

Dear Rabbi Fried,

I am 20 weeks pregnant, and am shocked and devastated to have just received the results from pre-natal testing that I am carrying a Down's Syndrome fetus. My husband wants me to do an abortion, and I am very confused and don't know what the right thing is to do. What does Judaism have to say about this?

Evelyn T.

Dear Evelyn,

I am so sorry you have received these devastating results, and feel your pain and confusion. This is truly a frightful and difficult issue to discuss, especially in the impersonal environs of a newspaper column. I will try to provide you with some background on the issue.

Judaism essentially considers a fetus which has passed the 40th day since conception, to be a living person endowed with a soul. For that reason abortion is generally forbidden. (Talmud Sanhedrin 59a). Since the fetus is considered a living person with a soul, to abort is considered an act of murder.

The main exception to this rule is if the fetus or its birth pose any threat to the mother's life. In that case the mother's life supersedes the life of the fetus, and abortion would be permitted.

The leading 20th century authority of Jewish law, Rabbi Moshe Feinstein, concludes this rule to be true even when the birth of the fetus would result in a severely handicapped child. He relates this to a Tay-Sachs fetus. ("Igros Moshe", Choshen Mishpat vol. 2 sec 69).

Just as killing a 5 or 10 year old child who was afflicted with this condition would obviously constitute murder, so too with a fetus. It all depends on your definition of life. I have often felt that somehow, the term "fetus" hides the true nature of the unborn baby. It is much like that which an unborn baby's existence in the womb hides it from view, hence from our awareness and consideration as a living human being.

Judaism considers any selection process, based on the mental or physical aptitude of the person, as immoral, and hearkens to the dark processes of the darkest of nations in the 30's and 40's. Even recently, a certain Princeton philosopher has advocated euthanasia for severely handicapped infants and elderly.

We cannot judge the ultimate value of any human being, the true value being one's soul. Although we may not see it, in the spiritual realm such a child may have a very unique, special mission in this world. The venerable 20th century sage Rabbi Yeshaya Karelitz (known as Chazon Ish) was known to stand before a Down's Syndrome child like he would stand for a great sage. He would explain that the souls of such children are very unique, and only need the slightest amount of tikkun to be completely perfected. Hence, they need not go through the tests and tribulations we "regular" people need to go through. Despite the difficulties, these children become very precious to their parents and families, who deeply sense their uniqueness.

Consider this only background material, because you should discuss your own particular situation in person with an authority of Jewish law, taking in consideration your own health and other surrounding factors, to come to a final decision and solution.

May G-d grant you the strength to do what's right, and to endure the tests ahead, which, if you succeed, will catapult you to spiritual levels you previously never thought possible.