

HANAKKAH & MED. ISSUES

 LECTURE #4 - THE ABORTION PROBLEM:
 II. The Moral Issue; Public Policy
I. INTRO.

1. Contra: NOT leaving moshavot - rather: illustrating HOW moshavot roots. Illustrations, not decisions.
2. Tiny - will touch area of religious law-morality - always an extremely difficult one to harmonize, plausibility, moralists.
And from HALAL → MORAL, → Public Policy
3. 3 parts: a) halacha; b) minimum Ab. legislation (regulation); c) moralists

II.N'Z

1. summary last lect: Ab. question in HAL. somewhat anomalous. Find real evidence of presumed \rightarrow 10:1 - yet hard to define, formulate. Thus: \rightarrow רשותה לשבור נשים \rightarrow סגולת נשים - Only if asifah; o מנוגנות - reference is b.c. fetuses = qodshos (kadosh) - it's not qodsho - prohibited).

What then is formal norm \rightarrow 10:1 of Ab? No. of principles:
 a) רשותה לשבור נשים - \rightarrow רשותה לשבור נשים; b) רשותה לשבור נשים - רשותה לשבור נשים; c) רשותה לשבור נשים - רשותה לשבור נשים (10:1).

Each has its strength - but (Rabbi Wolf Weinberg $\ddot{\text{S}}\ddot{\text{s}}\ddot{\text{s}}$ - EPH) each alone can't stand up to criticism. (\therefore clearly permits Ab if rebels, <40 days; apparently willing rely G-d on men & women.
 * even if not סוד vs. mother, just סוד to her).

2. However - here an interesting dynamism takes place in practice process of HAL. Abortion - a conjunction of intuitive "feel" for moral values implicit in HAL - EVEN when explicit HAL can yield different conclusions. Very next to search for formal \rightarrow 10:1 shows - technique can be fixed, but intuitive moral judgment rebels. (Note: moral judgment \neq own subjective opinions). But since moral judgments obviously present, there must be sober evaluation, weighing, when there are also moral counter-arguments. Thus: R. Weinberg: Arbella

3. Anomaly: J-Law usually much harder \rightarrow non-J. S+J: \rightarrow moshavot non-J ($= \text{J}^+$): moshavot. However, in general coverts - J in moshavot moshavot. S+J: \rightarrow moshavot; no \rightarrow moshavot; moshavot moshavot

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Other than this - JS ~~is~~ many more restrictions.

So much so that - HAL-REEE: יש לנו לסייע לך יפה נסחף
Serves no purpose, ensuring that (gen.) I know you.

This - Ab clearly prohibits non-Ts! Moreover - is permitted, minimally, and regarding no 3rd place. Further - some HM-authenticities: sovereign prohibits Ts = Tz is Tz in all cases!

[TIME] 5. However - this contract by remarkable report by fetus about his future life in latter's capacity no prof. physician: except all factors bothering gentle woman. Q: if not in all, what if?
[גִּנְזָן - other factors available, so wrong (רָגוֹן). R. Vinograd: fetus must have been coerced and restriction. Q: R. Vinograd holds
Ab = רָגוֹן לְבַדֵּךְ when coerced? Ans: reason w-
3 reasons ab fr, but here: difficult J / gentle. Both - in civil
wife, civil JIN. But J - in - legal J - society no
protected human - but not legal J - not fr JIN.
W. gentle - view only contract present, same no civil laws.

III- Public Policy: $\approx 28\% \text{ of } 100\%$

1- Have now more to meet issue: att'nttakre: legislation.
Clarke: not interested in "imposing" rel. yrratives. But must be
concurrent moral functioning - and jndgn's are NOT "rel" b/c imm.

Fr. Hause, our public posture must be ITALY's return: if
3. U.S. not simply quaking whether lib/cath visitors.
Each free legislature must be approached from U.S.
(ST - Monogram + Bishop: what shall we do about Ab. Bill?
Bishop - try it & keep quiet!)

→ Let me give you much abbreviated response to Q pert to
me ~ 18. yrs (Lefebvre) re: FAWJ's prof. amicus pro-plea. b.i.).

a) Mai m. Rechtsacc. $\text{Rechts} \rightarrow (\rho_3) \downarrow \downarrow \rho_3(k_3) \cdot \downarrow \downarrow \downarrow \downarrow$ für \parallel -

b) concept of ~~surveillance~~ - ~~surveillance~~ - ~~surveillance~~

- c) Hinu - as Amicus pro PL - am הוּא כ אמִיכָס פְרַוְתְּלָם = יֶסֶף

d) Bet: then women would in any event undergo PL - even if illegal.

e) Ans: mit allen same - Ausnahm. PA others? Q v t (11:3) פְרַוְתְּלָם נִזְמָן (11:3) וְאֵין לְפָנֶיךָ תְּבִדֵּל בְּלֹא תְּבִדֵּל (11:4)
w. Om - 3 יְמִינָה בְּשָׁמֶן; סְמִינָה, מְלָא קָדְשָׁה - הַלְלוּ אֱלֹהִים (11:5)
w. haz. גְּמֻזָּה (11:5) - even (11:2) 3 P forbitten זְמָן; יְבָנָה (11:6)
יְבָנָה permitted alternative (unless in MATTHEW - where #5 -
explains provision of יְבָנָה). יְבָנָה - seems w. יְבָנָה.
most authorities - preferable (אֲמִיכָס (יְבָנָה) מִיְבָנָה)

f) Hinu - least we ought No is very quiet!

IV- MORALISM

1. Number compelling arguments pro-Ab: discrim vs. poor, blacks.
Anti-Ab are sexist b/c women rights over own body. 28%
Unwanted ch. Emphasis on quality of life, birth rt ch, mother.
So - Ab on demand.

2. Oppose - extreme: no Ab, ever. (cath: 35% depn. life - give
 pref. foetus > mother). Consider Ab = murderer.

3. Now - J. case against Ab on moral grounds - most controversial.

4. רְבָבִים בְּנֵי נָסָרָה, יְמִינֵי הַיְמִינִים - גָּדוֹלָה יְמִינָה!

5. Is Ab "murder"? Saw: for J's - hurtful. fn 21st - yes!
 So, logical to go along w. R. Unterman: "moral murder"

6. Anti-Ab arguments - a rebuttal to pro-Ab:

7. Even: Discrimin? Hardest to ans. Q: is a test of life not
 poor people less advantaged than rich. Since rich have
 alternative it incorrectly breaking law - does that justify
 legalizing it? (you can't say "hit man" to eliminate
 enemy; shall we legalize for poor to equalize. Justice?)

8. Woman's body = her property. I disturbed when I hear this stated
 by feminists. Narcissistic... On same grounds: legalize prostitution -
 & declare it ethical. But most imp: UNTRUE. No one - many
 women, is able to master own body. Hera, Ixal: אֶתְנָה וְאֶתְלָה,
אֶתְנָה וְאֶתְלָה, יְמִינֵי הַיְמִינִים - גָּדוֹלָה יְמִינָה!
 Certainly >J > finger, nose, env-labe! Further: how
 about father? Nothing to say about his ch? And who will
 speak for foetuses? (ST - Stephen Leacock - interwar - August
 Carter/Nietzsche on fisheries. HT: I'll write to you about...)

