

## When Does Life Begin?

### Independent

Nineteen hundred years ago when Caesar Anthony asked this question of Rabbi Yehudah Ha'Nasee, the rabbi replied: "From the moment the fetus emerges from the womb" (*Midrash Bereisbit Rabbah* 34:10). The 11th-century Rabbi Shlomo Yitzchaki (Rashi) explained: "for the fetus in the womb is not considered a person until it is born" (*Talmud Bav'li, Sanbedrin* 72b). Earlier rabbinic codes clearly place the welfare of the mother first, and "if a woman experiences difficulty in childbirth, the fetus is dismembered within her, limb by limb, because her life takes precedence" (*Mishnah Ohalot* 7:6 and *Talmud Yerushalmi, Sanbedrin*, end of Ch. 8).

Not only her life, later rabbis added, but her emotional well-being. "While woman is biologically equipped to bear children," writes Rav Yeruchem Perilman (19th century), "she is nevertheless not as a clump of earth, and is therefore not obliged to nurture seed implanted within her against her will" (in *Ohr Gadol* No. 31).

Classical Jewish rulings concerning abortion rely primarily on the woman's instinct, and they respect that until the fetus emerges from the womb, it remains an integral part of the woman's body alone.

Rabbi Gershon Winkler  
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### Humanist

In the view of the Talmud, it was only after a newborn had lived 30 days that it proved its viability and gained the status of a person and the legal rights of an adult. These days, with modern hygiene and healthy prenatal care working in our favor, we rarely have to wait that full month to trust in our baby's survival.

So if the clue to beginning of life hinges on viability, there may be some truth to the popular Jewish maxim that life doesn't truly begin until the children finish graduate school. But we know that Jewish parents never stop worrying about their grown children.

According to the title of a popular song, life really begins at 40, "when love and living start to become a gentle art." But research suggests that this may be a myth. For many people, hitting 40 is synonymous with forgetfulness, longer

recovery time from aches and pains and a gradual physical breakdown. Could it all be downhill from there?

The ultimate message is that life is unpredictable, unstable and ultimately finite. It is up to us to begin life anew each day and to fill each day with purpose, joy and the fullness of life.

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### Renewal

When I taught women's studies to conservative Christian students in the American South, they were curious about the Jewish view of when a fetus becomes a "person" and how that affects the Jewish position on abortion. The answer, which is consistent across the entire Jewish spectrum, never failed to astonish them: We don't know when a fetus becomes a "person."

Talmudic sages consulted a midwife along with male medical scholars when they discussed the question of when a person becomes a *nefesh*, an embodied soul. They considered many possibilities: conception, in utero, movement, birth, beginning of speech. They concluded that mere human beings could not know such a subtle secret.

This set the tone for future Jewish discussion about abortion. We do not base serious life decisions on metaphysical speculation but on concrete factors related to the life of the person making

the decision. How would the mother's physical and mental health be threatened by carrying the child to term? If it were known that the child would be disabled, how would the mother be affected by raising it? If abortion were performed, how would the mother cope with having taken a life? If you consider these questions, you sometimes conclude that abortion is required.

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### Reconstructionist

The 19th century Hasidic Rabbi Menachem Mendel of Kotzk asked, "Where is God?," then answered his own question: "Wherever we let God in." Life, which comes from God, is much the same. Life begins neither at conception nor at birth, but wherever and whenever we affirm it.

To affirm life we must acknowledge it as a mystery and a miracle, never taking it for granted. And we should never assume that we fully understand it. We cannot demean those who believe differently about life's origins or timetable.

People differ on life's appearance. A couple that has long wanted a child rightly marvels at the fetal life taking shape. A young woman in social or economic straits, distressed about the quality of life she could give to another (or achieve herself), rightly consults Planned Parenthood. Prospective parents, poring over disturbing amniotic data, rightly debate how to proceed.

Biology aside, we can all do much more to affirm life. Life's beginning may be a mystery—but when we extend health coverage to all families, limit our carbon emissions, fully fund Head Start or just act with more kindness each day, we truly let Life in.

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### Reform

Ancients argued whether life begins at conception or first-breath. As a rabbi, I find the search for the moment that physical life begins as missing the point. The real question is, when does spiritual life begin? At what point in the journey

does understanding dawn upon our soul that our life is finite? When we become conscious that we have only a limited opportunity to engage in the world, this moment of understanding is, I would argue, when life really begins.

This moment of insight then brings us to the essential question: How to live a life of meaning, purpose and intention? Only after we confront these questions does our life really begin. There are people who lack the spark of hope and purpose in their lives. While they may breathe, are they really alive in their life? When we awaken to the understanding that life is a blessing of limited opportunity to add to the goodness of the world and then commit ourselves to the active pursuit of deeds of loving kindness, this is when our life really begins.

Rabbi David Wilfond  
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### Conservative

Our sages agree that life of a human being begins when the majority of the newborn infant (i.e. its head) has emerged and the child is able to take its first breath. The life breath is the *neshamah*, the soul, a piece of divinity within us that truly makes us independently alive and human. Before its emergence into the world, the mother's life takes precedence over that of the unborn fetus.

This being said, an unborn fetus still deserves our deepest respect. If a woman suffers the loss of her pregnancy after the fifth month, I will officiate at a burial in a cemetery and be there for the grieving parents and family. I do this because, after a certain point in its development, there is so much potential human life in that fetus that its life demands our *kavod*, our respect, and dignified treatment.

During the nine months of pregnancy, a miracle is unfolding, moment by moment, in the womb: Life evolves from zygote to embryo to fetus, approaching a humanity that becomes complete with the moment of birth itself. While it is not yet a fully independent human life, and stem cell research is certainly permissible—I believe it is even a mitzvah—we must stand in awe at the miracle of human life developing at every step of a woman's pregnancy.

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## In general, Orthodox law is against abortion unless the fetus directly threatens the mother's life—in which case, it is a mitzvah to protect the mother's life by aborting the baby.

### Modern Orthodox

Human life is created in the image of God. Jewish ethics and halacha spell out the behaviors owed to a human being—ranging from not to kill and not to harm to feeding when hungry and loving the other human being as yourself.

Is an embryo entitled to all the dignities of a human being? If the answer is yes, then abortion should be prohibited. In general, Orthodox law is against abortion unless the fetus directly threatens the mother's life—in which case, it is a mitzvah to protect the mother's life by aborting the baby.

As with most traditional sources, I believe that life begins at conception. However, I also believe that life is not fully developed until the baby is born and proves to be viable. The embryo has the dignity of being potential but not fully formed life.

A significant number of Orthodox rabbis take this position—especially in light of the Talmudic statement that up to 40 days, the embryo is considered water/liquid and not life. Therefore, they (and I) are more supportive of the possibility of an abortion to protect the mother's health or well-being over a wider range of threats such as nervous breakdown or deep depression. The bulk of Orthodox rabbis also do not equate abortion with murder of a viable human being, which is the gravest sin of all.

Of course, upholding the potential human life (=fetus) demands caring, protecting, feeding, respecting both the embryo and the mother.

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### Sephardi

There is an unfortunate tendency in public discourse to oversimplify highly complex and nuanced subject matter for the sake of fueling entertaining debate. We are either “pro-life” or “pro-choice.” We either advocate for “women's reproductive rights” or we emphasize “the rights of the fetus.” None of these slogans sheds light

on the moral principles involved in the ongoing disagreements over the morality of abortion.

Jewish law does not exclusively endorse either the pro-life or the pro-choice platform: There is a range of valid rabbinical opinion vis-a-vis the permissibility of abortion under certain circumstances. What Jewish law categorically rejects is the attempt to gloss over moral ambiguities by wrapping oneself in the mantle of civil rights and claiming that one is being disenfranchised and mistreated simply because one's freedom of action is being curtailed.

Some have determined that women are entitled to “reproductive rights”—in other words, the right to terminate pregnancy and kill a fetus—and that anyone who questions the legitimacy of abortion-on-demand is misogynistic and unjust. I find this kind of attitude to be counterproductive and dishonest. Extremists on both sides of this issue obstruct serious consideration of its nuances by providing black-and-white answers.

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### Ultra-Orthodox

Human life begins in three stages. The stage of conception is the moment when the soul comes into this world (*Sanhedrin* 91b) and your potential is defined (*Niddah* 16b/*Tanchuma*). At this stage the fetus is called *maya b'alma*, mere matter (*Yevamot* 69b) and not a human being. The second stage begins at 40 days. The fetus is considered a human being, yet the mother's life will take precedence and the fetus can be aborted if it is the cause of a health threat to the mother. The third stage is birth. Birth is the moment the head emerges, or in a breach situation the majority of the body. From that moment on, the child's life and mother's life are separate lives of equal importance.

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