On life and death: a commentary from a Jewish perspective

SIR

The issue of voluntary abortion has drawn much public attention and controversy in recent years. At the centre of the conflict is the religious/philosophical debate about when 'life' begins, at conception or upon extrauterine viability. An alternative approach has been proposed, which defines the beginning of life by the same criteria used to define the end of life. In particular, with the advent of brain death as a standard for the end of viability, the appearance of brain function has been suggested as the criterion to use in determining the beginning of 'humanness' in the developing fetus (1). It is the purpose of the present discussion to consider different physiological functions which are consistent with classical Jewish opinions to define the appearance of fetal life.

The question of when life ends has been the subject of many Talmudic discourses and response. The Babylonian Talmud attempted to resolve a dichotomy of opinions defining the end of life, one which depends on the cessation of cardiac activity and the other on respiratory activity (2). Some contemporary authorities have even considered the loss of brain stem function since this organ controls cardiopulmonary action (3).

At the other end of life, its initiation, Judaism is concerned with when life begins as well. The argument that potential life exists from the moment of conception is tenuous at best. The primary problem rests with defining in specific terms what is 'potential'. The embryo in the first 40 days of gestation seems to rest in a grey zone, where it may be considered 'mere water' (4). Using the above Judaic criteria for defining the cessation of life (death), one may argue in the reverse, time-wise. In the embryo the heart has been detected to beat as early as 44 days (5). By 42 days the trachea and lung bronchi are developed (6), although respiratory efforts have not been observed until about 75 days (7).

These observations and the correlation of the beginning and ending of life suggest a need for the re-evaluation of this critical subject from both the political and the religious points of view. Death begins the time in which life no longer exists. The same characteristics defining the end of life (for example, cardiopulmonary or brain stem function) can be applied to defining its first appearance.

References

(2) Babylonian Talmud, Tractate Yoma. 8: 6–7, 85d.
(7) Boddy K, Dawes G S. Fetal breathing. British medical bulletin 1975; 31: 3.
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