

The JEWISH Spin on Current Events

HUMAN CLONING

What are the benefits and concerns?

c OVERVIEW d

1. WHAT IS THE STATUS OF THE CLONEE VIS-À-VIS THE CLONER?
2. WHAT ARE ADDITIONAL HALACHICK CONCERNS?
3. CAN SCIENTISTS CLONE A SOUL?
4. SHOULD HUMAN CLONING SUCCEED, IS THE INSTITUTION OF MARRIAGE DOOMED?
5. RESURRECTION OF THE DEAD: LITERAL OR CLONING?

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c SOURCES d

1. What is the status of the clonee vis-à-vis the cloner?

c 1A d

ADAPTED FROM THE RESPONSA OF MA'ASEI CHOSHEIV, VOL. 3, PAGE 21

In the case when the husband and wife underwent artificial insemination, according to the *Chelkat Mechokeik* and *Beit Shmuel*, the child is considered the man's son in all respects and has therefore fulfilled the commandment of having children. According to the *Turei Zohov* (and others), it's very questionable if he has actually fulfilled the commandment of procreation.

c 1B d

MAIMONIDIES, LAWS OF LEVIRATE MARRIAGE AND CHALITZAH, CHAPTER 1, LAWS 1-2

It is a positive commandment of the Torah that a man should marry the wife of his brother... if he died without leaving any children, as it says; “[When brothers live together, and one of them dies] without leaving any offspring’s... Her husband’s brother shall marry her” (Deuteronomy 25:5) ...

If he doesn't want to marry her, or she doesn't want, then he is to perform *Chalitzah* to her... as it says; “[If the man does not wish to take his brother’s wife... Then shall his brother’s wife approach him ...] and take off his shoe from his foot” (Deuteronomy 25:7-9).

2. What are additional Halachick Concerns?

c 2A d

TALMUD, SANHEDRIN 65B

Rava created a man, [*Through study of Sefer Yetzirah, the Book of Creation, he learned how to arrange the letters of G-d's Name (with which He created the world, and by using such arrangements created a person), (Rashi)*], and sent him to Rav Zeira. Rav Zeira spoke to him, but it would not reply. [*It lacked the ability to speak because speech requires the presence of a soul, which only G-d can create (Maharsha)*]. Thereupon he said unto him: You are a creation of the my colleagues, [*I.e., You were created by those who study the Sefer Yetzirah and thus you are not a real person (Maharsha)*]; Return to your dust.

Rav Chanina and Rav Oshaya would sit every Sabbath eve and study the Book of Creation, by means of which they created a calf, which was at one-third of its maturity, and they would eat it.

3. Can scientists clone a Soul?

c 3A d

GENESIS 2:7

G-d formed man out of the dust of the ground, and breathed into his nostrils a breath of life. And so man became a living soul.

c 3B d

ETHICS OF OUR FATHERS, CHAPTER 3, LAW 14

It is even a greater love that it was made known to him that he [man] was created in the image [of G-d], as it is stated: For in the image of G-d He made man (Genesis 9:6).

c 3C d

TALMUD, TRACTATE NIDAH 31A

Our Rabbis taught: There are three partners in man: the Holy One, blessed be He, his father, and his mother... The Holy One, blessed be He, gives the spirit and the breath, beauty of features, eyesight, the power of hearing, the ability to speak and walk, understanding and discernment.

When his time to depart from the world approaches the Holy One, blessed be He, takes away his share and leaves the shares of his father and his mother with them.

4. Should human cloning succeed, is the institution of marriage doomed?

c 4A d

GENESIS 1:28

And G-d blesses them, and G-d said to them, "Be fruitful and multiply, fill the earth and subdue it, and dominate the fish of the sea, the birds of the heaven, and every living thing that moves upon the earth."

c 4B d

GENESIS 2:24

Therefore, a man shall leave his father and his mother, and cling to his wife, and they shall become one flesh.

Rashi comments: ONE FLESH: The child is formed by both [parents] thereby becoming unified as "one flesh."

c 4C d

TANYA, CHAPTER 2

Having explained earlier that the soul of every Jew is determined only by factors “from above,” and no action of this physical world can determine its quality and rank, he continues:

As for what is written in the Zohar and in Zohar Chadash that the essential factor is to conduct oneself in a holy manner during sexual union... this is because no soul is without a garment which stems from the soul of its father’s and mother’s essence. All the commandments that it fulfills are influenced by that garment; even the benevolence that flows to one from heaven is all given through that garment. Now, if the person sanctifies himself, he will bring forth a holy garment for the soul of his child. However great a soul it may be, it still needs the father’s sanctification [at the time of intercourse].

c 4D d

ZOHAR VOL. 1, PAGE 130B

Rav Yitzchok discoursed on the verse: “And the dust returned to the earth as it was, and the spirit returned unto G-d who gave it” (Ecclesiastes 12:7). He said: When the Holy One, blessed be He, created Adam, He took his dust from the site of the Temple and built his body out of the four corners of the world, all of which contributed to his formation. After that He poured over him the spirit of life, as it says, “And he breathed into his nostrils the breath of life” (Genesis 2:7). Adam then arose and realized that he was both of heaven and of earth, and so he united himself to the Divine and was endowed with mystic Wisdom. Each son of man is, after the same model, a composite of the heavenly and the earthly; and all those who know how to sanctify themselves in the right manner in this world, when they beget a son cause the holy spirit to be drawn upon him from the region whence all sanctities emerge. Such are called the children of the Holy One; and as their bodies were formed in sanctity, so are they given a spirit from the supernal holy region.

5. Resurrection of the dead: Literal or Cloning?

c 5A d

THE THIRTEENTH PRINCIPLE IN JEWISH FAITH

I believe with perfect faith that there will be a resurrection of the dead at a time which will please the Creator.

c 5B d

IMMORTALITY, RESURRECTION, AND THE AGE OF THE UNIVERSE, PAGE 42;

BY ARYEH KAPLAN

Instead of viewing this matter from a traditional viewpoint, let us for a moment explore the possibility of bringing a dead person back to life as a purely technological problem. The newly developed science of cloning comes into play here...

In another sense, the interpretation proposed here can give us a new outlook on modern scientific developments. Without question, some of the most exciting discoveries have been made in the life sciences, especially in the fields of molecular biology and genetic engineering. As with everything new, we must ask, How does this serve G-d's purpose? For indeed, an important fundamental principle states that everything must ultimately serve this purpose. And if so, to what end has G-d given man the ability to understand the genetic code and to develop the technology to produce such things as artificial clones? If these discoveries do nothing more than provide us with insight into the resurrection, then they serve the lofty purpose of helping us to understand the Torah. If this technology should actually be used to bring about the resurrection, and ultimately the world-to-come, then we will openly see science in the service of G-d.