Pro-Life or Pro-Choice?

**#1**

**Questions:**

* **How do you define morality/ immorality?**
* **How do you know what is moral/ immoral?**
* **Is there an absolute morality or can it be subject to change depending on cultural, ethnical etc. background?**
* **Is there anything that is universally considered moral/ immoral? Explain!**

**TODAY'S LEARNING MATERIAL**

**Torah Bereishis (Noach) 6:9, 6:11-13**

*These are the generations of Noach, Noach was a righteous man, he was perfect in his generations; Noach walked with G-d.*

*…*

*Now the earth was corrupt before G-d, and the earth became full of robbery.*

*And G-d saw the earth, and behold it had become corrupted, for all flesh had corrupted its way on the earth.*

*And G-d said to Noach, “The end of all flesh has come before Me, for the earth has become full of robbery because of them, and behold I am destroying them from the earth.*

**Based on Jerusalem Talmud Bava Metziah 4:2**

*The sin that resulted in the annihilation of that generation was a unique kind of theft. They stole things that were worth less than a perutah, a small amount of a few cents. The law is that theft of less than perutah is not remediable by court.*

**Rabbi Abraham Twerski, M.D.**

*Their reasoning was that inasmuch as a court does not recognize this as theft, it is not forbidden. In their distorted logic, this generation legitimized theft.*

**The Alter (Elder) of Kelm**

*Torah, Bereishis (Noach) 6:12: “G-d saw the earth and behold, it became corrupted” - G-d was the only One who saw that the people were corrupt. All humans had made peace with the corrupt behavior as being legitimate.*

**#2**

**Mishnah Pirkei Avos (Ethics of the Fathers)**

*Moshe received Torah from Sinai …*

**Rabbi Ovadiah Bartenura**

*Why does the Mishnah describe the chain of tradition only in Pirkei Avos? Would it not have been proper to do so earlier, at the very beginning of the Mishnah?*

*It can be explained that in the previous tractates there was no need to mention the chain of tradition. Those tractates deal with ritual obligations, which are obviously Divine in origin. Pirkei Avos, on the other hand, deals with ethics. It is extremely important to emphasize that the source of these teachings is also Divine revelation, and not mere human wisdom.*

**Questions:**

* **What are some values that have changed drastically within the last 40-50 years?**
* **Is society becoming more or less moral?**

**#3**

**CASE: Abortion**

**Dr. Avraham Steinberg, Encyclopedia of Jewish Medical Ethics, p. 1**

Most religious and legal systems in ancient cultures were opposed to induced abortion. Thus, the Assyrians, Indians and ancient Egyptians, among others, were opposed to induced abortion. There were differing opinions among the ancient Greeks. By contrast, the Romans prohibited abortion and established severe punishment for those who performed them.

A negative attitude toward induced abortion is also evident in most known physicians’ oaths. Even if this negative attitude is not explicit, it is implied as part of the general ethical conduct of physicians. The Hippocratic Oath states: “I will never give a potion to a woman nor use any instrument to induce an abortion,” although other Greek schools of medical thought did not oppose abortion …

**#4**

**Pro-Choice and Proud, www.prochoice.org, Apr. 27, 2010**

The ability to access safe and legal abortion has been critical for many women as they seek to define and live their lives with dignity. Honoring women means honoring their choices, including the choice of whether and when to have children.

Women are capable of making intelligent and conscientious decisions about their own lives and families. Women deserve the autonomy and dignity to act in accordance with their personal convictions, and to decide what is best for their own lives and families. Women should be trusted and respected to exercise the choices about their bodies and lives that are best for them, and not be forced by the government into personal reproductive decisions that are against their will.

**National Right to Life Committee (NRLC) Jan. 2004**

While there are many things that society can and should do to ensure that women are never denied basic rights or opportunities on account of their sex or reproductive status, to claim that these rights require the death of the innocent is to undermine the very foundations of justice itself …

We believe in freedom, but absolute freedom, to do whatever one wishes without limits, cannot exist. If people are “free to choose,” to harm or kill one another for any reason whatsoever, all live in fear, not freedom … Society as a whole has something at stake when one human being claims the right to kill another or to decide who is worthy of life.

**Questions:**

* **Which approach seems right to you?**
* **Is abortion justifiable murder of a human being?**
* **Are there cases where abortion should be allowed?**
* **Are there cases where abortion should be forbidden?**
* **Is abortion justified in cases of "defective" fetuses?**
* **Can abortion be considered as an equal alternative to contraception?**
* **Should the government get involved in these matters?**

**#5 Abortion in the Torah Sources**

**Rabbi Moshe Feinstein, Igros Moshe, Choshen Mishpat II, 69**

*Abortion is forbidden as murder both for gentiles and Jews … Therefore, the law is… that there is a complete prohibition of murder, derived from the verse, “You shall not murder” (Torah, Shemos 20:13), even regarding a fetus, except that the killer is not liable for the death [penalty].*

**Kabbalah, Zohar, Shemos 3b**

*One who causes a fetus in the womb of its mother to be killed destroys G-d’s work and craftsmanship … and causes G-d’s Presence to leave the world … and pushes away G-d’s Presence.*

**Rambam, Laws of Murder and Preservation of Life 1:9**

*This, indeed, is one of the negative Mitzvos – not to take pity on the life of a rodef (aggressive pursuer).*

*On this basis, our Sages ruled that when complications arise and a pregnant woman cannot give birth, it is permitted to abort the fetus in her womb, whether with a knife or with drugs. For the fetus is considered a rodef (aggressive pursuer)**of its mother …*

**Rabbi Moshe Feinstein, Igros Moshe, Choshen Mishpat II, 69**

*Since abortion is forbidden as murder both for gentiles and Jews … therefore the law is … that there is a complete prohibition of murder, derived from the verse, “You shall not murder” (Torah, Shemos 20:13), even regarding a fetus … It would be forbidden to kill it even to save someone’s life. The exception would be to save the life of the mother during childbirth, not for any other need of the mother, which would definitely be forbidden …*

**Based on Talmud, Yevamos 69b**

*A fetus does not have the full status of a human being until 40 days past conception.*

**Rabbi Eliezer Yehudah Waldenberg, Tzitz Eliezer 9:51, Ch. 3**

*If there is a danger to the mother from continuing the pregnancy, one should permit abortion without hesitation. Also, if her health is poor and to cure her or to relieve her from great pain it is necessary to abort the fetus, even if she is not in actual danger, there is room to permit it, based on the halachic authority’s evaluation of the situation.*

**Daniel Eisenberg, MD, Abortion in Jewish Law, www.aish.com**

Judaism recognizes psychiatric as well as physical factors in evaluating the potential threat that the fetus poses to the mother. However, the danger posed by the fetus (whether physical or emotional) must be both probable and substantial to justify abortion. The degree of mental illness that must be present to justify termination of a pregnancy has been widely debated by rabbinic scholars, without a clear consensus of opinion regarding the exact criteria for permitting abortion in such instances. Nevertheless, all agree that were a pregnancy to cause a woman to become truly suicidal, there would be grounds for abortion. However, several modern rabbinical experts ruled that since pregnancy-induced and postpartum depressions are treatable, abortion is not warranted.

**#6**

**Question: What's your takeaway from today's discussion?**