

A Progressive Jewish Perspective

There are two important issues that Jews must think about and decide upon when they make their vote. One issue is In Vitro Fertilization. The other is called Stem Cell Research. Both issues involve the use of human embryos and for this reason, the vote is a very important one.

First, the Torah tells us "Be fruitful and multiply." This Biblical statement emphasizes the value of the family. The family is central to Jewish life.

Second, our sages teach us, "He who saves a life, saves the world entire." This statement means that the commandment to save lives supersedes many other laws in the Jewish tradition.

Let us examine, "Be fruitful and multiply."

In Vitro Fertilization allows couples to do what G-d wants, because the goal of the fertilization process is to help a couple have children, so that a couple can become a family.

A husband or wife whose body cannot create a baby, or a wife whose body cannot sustain a baby, can choose In Vitro Fertilization. If they do, they now have the opportunity to fulfill commandment "to be fruitful and multiply."

In Vitro Fertilization is a very Jewish thing to do because it is a process to help a childless couple to become parents. Husbands and wives who cannot have children in the normal way, now have an opportunity, with the scientific advances of In Vitro Fertilization, to bear children and raise families. According to Jewish tradition, this is a very good thing.

Also In Vitro Fertilization will permit scientists to use stem cells from human embryos to save the lives of millions of adults and children who have serious and sometimes terminal medical conditions.

The scientific community has already established that a cure for Alzheimer's Disease, Parkinson's Disease and Diabetes will be available when we use human embryos to eradicate these conditions. In this way, we can do what Jewish tradition commands us to do, which is, that above all other activities, Jews should save lives. This is one reason why Stem Cell Research is a priority in the scientific community of Israel.

The big question, however, is the status of the human embryo. What does the Jewish religion say about the embryo? Is this embryo a baby? Is it a person? Is it a nothing?

rabbi barbara

Rabbi Barbara Aiello

In order to make an informed choice, we must understand how contemporary Jewish law applies modern scientific principles combine to arrive at an explanation.

There are halachic answers to these questions. Interestingly enough, the definition of the "human-ness" of the embryo has been discussed and agreed upon by rabbis. There are two groups who have often argued about many things, but now they are working together. These two groups are... orthodox and progressive rabbis.

We differ on many things, but in this area there is much agreement. Progressive rabbi Elliot Dorf and a rabbi from the Orthodox community, Rabbi Moshe Tendler write that Jewish tradition found in the Torah and Jewish law explained in the Talmud teaches us that "Human Status" is not something established at conception or at fertilization.

"Human Status" comes about (or is acquired) during the development of the embryo. In fact Jewish law states that even an embryo is not a "Formed Human Fetus" until it has existed inside of the womb of the mother for at least 40 days.

Jewish thinkers, many of them are like Rav Di Segni in Rome who is a rabbi and a physician, believe that the embryo that is formed from In Vitro Fertilization can only become a human when it is implanted in the uterus of the mother.

But outside the womb, it cannot grow to become a human being. For this reason, Jewish law states that when a couple is trying to have a baby and chooses In Vitro Fertilization, the embryos that are not implanted in the mother's womb may be discarded.

Why? Because the fertilized egg has not been placed in the uterus and therefore is not a human life.

The same reasoning applies when scientists use embryos for Stem Cell Research, which is the process of using human embryos to cure serious and terminal medical conditions in adults and children.

It is halachically correct to discard the unused embryos in the stem cell chain because, even though the embryos are "living" under refrigeration in the test tube, these embryos do not have "Human Status." Talmudic interpretation says that these embryos are not human life.

Perhaps some of you remember something that happened in Italy ten years ago, last September. A young American boy, Nicholas Green, was traveling with his mother, father and sister in Calabria. As they drove their car on the autostrada near Salerno, Nicholas was shot in the head by Mafia gang members who were shooting at each other from their cars.

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Two days later Nicholas died. His father, who is Jewish, telephoned his rabbi in San Francisco. The family asked about Jewish law and organ donation. Ten years ago organ donation was a relatively new concept. Yet, the rabbi for the Green family was able to turn to ancient Jewish law to help the family make their decision. How could that happen?

The Hebrew word for Jewish law is "halakah," which comes from the Hebrew word, "holech," which means "to walk." The implication here is that Jewish law is fluid, evolving and always changing.

Rabbi Moses Isserles lived in Krakow, Poland during the 1500's. He was a Talmudic scholar and an expert on halakah and it was his reasoning that allowed changes to be made in Halakah.

He examined the evolution of the Hebrew calendar and concluded that in every generation there was new knowledge that was unknown to earlier generations.

Rav Isserles wrote, "There are situations that result from changing conditions and require a permanent reappraisal of current Jewish law." *And he went on to say:*

*When something new has arisen
that was unknown to earlier Sages,
it is permissible to change a rule or enact a new rule
that is as binding as any rule
currently stated in the Talmud.
Because one can say that the earlier generations
enacted the rule or established the prohibition
without the full understanding of what is known today.*

With this statement Rabbi Isserles established the authority for enacting new rules in every age. In his commentary on the Shulchan Aruch, Rabbi Isserles says, "There are specific considerations for every period of time and for every place."

For this reason, modern rabbis work hard to apply halachic traditions to modern concerns such as abortion, organ donation, and now, In Vitro Fertilization and Stem Cell research.

Rabbis also consider the intent of the scientific innovation.

For example if a couple who was physically capable of making and carrying a baby, considered In Vitro Fertilization so that they could choose the gender or the eye color of their child, Jewish law would prohibit In Vitro Fertilization in that case.

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If a medical center required its staff to share Stem Cell chains only to those who had enough money to purchase a cure, again Jewish law would rule against it because the intent would indicate that personal financial gain was the priority and not the saving of a life.

This is why you often hear me say that the difference between Traditional Judaism and Progressive Judaism is not the difference between Coca Cola and Coca Cola Light.

We do not disregard halakah to make it easier to be Jewish or to "lighten the burden" of our religion. Instead we use the ancient traditions of our Sages and Scholars to apply Jewish tradition to the problems and concerns that we face in the modern world.

*Rabbi Barbara Irit Aiello
Sinagoga Lev Chadash
Milan, Italy*

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