Interfaith Religious Group:

✡ Jewish

Dear Jewish Stakeholder Group,

We are the National Committee on Embryonic Stem Cell Research. We have been given the responsibility of drafting legislation for our beloved country Adanac. Your group has been identified as having a particular interest in our country's ongoing embryonic stem cell debate, and we would very much like to hear from you.

We invite you to share your opinions on the following four issues:

- The use of embryonic stem cells from existing stem cell lines;
- The use of embryonic stem cells from discarded embryos from *in vitro* fertilization (IVF) clinics;
- The use of embryonic stem cells from embryos created by IVF solely for research; and
- The use of embryonic stem cells from embryos created by therapeutic cloning.

Instead of incorporating the views of four religious perspectives (Catholic, Jewish, Muslim and Protestant) into one position, we suggest that different members present each religion separately.

As you may or may not be aware, there are three legal possibilities for these activities. Under Adanac's constitution, an activity is either unrestricted, controlled (and must fulfill certain criteria in order to occur) or outright prohibited. For activities that you believe should be prohibited or controlled, please suggest an appropriate punishment. For controlled activities, describe the criteria the activity must meet before being granted permission. For example, a common view is that discarded embryos from IVF clinics should be available for embryonic stem cell research only if the donors of the embryos have given their consent. This activity would be classified as "controlled," and the criteria would be "donor consent required". Please provide a rationale for all of your classifications.

TIMELINE

BETWEEN DAY 2 AND 3:
Read this letter and the articles in this package.

DAY 3:
Complete the worksheets and prepare your presentation.

DAY 4:
Present your views to the Committee.

To help you create your presentation, we have compiled a package of documents that represents the views of similar groups in different countries for each of the four religions. These documents include speeches, press releases and articles. The package also contains a worksheet for each religion to help you identify the authors' stance. But be warned: you may run into conflicting views within this package. If this is the case, choose the view that you prefer.

Please begin your presentation by introducing yourself. We encourage you to be as persuasive and creative as possible – remember, your opinions are helping to create legislation we must all abide by.

We very much look forward to seeing you. By sharing your views, you are facilitating Adanac's legislative process and making a valuable contribution to the future of embryonic stem cell research in our country.

Sincerely,

National Committee on Embryonic Stem Cell Research

WORKSHEET: ✡JEWISH

	THE CANADIAN JEWISH NEWS "Stem Cells and the Torah"	**SCIENCE & SPIRIT** "Cellular Division"
Whose point of view is expressed in this document?		
What is their role in society?		
Position on use of embryonic stem cells from existing cell lines		
Position on use of embryonic stem cells from discarded embryos from IVF clinics		
Position on use of embryonic stem cells from embryos created by IVF for research		
Position on use of embryonic stem cells created by therapeutic cloning		

The Canadian Jewish news
Features & Columns
INTERNET EDITION - A selection of our stories from our pages

STEM CELLS AND THE TORAH

By RABBI YEHIEL BEN AYON

Science fiction has taken a step closer to becoming science fact. On Monday, Nov. 26, Advanced Cell Technology Inc. (ACT) of Worcester, Mass., announced to a stunned world that its scientists had succeeded in cloning human embryos.

That a human would be cloned was inevitable. "Dolly," the now-famous sheep, was the first successful cloning in 1977. Many other animals have since been cloned. Dolly began her life as an egg whose nucleus had been removed and another inserted in its place. The nucleus contains the genetic blueprint of life. The egg was then implanted into a surrogate mother where it grew as an exact copy of the animal that provided the nucleus.

Similarly, ACT took a human egg and replaced its nucleus, tricking it into dividing itself into a small ball of multiple cells. Conceivably, these, too, could be implanted into a human surrogate mother, carried for nine months of growth and born as a carbon copy baby of the donor nucleus.

But creating a human being is not the goal of ACT or of a number of other such competing laboratories. Instead, the race is on to grow these cells to the point where they will divide and begin to develop, each to its own purpose: one group, kidney cells; another, lung cells; another, skin; and so on. These are known as stem cells.

Stem cells are like seeds, each having the capacity to develop into a distinct organ. The desire is to grow healthy organs, or at least organ tissue, from these stem cells. This tissue could then be implanted without fear of infection or of being rejected by the donor. Conceivably, there could be an unlimited supply of organs able to replace diseased and malfunctioning ones, or simply ones ravaged by age. The possibilities are as sensational as they are endless, and indeed, they hint of immortality.

If what is happening in the world of scientific research was inevitable, the resulting world reaction was equally predictable. ACT's experiment was quickly vilified by politicians, the Vatican and scientists alike. U.S. President George W. Bush promptly addressed Congress, British Prime Minister Tony Blair addressed the House of Commons and Canadian Prime Minister Jean Chrétien addressed Parliament. World leaders cried out for direction to govern this biotechnology, if not to stop it altogether. Ethicists were summoned to determine what is right and wrong. Legislators were called to quickly make laws defining what is permitted and what is not.

As Jews who believe in the divinity of the Torah, we find little value in these ethicists. Judaism is not situational ethics, where one looks at contemporary issues and reports the social norms of acceptability in order to offer guidelines. Essentially, these are not really guidelines but merely reflections of current societal mores. To the Jew, ethics do not reflect society, they define it. Jewish values are a constant; they do not fluctuate with the tides of time. Our ethics and values are the goals of our people rather than the result of contemporary opinion. Boards of ethics are like the general, who, when losing control of his men, faces the direction of the mob and shouts, "Follow me!"

What, then, is the Jewish position on cloning and stem cell technologies?

Our Torah teaches us the supremacy of life. It tells us that guarding life is more important than even guarding the Torah itself. Notable exceptions to this rule are made when one tramples on the laws of immorality, idolatry and bloodshed. One is to abstain from these three, even when life is at stake. Clearly, killing one life to save another is contrary to God's plan.

To address the question of stem cell technology, one needs to establish whether growing these human cells in order to harvest them as spare parts when needed is killing one life to save another.

Judaism teaches that life begins at birth; hence the possibility to kill life can only begin at the same time as that life begins. In Judaism, an unborn child is not life but the potential of life. Certainly an unborn child may not be aborted, but to do so is not killing. It is wrong. It is forbidden, but it is not killing.

There is yet at least one other stage in the process of life: the period of 40 days immediately following conception. At this stage, the budding of life is viewed to an even lesser degree. For stem cell technology to succeed, the growth of the embryonic cells must be stopped after a matter of days in order to harvest the stem cells well within this 40-day stage.

Categorically, Judaism does not see the artificial growth of human cells on a laboratory dish as a human life. Although this fact alone is an absolute in Judaism, further reasoning is always acceptable and even welcome. For example, it is routine in medicine today to grow human skin for use in skin grafts. Growing stem cells should then be seen in the same light. Arguably, there is a world of a difference between the growing of skin and growing a whole potential person. Yet this too is already not uncommon; in vitro fertilization is widely practised as a last resort for couples unable to conceive by other means.

Are we playing God? Is life so sacred that we must leave certain things untouched? This same question could be asked any time one is ill and seeks a cure. Judaism never said, "If you are ill, it is God's will, do not intervene!" Quite the opposite: "and cure you shall cure." God commands us to aggressively and creatively pursue every venue to a healthier life.

The ethical tempest that has now overwhelmed the world emanates from the Christian right. What a travesty this would be if their bias could succeed in halting one of the most promising advances of humanity.

On a line stretching from the beginning of time to the present, the human experience has not changed all that much. It is only in these last centuries that God has given us the capability to combat hunger with high-yield commercial food production. It is relatively recently that we have fast forwarded into expanding horizons of transportation and communication. But by far the greatest accomplishment and advancement in human endeavour have been in the eradication of suffering, disease and needless mortality.

God is now presenting us with this further gift in the march of human experience. We are being ushered into a new and exciting era, one of good health and even better life. To reject this gift is to turn God down. It is as much an affront to the very life that these people profess to protect as it is a reversal of the progress of humanity.

Rabbi Ben Ayon writes a monthly column for The CJN entitled Through a Sephardi Window.

Source: The Canadian Jewish News
http://www.cjnews.com/pastissues/02/jan10-02/features/feature2.htm

CELLULAR DIVISION

Laurie Zoloth, chair of the Jewish studies department at San Francisco State University in California

Confronted with the dramatic new science of genetics, religious ethicists have responded with serious reflection on these new challenges to established moral understandings. Stem cell research raises urgent questions about the permissibility, the telos, the moral meaning, and the appropriate limits of remarkable advances in biotechnology and genetic medical interventions that fundamentally change our basic understanding of what it means to be human in a mutable natural world. For the Jewish ethical-legal tradition, (halachah) which functions methodologically as a discursive community, in which the justification is created by the force of moral suasion, no single authoritative voice, nor one particular council of authority, speaks for the entire tradition or the community. Jewish reasoning begins by exploring cases in the Biblical and Talmudic texts and is a series of open-ended arguments intended to include the broad and creative use of history, text, and culture, with many interrupting voices representing competing narratives. However, Jewish thinkers widely agree that the two critical components in our response are duty and healing, and that the struggle to define the moral status of the embryo, so much a concern for Christian thinkers, is not a central question for a Jewish response to stem cell research. Jewish tradition is duty-based. A commanded life begins with the necessity to respond to the needs of the other, rather than in a rights-based response. Central duties include the work of healing and the task of repair and completion of a broken world. The first responses to hES/EG cell research have been positive because it promises breakthrough medical therapy for life-threatening conditions. This general response is based on the clear mandate in Jewish texts to save life whenever possible, even if the saving of life requires the violation or suspension of other commanded acts. To save even one life, the halachah states, it is permissible, and in fact it is mandated, that all other mitzvoth can be abrogated (except for the case of the prohibitions against murder, adultery, and idolatry). Jewish medical ethics is nearly entirely constructed around the principle of pikuach nefesh, to save a human life.

While moral status of the embryonic tissue is the threshold question for many religious traditions, the Jewish position is that this is of secondary importance to the question of the life-saving consequences of this technology. Like nearly all discourse in this field, Jewish understanding of moral status derives from the abortion debate, in which the embryo and fetus have a developmental status relative to their gestational age.

It is strongly argued throughout the long history of debate about abortion that the very early embryo is not the moral or physical equivalent to a human person. Central to the understanding of embryology in the Talmud and subsequent halachic response is that prior to the 40th day after conception, the developing fetus is to be considered "like water." The fetus is further marked in its development by quickening, and the external visual changes in a woman's body that also warrant differing social responses and a different consideration of the pregnancy, but the fetus

is a human being when it is born and can live as a separate entity outside the womb.

Hence it is not "murder" when the 100-cell blastocyst, created by artificial, non-coital, extracoporeal means is destroyed to recover the inner cellular mass that will be stem cells. Rather, it is the life that if it could be saved by stem cells, must be saved that is of concern. Hence, if the full use of repair, patching, transfusion, and replacement of damaged tissue were possible for this tissue, millions of persons might be afforded years of productive life. Since the task of healing in Judaism is not only permitted, it is mandated-if stem cells can save a life, then not only can they be used, they must be used. This is supported and directed not only in early biblical passages ("you shall not stand idly by the blood of your neighbor," and "you shall surely return what is lost to [your neighbor]," etc.), but in numerous rabbinic texts as well.

Finally, central to Jewish texts is the recognition of the as yet unredeemed quality of the world--even the natural world. Just as circumcision is one mark of the covenant, one mark of a human response to birth and a refinement of the natural world, so too is the notion that advanced scientific inquiry is a part of tikkun olam, the mandate to be an active partner in the world's repair and perfection. In the world of suffering and injustice, all research can be understood as an opportunity to address injustice. This justice consideration is made actual by a support for science, medical advance, and the freedom of inquiry, all ways that human work to perfect the world, and activity to be fully embraced. While texts warn of the possibility of hubris, the struggle to understand and to interpret the covenantal relationship includes extending the duty to heal.

Source: Science & Spirit
http://www.science-spirit.org/webextras/zoloth.html

PRESENTATION GUIDE: ✡JEWISH

This table contains all of the topics that must be included in your presentation to the Committee. Use this table to record your proposals.

When presenting your proposals to the committee be as creative as possible. In other words, do not simply present this table.

ACTIVITY	LEGAL STATUS (prohibited, controlled or unrestricted)	CRITERIA (only for controlled activities)	PUNISHMENT (only for prohibited or controlled activities)	REASON (for all)
Use of embryonic stem cells from existing cell lines				
Use of embryonic stem cells from discarded embryos from IVF clinics				
Use of embryonic stem cells from embryos created by IVF for research				
Use of embryonic stem cells from embryos created by therapeutic cloning				