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Yeshivat Ateret Yerushalayim

IN THE HEART OF THE OLD CITY OF JERUSALEM

Ha-Rav Shlomo Aviner on...

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Testing a Fetus for Abnormalities.

The Responsum which Hangs on Hospital Walls

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Question: Should older women be counseled to have a prenatal exam to reveal an abnormality with the fetus? If a problem is detected, what benefit is there if it is not permissible to have an abortion? Furthermore, since these exams can endanger the life of the fetus, is it permissible to check if the fetus has an abnormality?

Answer: 1. It is a good idea to have this exam, since either way – if the exam is positive and there is no problem, the pregnancy will continue with calm and contentment for the benefit of the mother and perhaps also for the benefit of the fetus. If, however – G-d forbid, the exam is negative and there is a problem, they can turn to a rabbi and ask him if it is permissible to abort in such a case. If he rules that it is permissible – since there are cases where it is permissible, and indeed abortions have been performed in practice by the rulings of great authorities – the parents can responsibly decide what they want to do. If they decide to keep the child, it will be out of free will, and they will accept him lovingly with a full heart, and they will raise him lovingly with a full heart.

2. Regarding man interfering with Hashem's actions, there is absolutely no interference here. Everything is included in the light of Hashem which illuminates the path of the scientific intellect of man, which acts in a manner permissible according to the word of Hashem, which was revealed to us by Moshe Rabbenu. If this were not so, all medicine and

all science in general, would be invalid. And on the contrary, wisdom gives strength to the wise man.

3. Regarding the claim which is heard against abortion permitted according to Halachah, that it prevents a soul from entering the world, we do not engage in the hidden in order to decide Halachah.. On the contrary, the Halachah must be decided according to what is revealed to us and our children for eternity, and anything which is intended by the Halachah is in any case intended by the secrets of the Torah which are more hidden. If according to Halachah there is room to perform an abortion, we rely and trust that this soul will find a correction in other ways and the hand of Hashem will not shorten.

4. Regarding the test being dangerous, besides the fact that there are tests which are devoid of any danger, such as blood tests; according to Halachah, it is permissible to enter into a remote chance of danger when there is a need, such as making a living - engaging in a profession which has a certain danger involved in it or for a mitzvah. Endangering oneself in a minimal way is called as "an infrequent damage" in Halachah. This is the law in our case, since giving birth to a disabled baby can sometimes destroy an entire family, and all the more so when we are discussing the danger of a fetus which is yet to be born. We must certainly clarify, however, if it is permissible to have a test with a minimal chance of danger. It does not make sense to enter into details here, since Blessed be Hashem, science continues to advance, and in each individual case, one must take counsel with a G-d-fearing doctor and with a halachic authority.

5. The last is the most precious. The reality is that many women, who are not young, refrain from becoming pregnant, even though they very much have such a desire, because of a fear of giving birth to a disabled baby, and they live with a broken heart. When a halachic authority permits, and even encourages them, to arrange a prenatal exam, and also promises that in the case of a problem, G-d forbid, he will stand by their side in finding a halachic solution with responsible thought given to the effects on the family, this will take a huge burden off of their heart, and they will give birth to more children who will fill their lives with joy and happiness, and add more servants to the world for the sake of increasing the sanctification of Hashem's Great Name.

Rav Aviner's Responsum which Hangs on Hospital Walls

Rabbi Eliezer Melamed, Rabbi of Har Beracha, in his book "Penini Halachah" (volume 3 p. 221) writes, "A few years ago Ha-Rav Aviner published a responsum, in which he encourages older women to test their amniotic fluid, so that if their fetus is sick, they can take counsel with a rabbi, and decide if they will follow the strict or lenient position [regarding abortion]. They hung this responsum in various hospitals. And in its merit, a not insignificant number of women, approximately in their forties, who had earlier feared becoming pregnant, lest they gave birth to a sick baby, dared to become pregnant, and may others like this increase in Israel."