

**“A Time to be Born and a Time to Die”
Vassar College Life Long Learning, Fall 2026
Rabbi Renni S. Altman**

Texts for Sessions 1 & 2

Core Jewish Principles

And God said, “Let us make humankind in our image, after our likeness.

Genesis 1:26

You shall not stand idly by the blood of your fellow.

Leviticus 19:16

If a man has a pain in his throat they may drop medicine into his mouth on the Sabbath, since there is doubt whether his life is in danger, and whenever there is doubt whether life is in danger this overrides the Sabbath.

Mishnah Yoma 8:6

Medicine & Science

If you will heed the Eternal your God diligently, doing what is upright in My sight, giving ear to My commandments and keeping all My laws, then I will not bring upon you any of the diseases that I brought upon the Egyptians, for I God am your healer.”

Exodus 15:26

(18) When [two] parties quarrel and one strikes the other with a stone or fist, and [the victim] does not die but has to take to bed: (19) if the latter then gets up and walks outdoors upon a staff, the assailant shall go unpunished—except for paying for the idleness and the cure.

Exodus 21:18-19

God created food and water; we must use them in staving off hunger and thirst. God created drugs and compounds and gave us the intelligence necessary to discover their medicinal properties; we must use them in warding off illness and disease.

Moses Maimonides (12th c)

When does life begin?

When two parties fight, and one of them pushes a pregnant woman and a miscarriage results, but no other damage ensues, the one responsible shall be fined according as the woman's husband may exact, the payment to be based on reckoning. But if other damage ensues, the penalty shall be life for life...

Exodus 21:22-3

Status of the Fetus

If she miscarries on the fortieth day [since her prior immersion], she need not be concerned that it was a fetus.

Mishnah Niddah 3:7

R. Hisda replied: She performs the immersion but may eat *terumah* only until the fortieth day. For if she is not found pregnant, she never was pregnant; and if she is found pregnant, the semen, until the fortieth day, is only a mere fluid.

Babylonian Talmud, Yebamot 69b

What is the reason for Rabbi Yehuda HaNasi's position? He holds that a fetus is considered as its mother's thigh [that is, as part of its mother's body].

Babylonian Talmud, Gittin 23b

R. Nahman said in the name of Samuel: If a woman who has been sitting on a birthstool died on Sabbath, one may bring a knife and cut her womb open to take out the child. But that is self-evident? What is he doing? Only cutting flesh? — Rabbah said: It is necessary [to permit the] fetching of the knife by way of a public thoroughfare. But what is he informing us? That in case of doubt one may desecrate the Sabbath! Surely, we have learnt already: If debris falls down upon one and there is doubt whether he is there or not, or whether he is alive or dead, whether he is a Canaanite or an Israelite, one may remove the debris from above him! You might have said: There [permission was given] because [the person in question] had at least presumption of having been alive, but here where it [the embryo] did not have such original presumption of life, one might say no [desecration of the Sabbath shall be permitted], therefore we are informed [that it is].

Babylonian Talmud, Arakhin 7a-b

R. Simeon b. Menassia said: "And the children of Israel shall keep the Sabbath. The Torah said: Profane for his sake one Sabbath, so that he may keep many Sabbaths."

Babylonian Talmud, Yoma 85b

When is abortion permitted

If a woman has (life-threatening) difficulty in childbirth, one dismembers the embryo within her, limb by limb, because her life takes precedence over its life. Once its head (or its "greater part") has emerged, it may not be touched, for we do not set aside one life for another.

Mishnah Oholot 7:6

R. Huna said: A minor in pursuit may be slain to save the pursued. Thus, he maintains that a pursuer, whether an adult or a minor, need not be formally warned. R. Hisda asked R. Huna: We learnt: Once his head has come forth, he may not be harmed, because one life may not be taken to save another. But why so? Is he not a pursuer? – There it is different, for she is pursued by heaven.

Babylonian Talmud, Sanhedrin 72b

the entire time that that it has not gone out into the air of the world, it is not [considered] a soul, and [so] it is possible to kill it and to save its mother. But when its head came out, we cannot touch it to kill it, as it is like a born [baby]; and we do not push off one soul for the sake of another.

Rashi on Babylonian Talmud, Sanhedrin 72b (11thc)

“This, too, is a negative commandment: one must not take pity on the life of a *rodef* (pursuer). Consequently, the sages taught: if a pregnant woman’s labor becomes life threatening it is permitted to dismember the fetus in her abdomen, either by a medication or by hand, for it is like a *rodef* who is pursuing her to kill her...”

Maimonides, Hilchot HaRozeah 1:9

Considerations regarding abortion

And God created man in the Divine image, in the image of God, God created him; male and female God created them. God blessed them and God said to them, "Be fertile and increase, fill the earth and master it; and rule the fish of the sea, the birds of the sky, and all the living things that creep on earth."

Gen. 1.27-28

The human body belongs to God, and as such we are prohibited from *habbalah*, from wounding it. The Rabbis learned this from the verse in Genesis; “But for your own blood I will require a reckoning.” However, we are allowed to inflict a wound (or allow a wound to be inflicted on our behalf) in an effort to heal. Therefore, the woman, or those caring for her, would be prohibited from wounding (or by extension destroying) the fetus just as she would be prohibited from wounding any part of her body, except for the purpose of providing for her overall well being. In other words, the woman, or those caring for her-- would be allowed, and at times required, to destroy the fetus if necessary to heal her....

Committee on Jewish Law and Standards, Conservative Judaism, September 2003

MISHNAH. If a woman is about to be executed, one does not wait for her until she gives birth: but if she had already sat on the birthstool, one waits for her until she gives birth.

GEMARA. BUT IF SHE HAD ALREADY SAT ON THE BIRTHSTOOL: What is the reason? — As soon as it moves [from its place in the womb] it is another body. Rab Judah said in the name of Samuel: If a woman is about to be executed one strikes her against her womb so that the fetus may die first, to avoid her being disgraced.

Babylonian Talmud, Arachin 7a

Mental-health risk has been definitely equated to physical-health risk. This woman who is in danger of losing her mental health unless the pregnancy is interrupted, therefore, would accordingly qualify.

Responsum of R. Israel Meir Mizrachi (Salonika, 18th c)

...while a woman is said to be a vehicle for reproduction, as a human being she differs from “mother earth” in that she need not nurture seed implanted within her against her will; indeed, she may uproot seed illegally sown.

Responsum of Rabbi Yehudah L. Perilman (Minsk, 1891)

The questioner asks about an adulterous married woman (who is pregnant) is a good question. It appears to me to permit her (to abort)...And even in the case of a legitimate fetus there is reason to be lenient if there is a great need, as long as the fetus has not begun to emerge; even if the mother's life is not in jeopardy, but only so as to save her from woe associated with it that would cause her great pain...

Responsum of Rabbi Jacob Emden (Germany, 18th c)

It is clear that abortion is not permitted without reason. That would be destructive and frustrative of the possibility of life. But for a reason, even if it is a slim reason, such as to prevent her embarrassment, then we have precedent and authority to permit it.

Responsum of Chief Rabbi Ben Zion Uziel (late 19th-20th c)

[no woman]”is required to build the world by destroying herself.”

Responsum of Rabbi Moses Sofer (Austro-Hungary, 19th c)

We agree with the traditional authorities that abortions should be approached cautiously throughout the life of the fetus. Most authorities would be least hesitant during the first forty days of the fetus' life... Even the strict Unterman permits non-Jews to perform abortions within the forty day periods... From forty days until twenty-seven weeks, the fetus possesses some status, but its future remains doubtful as we are not sure of its viability. We must, therefore, be more certain of our grounds for abortion, but would still permit it.

It is clear from all of this that traditional authorities would be most lenient with abortions within the first forty days. After that time, there is a difference of opinion. Those who are within the broadest range of permissibility permit abortion at any time before birth, if there is a serious danger to the health of the mother or the child. We would be in agreement with that liberal stance. We do not encourage abortion, nor favor it for trivial reasons, or sanction it "on demand."

Reform Responsum, 1985

The Conservative Movement approved the use of abortion not only to protect the life of the mother, but also to protect her physical and mental health. These *teshuvot* [responsa] as well as other *teshuvot* on bioethical decisions about abnormal fetuses, include detailed discussions regarding the circumstances under which a late term abortion would be permitted under Conservative Jewish law. Permission for a late term abortion is not limited to the purpose of protecting the life of the mother. Conservative and some Orthodox responsa permit late term abortion also when the fetus is discovered to be severely damaged and the mental anguish to the mother would be considerable if she were forced to bring such a non-viable or otherwise severely damaged fetus to term.

Committee on Jewish Law and Standards, Conservative Judaism, September 2003