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Prepared by Rabbi Mordechai Tzion

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## Testing a Fetus for Abnormalities:

### The Responsum that Hangs on Hospital Walls

[Shut She'eilat 2:312]

#### **Question:**

Should older women be counseled to have a prenatal exam in order reveal fetal abnormalities? If a problem is detected, what benefit is there if it is not permissible to have an abortion? Furthermore, these exams can endanger the life of the fetus.

#### **Answer:**

1. It is a good idea to undergo this exam. If the tests reveal that there is no problem, the pregnancy can continue calm and with contentment for the mother, which may also benefit the fetus.

If, however - G-d forbid, the exam reveals a problem, the couple can turn to a rabbi and ask him if it is permissible in such a case to abort. If he rules that it is permissible - since there are cases in which it is permissible, and abortions have indeed been performed in accordance with 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 raise him lovingly with a full heart.

2. Regarding man interfering with Hashem's will: there is absolutely no interference here. Hashem illuminates the path of the scientific intellect of man. If this were not so, all medicine and all science in general would be invalid. On the contrary, wisdom gives strength to the wise man.

3. Regarding the claim that abortion, even when permitted according to Halachah, prevents a soul from entering the world: we do not engage in the esoteric when deciding Halachah. Halachah must be decided according to what is revealed to us and our children for eternity. In any case, anything which is intended by the Halachah is intended by the levels 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: according to Halachah, it is permissible to put oneself in a situation in which there is a remote chance of danger when there is a need (such as making a living or performing a

Mitzvah). Endangering oneself in a minimal way is called as “an infrequent damage” in Halachah. This law applies 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 has yet to be born.

We must certainly clarify, however, whether or not it is permissible to undergo 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. In each individual case, one must take counsel with a G-d-fearing doctor and with an halachic authority.

5. The last point is the most precious. The reality is that many women who are not young refrain from becoming pregnant, despite their great desire to have a child, because they are afraid of having a disabled baby. They live with a broken heart. When an 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 an halachic solution with responsible thought given to the effects on the family, a huge burden is lifted from their hearts. They will be able to have 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

Ha-Rav 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]. This responsum was hung 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 there be more like this in Israel."



**Yeshivat Ateret Yerushalayim** P.O.B. 1076 Jerusalem 91009 Tel.02-6284101 Fax.02-6261528  
**www.ateret.org.il** To subscribe, send e-mail to: [toratravaviner@yahoo.com](mailto:toratravaviner@yahoo.com)

