

# Hebrew And Jewish Attitudes To Abortion And Infanticide

## Biblical Hebrew versus pagan Greek-Roman concepts of the womb

The original Hebrew copy of the Old Testament expresses God's attitude to what He intended a female womb to be. In Hebrew, the noun "raham" can mean either "**womb**" as in Genesis 49:25 and Isaiah 46:3 or "**compassion or tender mercy**" as in Genesis 43:14 and Isaiah 63:7. This relates to the fact that God intended a female womb to be a place of compassion, tenderness and mercy towards the helpless unborn infant.

Contrast this to the pagan concept of the womb. Many of the pagan Greeks and Romans saw the womb as a place:

- where unborn babies could be murdered
- an organ which craved for sex, regardless of whether this was in or outside of marriage.

## Tacitus on Jewish attitudes to abortion and infanticide

In his "The Histories", the Roman historian Tacitus (approx. 56-120 A.D.) recorded that the Jews regarded abortion and killing new-borns as serious acts of wickedness. He said that to the Jews: "*It is a deadly sin to kill a born or unborn child...*" <sup>1</sup> Tacitus held the high-ranking Roman office of consul in 97 A.D.

## Two ancient Jewish writings condemning abortion and infanticide

Two Jewish writings originating in Alexandria in Egypt condemn abortions and the infanticide of new-born children.

The first Jewish writing was called the "Sibylline Oracles" and was written about the first or second century B.C. In its section on the punishment of the wicked in Book 2, the Sibylline Oracles states that some of those who would be punished by God were: "...as many as aborted what they carried in the womb, as many as cast forth their offspring unlawfully." <sup>2</sup>

The second is called the "Sentences of Pseudo-Phocylides" and was written probably between 50 B.C. and 50 A.D. <sup>3</sup> In its section on the marriage and the family, it states: "*Do not let a woman destroy the unborn babe in her belly, nor after its birth throw it before the dogs and the vultures as a prey.*" <sup>4</sup>

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<sup>1</sup> Tacitus, "The Histories", Book 5, 5.

<sup>2</sup> "Sibylline Oracles", Book 2, 280-282.

<sup>3</sup> Michael J. Gorman, "Abortion and the Early Church", InterVarsity Press, Downer's Grove, Illinois, 1982, page 37.

<sup>4</sup> "Sentences of Pseudo-Phocylides", 184-185.

## Philo of Alexandria on parents murdering their children

In his writing “The Special Laws III”, the Jewish writer Philo of Alexandria (approx. 20 B.C.-40 A.D.) wrote about the infanticide or murdering of children by their parents: *“Again, who can be greater haters of their species than those who are the implacable and ferocious enemies of their own children? Unless, indeed, any one is so foolish as to imagine that these men can be humane to strangers who act in a barbarous manner to those who are united to them by ties of blood. And as for their murders and infanticides they are established by the most undeniable proofs, since **some of them slay them with their own hands**, and stifle the first breath of their children, and smother it altogether, out of a terribly cruel and unfeeling disposition, **others throw them into the depths of a river, or of a sea, after they have attached a weight to them**, in order that they may sink to the bottom more speedily because of it.*

*Others, again, **carry them out into a desert place to expose them there**, as they themselves say, in the hope that they may be saved by someone, but in real truth to load them with still more painful suffering; for there **all the beasts which devour human flesh, since there is no one to keep them off, attack them**, and feast on the delicate banquet of the children, while those who were their only guardians, and who were bound above all other people to protect and save them, their own father and other, have exposed them. And **carnivorous birds fly down and lick up the remainder of their bodies**, when they are not themselves the first to discover them; for when they discover them themselves they do battle with the beasts of the earth for the whole carcass.”*<sup>5</sup>

## The Jewish historian Josephus condemned abortion

In his writing “Against Apion”, the Jewish historian Flavius Josephus (37-100 A.D.) wrote: *“The law; moreover enjoins us to bring up all our offspring, and **forbids women to cause abortion of what is begotten, or to destroy it afterward**; and if any woman appears to have so done, **she will be a murderer of her child**, by destroying a living creature, and diminishing humankind...”*<sup>6</sup>

## The way the top pagan physicians tried to justify abortion

To try to justify their murderous practices of abortion, many pagan philosophers and the most acclaimed medical physicians claimed that the unborn babies were a part of their mothers and were not separate individual humans with the God-given right to live. The Jewish writer Philo of Alexandria records this when he states: *“And yet those persons who have investigated the secrets of natural philosophy say that those children which are still within the belly, and while they are still contained in the womb, are a part of their mothers; and the **most highly esteemed** of the physicians...agree with them and say the same thing.”*<sup>7</sup> Philo said this in the context of his discussion of pagans murdering defenceless babies.

The top medical school in the ancient Roman Empire was in Alexandria in Egypt. So Philo had easy access to knowing what the most highly esteemed physicians taught.

This above false idea about unborn babies being just a part of their mothers and the usage of this idea to justify abortion, is one reason why the early Christians would have had only a limited trust in medical physicians.

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<sup>5</sup> Philo of Alexandria, “The Special Laws”, 3, 113-115.

<sup>6</sup> Flavius Josephus, “Against Apion”, Book 2, 25, 202.

<sup>7</sup> Philo of Alexandria, “The Special Laws”, 3, 117.

## A Jewish view based on pagan Greek philosophy

In the Old Testament, one of the passages which taught Jews that abortion was murder was Exodus 21:22-25: ***“If men fight, and hurt a woman with child, so that she gives birth prematurely, yet no lasting harm follows, he shall surely be punished accordingly as the woman’s husband imposes on him; and he shall pay as the judges determine. But if any lasting harm follows, then you shall give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, stripe for stripe.”***

But note by Christ’s time, many Jews had watered down the meaning of this passage to fit in with the pragmatic desire of some Jews to abort their babies in the early stages of pregnancy. Evidence of this is in the writings of the famous Jewish teacher Philo of Alexandria (20 B.C.-50 A.D.).

Philo of Alexandria is representative of one school of Jews at the time of Christ. In the “foreward” to C.D. Yonge’s translation of “the Works of Philo”, David Scholer wrote: *“Philo’s concern to interpret Moses shows constantly both his deep devotion and commitment to his Jewish heritage, beliefs, and community, and also reflects his unabashed use of philosophical categories and traditions ‘...to investigate each separate one of them (Moses’ commands), and to endeavour to reveal and to explain to those who wish to understand them, things concerning them which are not known to the multitude” (On the Special Laws 3.6). The scholarly discussion over whether Philo is primarily Jewish or Greek is actually misguided. In Philo’s time much of Judaism was significantly Hellenized. Philo’s commitment to and passion for the law of Moses was genuine and controlling. Philo, too, drank deeply at the philosophical well of the Platonic tradition and saw it as strengthening and deepening his understanding of the God of Moses. Philo probably represents Middle Platonism (the Platonic tradition between Plato’s immediate successors and the rise of the third century A.D. Neoplatonism), although some scholars debate this classification.*

*Because of Philo’s participation in Middle Platonism and Hellenistic philosophical traditions, he is important for the study of Hellenistic philosophy. Philo also participated in the allegorical interpretive traditions, developed and used in Alexandria for understanding Homer and other Greek traditions, characteristic of his Hellenistic culture. Allegorical interpretation became a deep part of Philo’s exegetical and hermeneutical understanding of the law of Moses. Philo has sometimes been labeled a Gnostic or participant in Gnosticism, but this is a misunderstanding of his Platonism in service to his interpretation of the Mosaic law ...”*

*Philo is significant for the understanding of first century A.D. Hellenistic Judaism. He is the main surviving literary figure of the Hellenized Judaism of the Second Temple period of ancient Judaism. Philo is critical for understanding many of the currents, themes, and interpretive traditions which existed in Diaspora and Hellenistic Judaism. Philo confirms the multifaceted character of Second Temple Judaism; it was certainly not a monolithic phenomenon. Judaism, in spite of its concerns for purity and ethnic identity with reference to the law of Moses, also found considerable freedom to participate in many aspects of Hellenistic culture, as Philo so clearly evidences.”*

In the above, we see part of the problem. Philo and many other Jews in Christ’s time were mixing Hellenistic or pagan Greek philosophy and practices with the Scriptures. As a result, many of them including Philo accepted the pagan Greek idea that a fertilised human embryo is not fully human until it reaches a certain stage of development.

Philo’s interpretation of Exodus 21:22-25 was unbiblical and compromising. In his writing “Special Laws” (3), Philo wrote the following about Exodus 21:22-25: ***“But if any one has a contest with a woman who is pregnant, and strike her a blow on her belly, and she miscarry, if the child which was conceived within her is still unfashioned and unformed, he shall be punished by a fine, both for the assault which he committed and also because he has prevented nature, who was fashioning***

*and preparing that most excellent of all creatures, a human being, from bringing him into existence. But if the child which was conceived had assumed a distinct shape in all its parts, having received all its proper connective and distinctive qualities, he shall die; for such a creature as that is a man, whom he has slain while still in the workshop of nature, who had not thought it as yet a proper time to produce him to the light, but had kept him like a statue lying in a sculptor's workshop, requiring nothing more than to be released and sent out into the world.”*<sup>8</sup>

Philo interprets Exodus 21:22-25 to mean that if the unborn child is “*unfashioned and unformed*”, the person who killed it, only had to pay a fine. But if the unborn child “*had assumed a distinct shape in all its parts, having received all its proper connective and distinctive qualities*”, the person who killed it was to be punished as a murderer with death.

Exodus 21:22-25 does not in any way make a distinction between less or more developed unborn human babies. This distinction is a result of interpreting this passage in agreement with the teachings of numerous pagan Greek philosophers.

In his writing “The Preliminary Studies”, Philo again interpreted Moses’ words in Exodus 21:22-25 to distinguish between supposedly unformed and formed fetuses: “*...therefore an indistinct and not clearly manifested conception resembles an embryo which has not yet received any distinct character or similitude within the womb; but that which is clear and distinctly visible, is like one which is **completely formed**, and which is already fashioned in an artistic manner as to both its inward and its outward parts, and which has already received its suitable character. And with respect to these matters the following law has been enacted with great beauty and propriety*” “*If while two men are fighting one should strike a woman who is great with child, and her child should come from her before it is **completely formed**, he shall be mulcted in a fine, according to what the husband of the woman shall impose on him, and he shall pay the fine deservedly. But if the child be fully formed, he shall pay life for life.*”<sup>9</sup>

In the above, Philo probably was going by the Septuagint’s paganised mistranslation of the original Hebrew of Exodus 21:22-25 which added the false man-made distinction between unformed and fully formed fetuses. Philo here opened the door for a later compromising attitude of some Jews to abortion in the first weeks of pregnancy.

Philo words are proof of the fact that that many Jews around Christ’s time were liberal compromisers who twisted the Scriptures to fit in with Greek philosophy and Greek customs.

## Josephus’ view of Exodus 21:22-25

Even though as previously revealed, Josephus’ totally opposed abortion, his interpretation of Exodus 21:22-25 undermined the value of unborn babies. Josephus interpreted these verses to mean that an unborn baby’s life was worth exceedingly less than the mother’s life: “*He that kicks a woman with child, so that the woman miscarry, let him pay a fine in money as the judges shall determine, as having diminished the multitude by the destruction of what was in her womb; and let money also be given the woman’s husband by him that kicked her; but if she die of the stroke, let him also be put to death, the law judging it equitable that life should go for life.*”<sup>10</sup>

But note Exodus 21:23 says that the punishment for taking a human life – the mother’s or the unborn baby’s – is death. This is what “*life for life*” means.

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<sup>8</sup> Ibid, 3, 108-109.

<sup>9</sup> Philo of Alexandria, “The Preliminary Studies”, 136-137.

<sup>10</sup> Flavius Josephus, “The Antiquities of the Jews”, Book 4, Chapter 8, 278.

## The Jewish Mishnah

The Jewish Mishnah was written about the end of the 100's A.D. It permits abortion if the life of the mother is supposedly in danger. Oholoth 7:6 states:

*"A. The woman who is in hard labor – they chop up the child in her womb and they remove it limb by limb, because her life takes precedence over his life.*

*B. (If) its greater part has gone forth, they do not touch him, for they do not set aside one life on account of another life."*

## The Jewish Babylonian Talmud on abortion

The influence of the top pagan medical physicians and Greek philosophers on the religious teaching of many of the Jews can be seen in the Babylonian Talmud – a Jewish religious writing of the 400's or 500's A.D. The Babylonian Talmud stated: *"The embryo is part (literally, 'a thigh' of its mother). (The) embryo (is regarded) as part of the mother...one of her own limbs."* When giving a description of a pregnant woman, the rabbis said, *"There was originally one body and now also there is one body."*<sup>11</sup> Many Jews did not have the Biblical concept that an unborn baby is a distinct human even while being nourished in his/her mother's womb.

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<sup>11</sup> "Babylonian Talmud", Hullin 58a, Gittin 23b, Niddah 44a, Baba Batra 142a.