Abortion and congenital disorders (Part 2/5)

The issue of abortion in case of a congenital disorder could not have been directly addressed in older rabbinic sources. Only today we have the means for such diagnosis. As we explained last week (see **here**) the fact that there are no Talmudic precedents makes this issue open to radical differences among modern rabbis.

1. The stricter opinion considers abortion within the category of murder, but of a lesser degree. Despite the fact that Talmudic Law did not sanction abortion with capital punishment (to this particular effect-the punishment- it is similar, but not identical, to the differentiation between homicide and manslaughter). According to this opinion, even if the child suffers from a congenital disease, it will be forbidden to interrupt the pregnancy. The only circumstance in which abortion will be allowed is when the life of the mother is at risk as a matter of self defense (Rab M. Feinstein IGM , CHM 2:9 and other rabbis).

2. A second opinion holds that the unborn baby is not considered an independent life, and abortion cannot be compared to murder, in any degree. It is rather compared with *hashchatat zera* i.e., destroying the 'seeds' of life. Accordingly, this opinion will be more lenient and authorize abortion in extreme circumstances, for example, if a congenital disorder is detected (Tzitz Eliezer 9:51 and others).

3. A third opinion says that the unborn child is not considered an independent life but as a living organ of his mother. This opinion follows a Talmudic statement ('*ubar yerekh immo*). Accordingly, abortion will be classified under the category of 'mutilation' (Torat Chesed Milublin, EHE 42:32) As such, abortion will be authorized for the sake of saving a life (when the mother's life is at risk) or if the organ or limb is irremediably sick , i.e., a congenital disorder. (Mishpete Uziel, CHM 3:46).

Next week, BH, we will explain that these opinions would vary according to the diseases, the time of detection, etc. (Adapted from Penine Halakha, by R. Eliezer Melamed. Liqutim 2, pp 254-258).

IN THIS PARTICULAR AND DELICATE SUBJECT, I MUST ASK THE READER TO CONSIDER THIS INFORMATION EXCLUSIVELY AS EDUCATIONAL MATERIAL. IF chas veshalom A DECISION NEEDS TO BE MADE, THE FAMILY SHOULD CONSULT WITH THEIR RABBI FIRST.

SHABBAT SHALOM

Candle Lighting in NYC 4:48
Shabbat ends in NYC: 5:57

MUSIC FOR YOUR SOUL
Shema Israel, by Pirche Yerushalaim