem Elohim*, meaning that all people are created in God’s image. All people. That includes the people targeted in the Commission’s recommendation.

My Jewish faith does not support this notion that some people’s rights can be eliminated simply because one might discriminate against elements of their identity. All human rights are universal, and the United States must not prioritize some at the expense of others. The Commission claims that the rights of LGBTQI+ people and sexual and reproductive rights are “divisive social and political controversies.” This is an absurd claim. The Universal Declaration of Human Rights, to which the United States is a signatory, states in Article 2 that everyone is entitled to all freedoms listed “without distinction of any kind such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” LGBTQI+ people, women, and girls are all entitled to the full enjoyment of their human rights, regardless of their “sex” or “other status”.

Furthermore, Judaism does not allow for turning away anyone from sexual and reproductive health services, including abortion. Jewish law allows for abortion in a variety of circumstances, privileging the wellbeing of the mother over that of the fetus or embryo. The United States Supreme Court agrees. The court upholds our right to abortion, regardless of anyone’s religious, conscientious, social, or political objections. It would be laughably hypocritical if the United States facilitated the loss of the right to abortion in other countries while its own Supreme Court upheld that very right for its own citizens.

Women, girls, and LGBTQI+ people are entitled to the same respect, dignity, and human rights as their fellow human beings. Under no circumstances does my religion ever allow for the limitation or elimination of some people's rights. I will not allow this Commission to attempt to undermine the human rights of anyone under the guise of upholding my religious freedom. To limit the human rights of some is an affront to my beliefs as a Jew and as an American.

-Rabbi Aderet Drucker

Rabbi Samuel Gordon | Wilmette, IL

To: The Commission on Unalienable Rights  
United States Department of State

From: Rabbi Samuel Gordon

I am writing as an American Rabbi, having served my community for more than forty years. While I deeply believe in the values of our Declaration of Independence guaranteeing the unalienable rights of life, liberty, and the pursuit of happiness, I am completely opposed to the current attempt to manipulate those values to serve in the denial of full rights and privileges to a significant sector of our world population. This attempt to pervert freedom of religion and conscience and turn it into a right to discriminate and deny equal rights to all is a blatant misuse of our founding values. Freedom of religion was never meant to deny equal rights to women, girls, or members of our LGBTQI communities. Nor is there an "unalienable" right to deny healthcare, including contraception and abortion, to those in need of basic health services.

As a Rabbi, I completely object to the misuse of the values of religious freedom in the cause of discrimination and the denial of human rights and equality. In 1790, George Washington wrote a letter to the Jewish community of Newport, Rhode Island, saying, "For happily, the Government of the United States...gives to bigotry no sanction, to persecution no assistance."

The Jews of America have always looked to George Washington's promise as an enduring definition of American values. As a leader in the American Jewish community, I want to be clear in my opposition to this effort which will, in fact, undermine human rights across the world.

Thank you for your consideration.

Rabbi Samuel Gordon

Rabbi James Greene | Stafford, CT

To the Commission on Unalienable Rights:

My name is Rabbi James Greene and I am writing to address the Commission on Unalienable Rights. I currently live in Stafford, Connecticut and serve as the Executive Director for Camp Laurelwood, a Jewish youth engagement agency located in Madison, CT.

I deeply opposed the Commission on Unalienable Rights and its recommendations which will cause harm to the rights of women, girls, LGBTQAI+ individuals, and other vulnerable populations around the world. These rights are not “divisive social and political controversies.” The United States should lead from a place where all human rights are universal, and should not be preferencing some individuals over others. As a faith leader, I cannot allow the State Department to cloak intolerance and hate in religion.

As a faith leader, the claims in the recommendations are offensive. The argument that freedom of religion and conscience can be used to actually infringe upon the rights of others is shameful. I encourage the State Department to reject these recommendations and uphold international human rights and the rights of the most vulnerable. As a people, we are strongest when we look out for the most vulnerable. These recommendations do the opposite, and in fact weaken protections that are desperately needed.

It is not religious to turn people away from reproductive health services, including abortion. The limiting of these critical services, which in many cases are life-saving, leaves people without the means to safely gain access and in fact puts lives at risk. In Jewish tradition, we believe that preserving life is of paramount importance. These actions could not be further from keeping with that core value.

The Torah teaches us that we are all created in the image of the Divine. This commission’s recommendations would strip away that teaching, and violates this sacred principle which is at the center of our tradition.

Kol Tuv,

James

Rabbi Suzanne Griffel

Dear Members of the Commission:

I would like to comment on the recommendations recently released by the State Department for the Commission on Unalienable Rights.

I have been a rabbi in the Reform Movement of Judaism for 30 years, and I see the basis of my mandate in the core Jewish teaching that all human beings are created in the Divine image (Genesis 1:27) and therefore all share basic human rights and deserve to have those rights

protected. I deeply oppose the Commission on Unalienable Rights and its recommendations due to the harms it would cause to the rights of women, girls, LGBTQI+ people, and other vulnerable groups across the world. I believe strongly that all human rights are universal and the United States should not prioritize some at the expense of others. As a faith leader, I refuse to allow the State Department to use religion as a cloak for hate and intolerance.

Sexual and reproductive rights are human rights, not “divisive social and political controversies.” It is not religious to turn anyone away from sexual and reproductive health services, including abortion; in fact, I believe that it is a perversion of the idea of freedom of religion and conscience for healthcare providers and organizations to be able to use “conscientious” objections that result in limited access to services, including abortion, despite the fact that these services are life-saving care. Many people are unable to obtain these services elsewhere without referrals, information, or the resources to travel. For many, this means they may turn to unsafe measures to secure abortion access - putting lives at risk. This is a violation of their human rights and is an affront to my religious values.

LGBTQI+ people deserve respect and dignity, and to deny people their rights is immoral and a rejection of religious moral values. Countries, organizations, and individuals have used religious freedom and conscience arguments as a means to pass laws that discriminate against people based on their sexual orientation, gender identity, or sex characteristics, or may use “conscientious” objections to deny LGBTQI+ people access to employment, housing, healthcare, or education. All of these services are vital to living a life of dignity. I oppose attempts to use religion as a cudgel against these services.

In sum, freedom of religion and conscience is intended to allow all people to practice their religion according to the dictates of their conscience, and should never be used as a way to infringe upon the rights of others. I encourage the State Department to reject these recommendations and uphold international human rights and the rights of the most vulnerable.

Sincerely yours,

Rabbi Suzanne Griffel

Rabbi Brett Krichiver | Indianapolis, IN

To Whom It May Concern,

I am writing as the Senior Rabbi of Indianapolis Hebrew Congregation, the largest Jewish congregation in Indiana, with 900 families. I also serve on the board of the Indiana Board of Rabbis, representing dozens of congregations and communities around the state. We are Republican and Democrat, conservative and liberal, and we have been deeply engaged members of civic society for many generations.

I am deeply concerned about the Commission on Unalienable Rights and its recommendations. It would clear do harm to the rights of women, girls, LGBTQ+ people and other vulnerable groups. All human rights are universal and the United States cannot prioritize some at the expense of others. As faith leaders, it is our responsibility to ensure the State Department does not use religion as a cloak for hate and intolerance.

The rights of LGBTQ+ people and sexual and reproductive rights are human rights, not “divisive social and political controversies.”

As a past board member of Planned Parenthood of Indiana and Kentucky, I have seen firsthand the ways in which religious bias can be used to limit whole communities’ access to health care. Abortion is legal, and must be provided to those most in need of it in a safe and affordable manner. Planned Parenthood offers basic health services to underserved communities, and has been forced to close location after location, leaving these places with no health care options at all, especially safe sexual and reproductive education and resources.

It is not religious to turn anyone away from sexual and reproductive health services, including abortion. It is just as severe a violation of religious values to exclude people from equal protections because of gender. These are violations of human rights and an affront to Jewish religious values. We teach that abortion is permitted, or even required, if the physical or mental health of the mother is at risk. Judaism also teaches that every individual must have the right to choose what is right for their own body, because every one of us has been created in the image of God. And Judaism has long recognized the need to allow for a very personal expression of gender, to be protected by comprehensive hate crime legislation, not by limiting those protections even further.

Freedom of religion and conscience should not be used as a way to infringe upon the rights of others, but to expand to every human being the rights we claim for ourselves. I encourage the State Department to reject these recommendations and uphold international human rights and the rights of the most vulnerable.

Thank you for your consideration.

Sincerely,

Rabbi Brett Krichiver  
Indianapolis Hebrew Congregation

Rabbi Joseph B. Meszler | Sharon, MA

Religious freedom or the oppression of one religious view over others?

The State Department’s Commission on Unalienable Rights, led by Secretary of State Mike Pompeo, has released its recommendations in the name of “religious freedom” and asked for comments.

I am a rabbi and a Jew. I know how precious religious freedom is. Jewish people even have a holiday every year dedicated to the right to worship freely called Hanukkah. And in my religion, women are created in God's image. In my religion, health, dignity and access to healthcare are sacred. In my religion, we embrace all people's identities as children of One God.

The recommendations of the Commission on Unalienable Rights upholds none of these ideas. In the name of its so-called "religious freedom," it would harm the rights of women, girls, LGBTQI+ people, and other vulnerable groups across the world. It would turn people away from sexual and reproductive health care services. It would give a religious stamp of approval to intolerance and discrimination. As such, this language of "religious conscience" is highly manipulative.

These recommendations are not an expression of religious freedom. They are the imposition of one set of religious beliefs over others. They certainly do not represent my beliefs or thousands of others like me.

For example, Judaism has different standards and beliefs when it comes to when life begins or under what circumstances a woman may have an abortion than, say, Catholicism. In Judaism, life only begins fully at birth, not before. That does not mean a pregnancy isn't sacred; it does mean that the decision to have an abortion is a deeply serious one, which can only be decided between a woman, her doctor, and her relationship with God. This kind of decision cannot be legislated from the outside. If it is, that's not religious freedom. That's the government putting one set of religious beliefs over another.

My Scripture and my Jewish tradition have addressed the issue of reproductive health for thousands of years. In the Talmud (Arakhin 7a), we learn that a pregnancy is part of a woman's body and if necessary may be ended. The earliest code of Jewish law, the Mishnah, goes into great detail about abortion as a life-saving procedure (Oholot 7:6). In modern times, the Central Conference of American Rabbis has upheld a woman's right to choose in every decade going back to 1967.

Allow me to be personal: I have spoken with women who have had to make the heart-breaking decision of whether or not to have an abortion. It has been absolutely devastating. The last thing they need in that moment is a politician's religious beliefs being imposed upon them when they are trying to make one of the hardest decisions of their lives. In addition, another friend has a family history of genetic complications. Thankfully, she was able to have healthy children. Without the potential access to abortion, however, she told me she would have never tried to get pregnant. The risk was too great, and she needed to know the option was there if things went tragically wrong.

Finally, my congregation has a strong LGBTQI+ population. This is our family. We are all made in God's image. It is not that some are made in God's image more than others; that's not how the Bible works. Someone else's so-called "religious freedom" shouldn't affect whether or not they can see a doctor or how they are treated in society, but the Commission's recommendations put us on such a path.

Religious freedom? It is more like a statement of religious bigotry. I stand in opposition to any attempt to redefine what human rights mean.

Jill Minneman | Washington, DC

Dear Commissioners and Secretary Pompeo:

I deeply oppose the Commission on Unalienable Rights and its recommendations due to the harms it would cause to the rights of women, girls, LGBTQI+ people, and other vulnerable groups across the world.

As an American Jew, I have always taken pride in my country as a beacon of human rights around the world. I remember with pride when President Jimmy Carter, a religious Christian, made Human Rights a cornerstone of his foreign policy. This was rooted in morality and Christian ethics. As he said in his inaugural address in 1977: “Because we are free, we can never be indifferent to the fate of freedom elsewhere. Our moral sense dictates a clear-cut preference for those societies which share with us an abiding respect for individual human rights.” The human rights that President Carter elevated were not applied selectively—they were universal, as a matter of birthright. I was a young intern at the State Department and saw the role of the recently established office of the Assistant Secretary for Human Rights and Humanitarian Affairs and remember how as a Jew I felt that my government had learned the lessons of history and was elevating human rights in the conduct of foreign policy. This commission is seeking to ignore those lessons, and I fear for the human toll that will result.

Any idea that human rights do not apply to all—is deeply misguided and anti-religious. Human rights are universal—and they protect the most vulnerable. As a Jew, I have seen what happens when the most vulnerable are victimized and stigmatized. By chipping away at the universal definition of human rights, we are opening up the door for harm to befall those members of the human family who are marginalized. The United States should not prioritize some at the expense of others. This is a misuse of our power as a great nation. Our actions as a country encourage other countries to follow our lead. The global degradation of human rights could follow our actions to devastating effect.

The concept that all humans deserve dignity and their rights should not be controversial or political. LGBTQI+ people's human rights should not be minimized—as all humans are children of God and deserving of protection. A person is not a social or a political controversy. Religious rights cannot subsume human rights. It is neither ethical nor religious to turn anyone away from sexual and reproductive health services, including abortion. Health services uphold the sanctity and holiness of life. As a board member of American Jewish World Service, I am driven by my religious values to uphold the human rights of the most marginalized. This Commission's twisted idea of religious values do not align with mine.

LGBTQI+ people deserve respect and dignity, and to deny people their rights is immoral and a rejection of religious moral values. There is no justification, least of which could be religious freedom, to pass laws that discriminate against people based on their sexual orientation, gender identity, or sex characteristics. Using the discriminatory and misguided practice of conscientious

objections to deny LGBTQI+ people access to employment, housing, healthcare, or education denies LGBTQI+ people their human rights—which dictate that they are full members of the human family. All of these services are vital to living a life of dignity. I oppose attempts to use religion as a cudgel against these services because it is a violation of my religion to do so. My religion does not allow discrimination on the basis of sexual orientation, and using religion to pull back on human rights is a violation of my religious freedom and the moral underpinning of the United States.

Freedom of religion and conscience should not be used as a way to infringe upon the rights of others. I demand the State Department reject these recommendations and uphold international human rights and the rights of the most vulnerable.

Jill Minneman

Rabbi Barbara Penzner | West Roxbury, MA

To the Commission on Unalienable Rights:

I am writing in opposition of the recommendations proposed by this Commission, beginning with your definition of human rights.

Human rights flow from the belief that every human is created in the image of God. Every human being deserves all human rights. To limit the notion of human rights is to limit God. The US must be accountable to every human on the planet if you claim to care about human rights.

Having worked as a rabbi for over thirty years, I have always understood the most basic religious imperative is to care for the stranger, the needy, the orphan, and the widow. This commission seeks to deny rights to anyone who is a "stranger," because they are LGBTQ, because they are women, or because they are poor.

Though you may disagree with individuals about political ideology, the State Department cannot overturn the truth that human rights, by definition, apply to all regardless of ideology. Sadly, the Commission gives permission for individuals and governments to allow their ideology to hold sway over another human being's existence.

In fact, to deny reproductive rights to women and to deny health care rights to those who identify as gay, lesbian, bisexual or transgender, is to harm and endanger real people. How can it be possible to defend human rights in a way that treats certain people as less than human?

I have traveled across the globe and witnessed how governments abuse the human rights of their own citizens.

I visited refusenik Jews in the Former Soviet Union who sought the freedom to practice their religion, which was denied by that government.

I met with human rights defenders in Guatemala who were defending the civil society of a country that had been decimated by an internal armed conflict promoted by its government against its own people.

I have met asylum seekers who came to the United States from Uganda to escape death in their home country because the government promotes violence against LGBT individuals.

As a patriotic US citizen, I urge the State Department to reject these recommendations and to adhere to the universal definition of human rights as found in the International Declaration of Human Rights, drafted by the great American Eleanor Roosevelt and promoted by the United States for decades.

Rabbi Barbara Penzner

Temple Hillel B'nai Torah

West Roxbury, MA

Rabbi James Ponet | New Haven, CT

TO: The Commission on Unalienable Rights

FR: Rabbi James Ponet, Howard M. Holtzmann Jewish Chaplain at Yale University, emeritus

I am grateful for the opportunity to respond personally to the recently published draft of the report of the Commission on Unalienable Rights. In so doing, I write as a citizen and specifically as a Rabbi. What follows is my respectful dissent from the premises that shape the report's main argument: namely that human dignity is grounded in the sanctity of "religious liberty" and property rights.

Interestingly, Jewish tradition does not think of God as a bestower of rights but rather as an issuer of commandments (Mitzvot) and it teaches that while human dignity may be inferred from an a priori endowment—creation in the image of God—it is only realized in the human acceptance of responsibility to perform God's commandments. The Torah teaches that non-Jews are obligated to the performance of the Seven Noahide Mitzvot among which are injunctions against murder and theft, as well as an ordinance to establish courts of law, while Jews are bound by a much wider range of norms which serve to shape an entire way of life. Human dignity derives from our knowing and accepting that we can discharge Godly responsibilities as servants of the Divine.

One of the weaknesses endemic to a jurisprudence based on rights is that the articulation of rights does not directly address how and to what extent these rights will be enforced and realized. Thus for example if the right to property is among the inalienable rights bestowed by the Creator, as this report asserts, who is to say that chattel slavery is not a protected property right? Given that Thomas Jefferson's effusive attack on the "evil" of slavery was edited out of the final draft of the Declaration of Independence, this great document can be, and no doubt has been read, to exclude African slaves from the legal definition of the word "men" in the phrase, "all men are created equal." Some men, that is, are not men; they are rather property.

While the Hebrew Bible recognizes private property and penalizes theft as one of the Ten Commandments, it never retreats from the assertion that ultimate possession is God's, that humans are always but stewards of that which has been given them as a temporary holding. Thus the Book of Leviticus in requiring the remission of all debts and the release of all privately held lands one year out of every seven, gives legal teeth to the Psalmist's vision: "The earth is Lord's and the fullness thereof."

While the report deems the enslavement of Africans to have been the "founding sin" of America and acknowledges the ongoing oppression accorded African-American citizens, and acknowledges and condemns as well the treatment meted out to indigenous people in the conquest of the land, it fails to consider how the assertion of property rights as divinely endowed may itself contribute to our readiness to dehumanize others. In Jewish tradition the Psalmist imagines King David saying "My sin is ever before me." Repentance, that is, is more than confession and forgiveness; it requires critical and ongoing examination of the relationship between our ideals and our reality. We need to remember and ponder our failures in order to grow closer to our aspirations.

The Bible imagines God as incapable of ignoring the cry of the oppressed as though God, like us, would rather not hear the pain or attend to the humiliation of those who are weak, vulnerable, and abandoned, but that God, unlike us, cannot turn away. It was in fact the task of the prophet to convey God's pain to humanity and as well humanity's pain to God. The 82nd Psalm imagines God addressing a court of law, to wit, "Give justice to the poor, the orphan; find in favor of the needy, the wretched. Save the poor and the lowly, rescue them from the wicked." Religious liberty then, from a Biblical point of view, is the freedom to accept responsibility for the wellbeing of our fellow creatures.

Rabbi Amy Rader | Boca Raton, FL

Dear Commission on Unalienable Rights,

My name is Amy Rader and I am the Rabbi of The Neshamah Institute in Boca Raton, Florida. Our synagogue has a membership that touches over 1,000 families.

I write to share my deep-seated religious objections to the recommendations of the Commission on Unalienable Rights due to the harms it would cause to the rights of women, girls, LGBTQI+ people, and other vulnerable groups across the world.

My religious tradition in the Book of Genesis teaches that all human beings are made in the image of God. In turn, I passionately believe that all human rights are universal and the United States should not prioritize some at the expense of others. As a faith leader, I refuse to allow the State Department to use religion as a cloak for hate and intolerance.

To be clear, the rights of LGBTQI+ people and sexual and reproductive rights are human rights, not “divisive social and political controversies.”

Also as a woman in religious leadership, I reject the use of religious traditions to discriminate against contemporary woman and minorities who bring essential voices to current issues.

Judaism’s core principle is the dignity of each individual life and the mission to protect the vulnerable in society.

Freedom of religion and conscience should not be used as a way to infringe upon the rights of others. I encourage the State Department to reject these recommendations and uphold international human rights and the rights of the most vulnerable.

I thank you for your time and attention.

Rabbi Amy Rader

Rabbi Philip Rice | Franklin, TN

“Love your neighbor as yourself.” (Leviticus 19:18)

Scholars of theology often use big, fancy words like hermeneutics. That is, the branch of knowledge that deals with interpretation – the act of explaining the meaning of something – especially the Bible or other Sacred Scriptures. Like experts in Constitutional Law, religious leaders (popes, priests, preachers, ministers, elders, rabbis and the like) each utilize different hermeneutics to learn from the Bible how to appropriately navigate living in this world and what it is that God wants from us.

Examples of different hermeneutics include: literal interpretations where every word of the Bible is considered a direct command of God; moral understandings, where biblical verses are examined for their ethical teachings; allegorical explanations, where a story or biblical verse can be interpreted to reveal a hidden meaning, typically a principled or political one; anagogical approaches use mystical understandings to explain biblical events as they relate to a “life to come”.

My friend, Pastor David Perez likes to say that at his church that they take the Bible, “too seriously to take it literally.” He reminds me of the ancient rabbis of the Jewish tradition who

understood this notion centuries ago. Even before the Middle Ages the sages of the Jewish tradition used a variety of hermeneutics to explore the Bible, updating understandings of the text much like we upgrade our cell phones. It is why you don't read about any rebellious children being stoned by their orthodox Jewish parents who believe that God wrote the Bible, even though it commands them to do so in the book of Deuteronomy 21:18-21. Well before the Dark Ages, if ever, Jewish community elders stopped stoning wayward offspring. They gave the Bible a vote but not a veto on how to live their lives.

Congregation Micah is a community of well over 1,500 people (and that doesn't count our new on-line presence) in Nashville, Tennessee. Our hermeneutic is simple. Anything we encounter in our sacred texts that demeans another human being we do not consider coming from God. We therefore completely oppose the recommendations from the Commission on Unalienable Rights for its hermeneutic of denying the rights to women, girls, LGBTQI+ people and other vulnerable groups across the world that should be considered inalienable for all!

Human rights are just that, available to all humans. They are universal, and the United States should not prioritize some at the expense of others. To do so would be to claim that the U.S.A - a country that prides itself on the separation of church and state - has a single hermeneutic, a way of understanding the Bible as a document that expresses hate over love. Our great country allows us to express our opinions freely, even if they are different from our neighbors. We may feel strongly and differently about any number of issues - reproduction, marriage, immigration - but to deny rights to any human is against American's Bible: The Constitution. As I rabbi I want to be clear: to use the texts of the Bible to do so is outdated, inhumane and cruel.

Please let me illustrate what a hermeneutic of love looks like. Rabbi Hillel the Elder, who lived at the turn of the first century of the Common Era commented, "That which is hateful to you, do not do to your fellow. That is the whole Torah; the rest is interpretation. Now go and study it!" Jesus expressed this same notion - known to us as the Golden Rule - in the Book of Matthew 7:12: "Therefore all things whatsoever ye would that men should do to you: do ye even so to them: for this is the law and the prophets." The principle is simple: treat others as you want to be treated; a notion that is found in many religions and cultures. Consider it an ethic of reciprocity. What you wish upon others, you wish upon yourself.

There are other countries, organizations, and individuals who have used religious freedom and conscience arguments as a means to pass laws that discriminate against people, denying them what we as Americans believe are inalienable rights. So, regardless of one's race, marital status, sexual orientation, gender identity, socio-economic status, faith, ability, location or anything else you can think of, ALL people have intrinsic worth and should not be denied the basic human rights, like access to employment, housing, healthcare and education. All of these services are vital to living a life of dignity.

I therefore oppose the dangerous recommendations of the Commission on Unalienable Rights' report. Thank you for your attention to this public comment.

Rabbi Philip Rice

Rabbi Michael Rothbaum | Acton, MA

Don't expect me to play along.

Clearly, the Trump Administration has no problem using language to deceive. That's the choice they keep making. But when they contort my religious tradition to conform to their bigoted and sexist agenda — all in the name of religious freedom — I cannot keep silent.

I'm speaking specifically about the US State Department's so-called "Commission on Unalienable Rights," one of the most dangerous bodies you've never heard of.

Last week, the commission issued recommendations outlining its perverse reimagination of the concept of "human rights" for the purpose of guiding America's foreign policy, drawing on what Secretary of State Mike Pompeo ominously calls "new thinking."

Stacked with appointees who use religious values to openly oppose reproductive freedom and the basic dignity of LGBTQI+ people, the commission has been prioritizing the views of the most extreme religious conservatives. With their recommendations, they're poised to enshrine this bigotry into US foreign policy.

The commission aims to elevate "religious freedom" above other human rights. But as a rabbi, I don't buy it.

For progressive Jews like me, there is a tragic irony here in hiding behind "religious freedom" to discriminate. On the one hand, the commissioners are angling to establish freedom of religious expression as the most essential human right; on the other hand, their idiosyncratic understanding of Biblical text comes at the expense of the rights of both women and trans folks. To assert religious freedom as an ultimate right, but then interpret the Hebrew Bible to persecute women and queer folks, is an ugly distortion of Jewish texts for a right-wing political goal.

And it restricts my religious freedom, as a Jew, to interpret my own texts — texts which demand justice and equality for all.

Of course, Pompeo and the commissioners are entitled to interpret Biblical text in whatever manner they see fit. But let's be clear: they don't have the right to declare that Biblical text, sacred to Jews for millennia, denies the inherent dignity of human beings.

To do so is a restriction of the religious freedom millions of Jews all over the world and a grotesque perversion of my religious values. In fact, many Jews — as well as members of other religions — see in their religious text a fundamental human rights message at the very beginning of the book of Genesis: all humans are created in God's image (Genesis 1:27). Note the language. Not Jews. Not Muslims or Hindus or Christians, for that matter. Not men, or heterosexuals. Every single human being is divine.

According to this reading, the inherent worth of human beings can't be revoked or rescinded. This is a bedrock principle for all streams of Judaism. It's why I teach and speak about the Black trans women who were the originators of Pride month, even though I'm neither Black nor trans.

It's why I advocate on behalf of women's reproductive freedom, though I'm not a woman. When the commissioners interpret religious texts to denigrate trans folks and women, they deny me the right to interpret my texts as a clarion call for justice and equality.

Which is why I take the creation of this commission personally.

So far, Secretary Pompeo's commission has flouted human rights tradition in its hearings, elevating the free expression of their exclusionary agenda as the most "unalienable" of rights — all in the name of religious freedom.

The free expression clause is firmly embedded in our First Amendment. But make no mistake: Your free expression stops at the border of the infringement upon the dignity of your neighbor. It stops at the border of establishing a preferred set of religious values by which the rest of us must live, the diametric opposite of religious freedom.

The limitation of women's reproductive freedom and the denigration of queer folks by the commissioners — whether regarding sexuality or gender expression — are both impediments to my religious freedom as a Jew. Millions of Jews, and almost all the major movements of Judaism, understand the duty to honor every human being to include a respect for reproductive rights and the divinity of LGBTQI+ people.

Of course, those who busy themselves denying the dignity of others often claim those folks are nefariously pushing for "special rights."

This, for sure, has it exactly backwards. In drawing a narrow circle, designed to limit the rights of entire segments of humanity, the commissioners claim for themselves the power to place their neighbors outside the boundaries of full citizenship. Is this not the definition of "special rights," circumscribing religious values according to hateful standards, privileging cruelly narrow interests over the well-being of millions of global citizens?

That this self-styled "Commission on Unalienable Rights" deigns to declare its bigoted agenda to be an expression of "religious freedom" is, to be sure, a linguistic deception of Orwellian proportions.

As the commission elevates religious freedom, ask yourself: What's religious about embracing hate? What's religious about turning LGBTQI+ folks into pariahs? What's religious about denying life-saving healthcare to women and girls? And what gives this group the right to define this cruel agenda as a religious one.

The word "religious" means something urgent and essential. For millions of religious people, it means standing for redemption, wholeness, the inherent holiness of all human beings.

The Trump administration stands hell-bent on stripping millions of their basic dignity. But I'll be damned if I stand silent as it attempts to do so in the name of religion.

Rabbi Dean Shapiro | Phoenix, AZ

To Whom It May Concern:

I am a rabbi, serving 400 Jewish families in Phoenix, Arizona. Following five years in seminary and another thirteen working in synagogues, I'm shocked to see Jewish sacred texts used as Secretary of State Pompeo has done recently: to harm, to belittle, to deny.

I deeply oppose the Commission on Unalienable Rights and its recommendations. These will impinge the rights of rights of women, girls, LGBTQI+ people, and other vulnerable groups around the world. I do not believe such positions are grounded in the Jewish tradition. Rather, the Commission on Unalienable Rights is, in fact, a cloak for intolerance. Universal rights are, indeed, universal and inalienable. Otherwise, they are meaningless.

That's because, as the voices of Hebrew Scripture, make abundantly clear, all human beings are worthy of respect, dignity, and protection. We are commanded repeatedly to protect the most vulnerable among us. As Deuteronomy reminds us, "You shall love the stranger for you were strangers in the land of Egypt" (10:19). Rights exist for all people, not just those in power.

The findings of the Commission on Unalienable Rights fail to protect the most vulnerable, as rights are meant to do. Indeed, they do the opposite by promoting certain rights and populations over others. Rather than rank rights, let us follow Hebrew Scripture's lead, acknowledging that all people are created in God's image and are therefore deserving of complete human dignity (Genesis 1:27).

In my travels to El Salvador and Guatemala, I have been fortunate to meet personally with on-the-ground activists. They shared the vital work they're doing to on behalf of indigenous women and girls – advocating for better health outcomes and more opportunity for people who regularly have little. They toil against great odds. The priorities outlined by the Commission on Unalienable Rights would damage this good work. Better health outcomes and economic security for all indeed ought to be priorities for the United States of America and our foreign policy.

Religious Freedom is, in fact, an important right. It should not, however, be used as cudgel against others. It is self-serving to define the paramount rights as those that benefit the authors of the Commission's own recommendations.

I encourage the State Department to reject these recommendations and uphold international human rights and the rights of the most vulnerable.

Sincerely yours,

Rabbi Dean Shapiro

Rabbi Suzanne Singer | Riverside, CA

To The Commission on Unalienable Rights:

I deeply oppose the Commission on Unalienable Rights and its recommendations. I have watched as this commission has used “religious freedom” as a cudgel to demean the rights of the most vulnerable people, including women, girls, and LGBTQI people. The rights of LGBTQI+ people and sexual and reproductive rights are human rights, not “divisive social and political controversies.” LGBTQI+ people deserve respect and dignity, and to deny people their rights is immoral and a rejection of religious moral values.

The mishandling of the COVID-19 crisis clearly illustrates that, should the Commission carry out its mandate, people whose human rights are already threatened will be in that much more danger.

As a Jew and a rabbi, I recognize the inherent dignity of all people. I believe that all of human beings are created *b'tzelem Elohim* – in God’s image. I stand in solidarity with women, girls, the LGBTQI community, and other vulnerable people in their fight for human rights. It is not religious to turn anyone away from sexual and reproductive health services, including abortion. Freedom of religion and conscience should not be used as a way to infringe upon the rights of others. I encourage the State Department to reject these recommendations and uphold international human rights and the rights of the most vulnerable.

I will not remain silent as the Trump administration seeks to destroy human rights protections, nor will I let faith be used as a tool to promote hate and discrimination.

Sincerely,

Rabbi Suzanne Singer

Rabbi Eric Solomon | Raleigh, NC

Dear Commission on Unalienable Rights,

My name is Eric Solomon and I am the Senior Rabbi of Beth Meyer Synagogue in Raleigh, North Carolina. Our synagogue has a membership that touches over 1,200 people.

I write to share my deep-seated religious objections to the recommendations of the Commission on Unalienable Rights due to the harms it would cause to the rights of women, girls, LGBTQI+ people, and other vulnerable groups across the world.

My religious tradition in the Book of Genesis teaches that all human beings are made in the image of God. In turn, I passionately believe that all human rights are universal and the United States should not prioritize some at the expense of others. As a faith leader, I refuse to allow the State Department to use religion as a cloak for hate and intolerance.

To be clear, the rights of LGBTQI+ people and sexual and reproductive rights are human rights, not “divisive social and political controversies.”

Freedom of religion and conscience should not be used as a way to infringe upon the rights of others. I encourage the State Department to reject these recommendations and uphold international human rights and the rights of the most vulnerable.

I thank you for your time and attending. Blessings...

Rabbi Eric Solomon

Rabbi Jonathan Spira-Savett | Nashua, NH

Dear Secretary Pompeo, Ms. Glendon, and Other Members of the Commission:

I am writing as an America citizen, a Jewish American citizen, and a Jewish religious leader in the United States to express my disappointment with your commission’s report on unalienable rights.

Texts matter, and authorities’ claims to interpret texts matter. This is true for the U.S. Constitution and our written obligations under treaties and international law, as much as for the Torah or the sacred scriptures of any faith. What matters in your report are two things. First, your interpretations of what Americans do not all agree on when it comes to human rights and our responsibilities in the world. Second, the actions of the Trump Administration that explain what you have in mind when you write in general terms of which rights are always fundamental regardless of time and place, and which rights might not be worth U.S. protection at a given moment or in a given place.

You write about the importance of social and economic rights as inseparable from political and civil rights. Yet the Administration makes it difficult or impossible for women in developing countries to have access to family planning services that are essential to their economic prosperity and their liberty from local and national oppression. Organizations that provide family planning services are often the major effective, grassroots institutions in a developing community, yet their provision of birth control or abortion services to those who would choose them means they are threatened by U.S. sanctions or loss of funds.

The Constitution as understood authoritatively in the United States defines the right for women to choose as a fundamental aspect of liberty. My Torah treats the body of any gender and the person who is responsible for living in that body as the sacred image of God. Even just from a material point of view, the Administration’s policies with regard to women. So I am left to doubt the sincerity of your statements about the inseparability of social/economic and civil/political rights. What you write either demands a dramatic change in U.S. policy, or asks us to read everything you have written as a clever rationale for the narrowing of human rights.

You write about the importance of respecting each country's own traditions and institutional arrangements when the U.S. is deciding how to stand for human rights in a particular situation. Based on the Administration's record, you are far more interested in the stance of undemocratic regimes and the dominant forces in them than you are in the cultural understandings and institutions of the courageous grassroots leaders who are at the forefront of human rights work in many developing and even developed countries. How can you claim to support the principle of subsidiarity, when you don't side with those closest to their own people?

The traditions you in fact are most interested in are not local at all to other countries, but the traditions of Americans, and only certain Americans. You do not act in line with the way I and many, many other citizens understand our own traditions around human rights. I am involved with the American Jewish World Service, for instance, because the Jewish tradition sees God as fundamentally in solidarity with the oppressed and exploited and disregarded, and as fundamentally covenantal in the world, sharing power with those who are refashioning and recreating their societies. In the Torah, God listens to voices like the daughters of Tzelophechad in Numbers 27, who question the economic arrangements that have been given to that point in law and that discriminate against women. As interpreted in Jewish tradition, God uses the occasion to remind Moses that for all his wisdom, he is not capable of hearing their plea, and the law in this case should be written by these women.

So as a religious act, I listen to the reports and the needs of brave human rights leaders, and their recommendations for how public support in words and dollars will advance human rights and prosperity on an equal basis for citizens in their countries. This is a much different approach than what comes through in your report. Read in light of the actions of this State Department the past few years, your report is a rationale for the areas where you want inaction on human rights from the United States, as well as outright opposition to the needs of people who need us the most.

Texts matter, and the way you are interpreting our Constitutional tradition and our treaty obligations come at the cost of lives as well as as American credibility and leadership. In your words – “The power of example is enormous.” Those who have in the past looked to us, who have found strength in the American story and our unique take on rights endowed by our Creator, will not find what they need if this document is our statement. It is not mine, as an American citizen or a Jewish American or an American religious leader. Better this document be withdrawn entirely than adopted as written.

L'shalom,

Rabbi Jonathan Spira-Savett

Nashua, New Hampshire

Rabbi Jeremy Schwartz | Willimantic, CT

The Commission on Unalienable Rights:

Although I am writing to share serious concerns about the Draft Report, I want to start by thanking the Commission for its work and noting the many commendable aspects of the report: its general celebration of universal human rights as limiting the actions of states; its acceptance of both political and social/economic rights as universal; its recognition that the human community's consensus about human rights evolves over time; and its recognition of both our country's historical triumphs and immense shortcomings in the application of human rights. All of these are consistent with my own understandings as an individual citizen and with my denomination's understanding of the proper political application of the biblical notion of humanity created in the "image of God," with infinite individual value and dignity, and the necessity of confronting our failings if we are to turn ourselves in a more Godly direction.

I have two very strong concerns with the Draft Report:

First, the draft is excessive in its emphasis on caution in expanding the encoding of universal rights in international law, as well as its concern with what it deems extreme expansion of rights. I worry that these emphases simply provide cover for the United States to avoid converting the human consensus on human rights into enforceable law. Judaism is very aware of the importance of law in securing the rights of all, and of the powerless – the poor and the outsider - in particular. My favorite expression of this idea in our American tradition is the passage in *America the Beautiful*: "Confirm thy soul in self-control, thy liberty in law." The United States should not be reckless, of course, but should generally be eager to expand the legal application of universal human rights in international law.

I'm particularly concerned with one passage: "In divisive social and political controversies in the United States — abortion, affirmative action, same-sex marriage— it is common for both sides to couch their claims in terms of basic rights." Two of these examples, abortion and same-sex marriage, conform to the criteria the Commission itself proposes for American affirmation of human rights: they are supported by a significant majority of Americans and have been affirmed by our Supreme Court as being based in the United States Constitution. The rights to safe family planning, including abortions, and the rights of LGBTQ people are also affirmed by many American faith communities, including my own. These rights can often be matters of life and death for women and people of minority sexual orientations or gender identities. It seems that the Commission, in this case, has functioned, to paraphrase the language of the Draft itself, as a 'self-appointed religious elite,' declaring mainstream American, religious and Constitutional values as "controversies."

Again, there is much to be affirmed in this draft, but it should not cast so much doubt on the expanding application of human rights, and, in particular, should affirm the human rights of family planning, as well as dignity and equality for minority sexual orientations and gender identities.

Rabbi Jeremy Schwartz  
Temple Bnai Israel  
Willimantic, CT

Rabbi Sid Schwarz | New York, NY

Members of the Commission:

I would like to comment on the recommendations recently released by the State Department for the Commission on Unalienable Rights.

I have served as a rabbi for over 40 years. I have served congregations in Philadelphia and Bethesda, MD. And I have directed national programs that integrate the teachings of Judaism with social responsibility. One of the deepest commitments of my rabbinate has been working to insure the human rights of all people, wherever they live around the world. For several years I ran a three-continent fellowship program on human rights to inspire greater activism on this issue. All of my work has been motivated by one of the core tenets of the Bible and of Judaism—the belief that every human being is made in the image of God and is thereby deserving of being treated with the utmost respect regardless of their religious beliefs, political ideologies, gender or sexual orientation.

For my generation (I am 66 year old) and that of my parents, America stood out as a beacon of liberty to the world. I am particularly attuned to this issue because both of my parents are European survivors of the Holocaust. Most of their respective families perished at the hands of the Nazis. I was raised on the belief that America would always use its political influence and international standing to support the victims of persecution. When despots discriminated against or oppressed vulnerable populations, I was proud that America would bring pressure to bear on those governments or use international forums to champion the cause of liberty and human rights.

It is therefore shocking to read the recommendations recently issued by your panel. Will America no longer champion the right of women to make their own choices about their bodies? Will America no longer stand up to defend LGBTQI people to live as they choose? Will America no longer demand of dictators that they cannot persecute and jail their political enemies or the journalists in their country who dare to expose their acts of corruption? Will America no longer defend the rights of people who need to flee their countries, fearful for their lives, and insure that such refugees can find asylum in third countries, including the US?

For 70 years, the Bible of international human rights has been the Universal Declaration of Human Rights, to which the US is a signatory. If the US State Department going to issue a new document on human rights, it has an obligation to include people in the drafting process who are committed to the principles of the Universal Declaration of Human Rights.

In the last few years, America has turned its back on one international treaty after the other. Increasingly, the international community no longer looks to the US for leadership because we

have shown utter disregard for the very principles that America once championed. I urge the Commission to go back to the drafting table and reconsider whether or not America will stand on the right side of history.

Sincerely,

Rabbi Sid Schwarz

*Thank you to the AJWS community of Rabbis, Cantors, and leaders for your ongoing, moral leadership in the face of discrimination and hatred.*