

# Should We Care If Non-Jews Abort Their Babies?

By **Myles Kantor** - August 10, 2018

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“Where are the *sheva mitzvot bnei Noach*?” noted lecturer Rabbi Aaron Rakeffet asked in 2016 in response to support for same-sex marriage by Open Orthodox rabbis. These words came to mind amidst the recent controversy over conservative commentator Ben Shapiro’s tweets about abortion and *halacha*.

“Abortion is included in the Noachidic prohibition of murder,” Rabbi Dr. Moshe Tendler wrote in 1966. In his *The Theory and Practice of Universal Ethics: The Noahide Laws*, Rabbi Shimon Cowen notes, “The opposition of Noahide law to the abortion of an unborn life, except in very special circumstances, embodies one of the deepest norms of human society, the *protection* of life.”

Based on some of the responses to Shapiro’s tweets and related discussions, though, it seems that far too many observant Jews have become coarsened to the essential abhorrence with which Judaism views abortion. Someone with a Modern Orthodox background have remarked that “from a practical viewpoint, abortion on demand is very good for society.”

Another claimed: “[W]e do want abortion on demand. We don’t want to create a situation where halakha says an abortion *must* be performed and it becomes impossible because of the imposition of Catholic theology onto our lives...we need civil liberties so that we can practice our religion.”

Similarly, a rabbi from a “Proudly Modern Orthodox” yeshiva in Israel wrote last year after supporting the legalization of same-sex marriage: “I think the best way to preserve halachik positions is a libertarian position on many issues like abortion and contraception. That government should stay out of these areas and let individuals decide and for the Torah observant community thus to be safe from governmental intrusion.”

Contrast these statements with the position of Rabbi Joseph Ber Soloveitchik that abortion is murder. In 1975, he said: “to me it is something vulgar, this clamor of the liberals that abortion be permitted.” He wrote on corresponding Noahide themes, “Our task was and still is to teach the Torah to mankind, to influence the non-Jewish world.... In a word, we are to teach the world the seven *mitzvot* that are binding on every human being.”

Rabbi Norman Lamm observed, “The freedom of parents to crush prenatal life, which now seems to be in vogue, will eventually lead to utter destruction, because it is only a small leap of logic from feotocide to infanticide, to getting rid of infants who may not fulfill our ideals of mental and physical health, or, eventually, ethnic and genetic respectability.”

Rabbi Ahron Soloveichik referred to second-trimester abortion as *shefichut damim* and argued:

The third trimester is arbitrary. It is grounded in a desire to adjust *HaKadosh Baruch Hu* to one’s capricious desires. It is paganism.... They think that a woman in the sixth month of pregnancy, since she is before the third trimester, her right to liberty takes precedence over the fetus’s right to life. That is moral values? That is paganism. That is the philosophy that motivates the *mechashefim* and the pagans.

Rabbi Aharon Lichtenstein also shared a global sensibility. He wrote: “Abortion on demand is a moral abomination, whoever the fetus may be. We have much to learn from the late Lubavitcher Rebbe, who took up the cudgels for a modicum of prayer in the public schools. Unquestionably, we shall be far more concerned if and when our own are involved.... Insouciance is, however, out of the question.”

Suffice it to say these figures’ understanding of *halacha* more than equals those who in effect advocate against the Torah governing 99 percent of humanity. After all, what is the opposite of “*I’taken olam b’malchut Shaka*” if not promoting policies that obstruct recognition of the Almighty’s kingship?

As to the claim that abortion on demand is necessary to protect Jewish religious freedom, I asked Rabbi Shimon Cowen for his thoughts. He responded:

One has to present the truth according to universal Noahide law, which is that abortion *on demand* is prohibited killing. There are specific grounds – such as defense of the mother’s life – which warrant it, but these are rare and are not present in the overwhelming number of abortions.

In other words, Torah forbids abortion on demand, whether by a Jew or non-Jew. The “pragmatic” consideration that if we insist on this, another purported “religious” position, which does not allow the exceptions provided by Noahide law, could also prevail, in fact panders to moral relativism. It supports the extension of this global mass phenomenon of killing, both morally wrong itself and with all kinds of further corrosive consequences for society.

So too, it is spurious to allow a person a so-called “civil liberty” to abort. There is no such liberty to kill, in the sights of Noahide law.

This is the stand of authentic *tikkun olam*. This is the stand of universal Torah.

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