

**MIQDASH BETHEL COVENANT ASSEMBLY**

*A TORAH COVENANT STUDY*

# **The Body, the Seed, and the Blood**

*A Covenant Examination of Birth Control and Abortion*

**For Judaism · Christianity · Islam**

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## Introduction: Why This Study Exists

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**The conversation about birth control and abortion in the modern world is almost entirely conducted on political, medical, or emotional grounds.** Two movements — pro-choice and pro-life — stand in permanent opposition, each appealing to rights frameworks, medical data, religious conviction, or judicial precedent. Neither has gone back to ask the foundational question that every covenant people must ask: **What does the Torah — the covenant instruction of Yahweh — actually say?**

This study does exactly that. It is addressed simultaneously to the three Abrahamic traditions — Judaism, Christianity, and Islam — because all three claim Abraham and all three claim to honor the instruction of **Yahweh**. Where each tradition upholds Torah, it will be shown. Where each has departed from Torah — under the influence of Greek philosophy, Roman law, medieval theology, or modern political agendas — that departure will be named clearly and without apology.

The study proceeds in three movements. **Part One** establishes the Torah foundation: what the Hebrew text actually says about the body, the seed, conception, and the unborn. **Part Two** applies that foundation as a covenant measuring rod to the major figures and movements in the modern debate. **Part Three** delivers the covenant verdict — not a political position, but a witness from the instruction of **Yahweh** to all three traditions.

**All authority in this study rests on the Tanakh alone.** The New Testament, Talmud, and Hadith are referenced as historical testimony, never as binding authority. When they confirm Torah, they will be cited. When they contradict Torah, the contradiction will be documented. **Yahweh** is the author of covenant law, and no council, synod, tradition, or political movement has the standing to overrule what He has written.

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## PART ONE

### Torah Foundation

## Section 1: What Is the Body in Covenant?

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**Before Torah can speak to birth control or abortion, it must first establish what the body is.** Modern Western frameworks treat the body as personal property — a possession of the individual, to be used, altered, or terminated according to personal will. This is not a Torah framework. It is a product of Greek Stoic philosophy and Roman property law, imported into Western civilization and ultimately into both secular and religious argumentation on both sides of this debate.

### The Hebrew Terms

**Nephesh (נֶפֶשׁ) — H5315.** The Hebrew word *nephesh* is routinely translated "soul," but this is a Greek philosophical import. In Torah, *nephesh* means **living being** — the whole, unified creature. It is used for both human beings and animals (Bereishit/Genesis 1:20, 1:24, 2:7). It cannot be separated from the body; it *is* the body animated by the breath of life. Brown-Driver-Briggs (BDB) defines it as "soul, living being, life, self, person, desire, passion, appetite, emotion." The Greek concept of an immortal soul imprisoned in an evil body — foundational to much Christian theology on this issue — has no basis in the Hebrew text.

**Neshamah (נְשָׁמָה) — H5397.** The *neshamah* is the breath of life specifically breathed by **Yahweh** into Adam at creation (Bereishit/Genesis 2:7). It distinguishes the human creature from all others. The key text:

*"Then Yahweh Elohim formed the man of dust from the ground and breathed into his nostrils the breath of life (nishmat chayyim), and the man became a living being (nephesh chayyah)." — Bereishit (Genesis) 2:7*

**Ruach (רוּחַ) — H7307.** The *ruach* is the animating spirit — wind, breath, spirit. It is the life-force that returns to **Yahweh** at death (Kohelet/Ecclesiastes 12:7). *Ruach* is used in Bereishit 1:2 for the Spirit of **Elohim** moving over the waters — it is the active, creative presence of **Yahweh** in living creation.

**Basar (בָּשָׂר) — H1320.** The *basar* is the flesh — the physical body. Torah uses it to describe both the covenant bond (circumcision in the *basar*) and the sexual union that makes two people "one flesh" (*basar echad*, Bereishit 2:24). The body in Torah is not a cage or an obstacle — it is the very site of covenant relationship.

### The Covenant Implication

**In Torah, the body belongs to Yahweh, not to the individual.** This is not rhetoric — it is stated explicitly. **Yahweh** is the creator of every *nephesh*, every *neshamah*, every *basar*. The human being is a steward of a body that was formed, breathed into, and given by **Yahweh**. This covenant fact governs everything that follows.

Tehillim (Psalm) 139:13–16 — one of the most significant passages in the entire debate — makes the creator's intimate involvement in human formation explicit:

*"For You formed my inward parts; You knitted me together in my mother's womb. I praise You, for I am fearfully and wonderfully made. Wonderful are Your works; my soul knows it very well. My frame was not hidden from You, when I was being made in secret, intricately woven in the depths of the earth. Your eyes saw my unformed substance; in Your book were written, every one of them, the days that were formed for me, when as yet there was none of them." — Tehillim (Psalm) 139:13–16*

The Hebrew word translated "unformed substance" in verse 16 is **golem (גֹּלֵם)** — **H1564** — an embryo or unformed mass. **Yahweh's** eyes see even the *golem*. The personhood language — "Your eyes saw me," "You formed me," "in Your book were written my days" — applies to the embryonic stage. This is not a proof-text for an absolute legal prohibition; it is a theological declaration of the Creator's intimate knowledge of every human being from the earliest moment of formation.

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## Section 2: When Does Life Begin? The Hebrew Lexical Evidence

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**This is the central question of the entire abortion debate, and both sides claim certainty.** The pro-life tradition generally holds that life begins at conception; the pro-choice tradition holds that it begins at viability, at birth, or is determined by the woman's choice. What does the Torah actually say?

### **Bereishit 2:7 — The Breath Standard**

The text of Bereishit 2:7 is the foundational moment of human life: **Yahweh** formed man from the dust and **breathed the neshamah into his nostrils — and he became a nephesh chayyah** (a living being). From this text, some rabbinic interpreters have argued that independent breath — the first breath at birth — is the moment a human being becomes a *nephesh*. This is the classical Jewish legal (halachic) position in many rabbinic schools, and it has significant implications for how Judaism approaches abortion.

## Tehillim 139 and the Golem — The Womb Standard

Against the breath standard stands the clear personal language of Tehillim 139 (cited above) and the prophetic testimony of Yirmeyahu (Jeremiah) 1:5:

***"Before I formed you in the womb I knew you, and before you were born I consecrated you; I appointed you a prophet to the nations." — Yirmeyahu (Jeremiah) 1:5***

The Hebrew word translated "formed" here is **yatsar (יצר) — H3335** — the same word used in Bereishit 2:7 for **Yahweh's** forming of Adam. **Yahweh** declares that His knowledge of **Yirmeyahu** preceded both birth *and* womb formation. The personal relationship — "I knew you" (*yedaticha*, from *yada*, the deepest covenant-knowing) — is prior to physical existence.

## Shemot 21:22–25 — The Legal Standard (The Critical Text)

**This is the only passage in the entire Torah that directly addresses injury to an unborn child, and it is the most contested text in the entire debate.** It must be read carefully in the Hebrew:

***"When men strive together and hit a pregnant woman, so that her children come out (yatze'u yeladeyha), but there is no further harm (ason), the one who hit her shall surely be fined, as the woman's husband shall impose on him, and he shall pay as the judges determine. But if there is harm (ason), then you shall pay life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, stripe for stripe." — Shemot (Exodus) 21:22–25***

**The pivot word is ason (אסון) — H611** — harm, mischief, a serious or fatal injury. BDB defines it as "harm, evil, hurt," used exclusively in these contexts for life-threatening or fatal injury. The text establishes **two distinct legal tracks**:

**Track One: No ason — premature birth with no fatal injury.** A fine is imposed — a monetary penalty determined by the husband and the judges. This indicates that causing a premature birth, even without fatal result to mother or child, is a punishable covenant violation — the pregnancy and its fruit are legally protected.

**Track Two: Ason — a serious or fatal injury occurs.** The full lex talionis applies: life for life, eye for eye. This is the highest penalty in Torah civil law. The question is: to whom does the *ason* apply — only to the mother, or also to the child?

## The Translation Dispute

The Septuagint (Greek translation of the Hebrew) rendered *yatze'u yeladeyha* as "her child comes out not fully formed" (introducing the concept of fetal development stages), giving rise to the later Augustinian and Catholic doctrine of "ensoulment" at a developmental point. The Masoretic Hebrew text, however, does not say "not fully formed." The Hebrew says simply that **"her children come out"** — and the legal question turns entirely on whether *ason* follows.

The Masoretic reading — which is the authoritative Hebrew text — does not distinguish between a formed and unformed fetus in assigning legal protection. **The *ason* standard applies to whatever harm results from the strike — and if the child dies, the life-for-life penalty governs.**

### What This Means in Torah Law

**Torah does not equate the unborn with a fully independent nephesh in every legal context** — that is the rabbinic tradition's honest reading of the breath standard. But Torah does assign **serious legal protection** to the unborn from the point of recognized pregnancy. Causing the death of an unborn child through violent action carries the **lex talionis — life for life**. This is not a minor offense. It is a capital covenant matter.

What Torah does **not** do is legislate a blanket prohibition on every form of preventing or ending pregnancy in every circumstance. The legal structure is graduated, context-sensitive, and rooted in the question of *ason* — actual harm inflicted. This is not a license for abortion on demand. It is Torah's characteristic precision: it does not over-legislate where **Yahweh** has not spoken, and it does not under-protect where He has clearly established the value of life in the womb.

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## Section 3: What Torah Says About Seed — The Onan Ruling and Contraception

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**The question of birth control cannot be addressed without Bereishit 38 — the account of Onan.** This passage has been more misread, misapplied, and weaponized than almost any other text in the Tanakh, particularly by the Catholic Church.

### Bereishit 38:6–10 — The Onan Account

*"And Judah took a wife for Er his firstborn, and her name was Tamar. But Er, Judah's firstborn, was wicked in the sight of Yahweh, and Yahweh put him to death. Then Judah said to Onan, 'Go in to your brother's wife and perform the duty of a brother-in-law to her, and raise up offspring for your brother.' But Onan knew that the offspring*

***would not be his. So whenever he went in to his brother's wife he would waste the semen on the ground, so as not to give offspring to his brother. And what he did was wicked in the sight of Yahweh, and he put him to death also.*** — Bereishit (Genesis) 38:8–10

## What Was Onan's Sin?

**Onan's sin was not contraception. His sin was the violation of the levirate covenant.** The levirate obligation (later codified in Devarim/Deuteronomy 25:5–10) required a man to father a child through his deceased brother's wife so that the brother's name and inheritance would continue in Israel. Onan willingly took the sexual union — and its pleasures — while deliberately refusing the covenant obligation it carried. He used Tamar's body and defrauded her of her legal right to a child.

The Hebrew word for what Onan did is **shichet (שחַחַת)** — **H7843** — he "ruined" or "spoiled" or "wasted." This word is the same used for the moral corruption of the generation of the flood (Bereishit 6:12). The wickedness was the **covenant fraud** — not the physical act of coitus interruptus.

**The Catholic Church's use of this text to condemn all contraception is a covenant misreading.** The Church's doctrine of "the sin of Onan" equating to contraception — codified in Humanae Vitae (1968) — reads the physical act out of its levirate covenant context entirely. Torah does not prohibit contraception in general. It prohibits the specific covenant fraud that Onan committed: entering a covenant sexual obligation while deliberately destroying its fruit to deprive a legitimate wife of her rights.

## Fruitfulness as Covenant Calling

The creation mandate — **"Be fruitful and multiply" (Bereishit 1:28)** — is a covenant blessing and calling, not an absolute legal command requiring that every act of sexual union produce offspring. Torah regulates **many** circumstances in which sexual union is permitted without the possibility of conception: Vayikra (Leviticus) 18 permits union with a post-menopausal wife; Torah nowhere prohibits nursing, which naturally suppresses fertility. The fruitfulness mandate is a directional covenant orientation, not a mechanical requirement attached to every act of union.

## The Hebrew Word Onah (עֲנָה) — H6040: Conjugal Rights in Torah

Shemot (Exodus) 21:10 is the only passage in Torah that legally codifies what is owed to a wife within a covenant marriage. The text reads:

***"If he takes another wife to himself, he shall not diminish her food, her clothing, or her onah (conjugal rights)."*** — Shemot (Exodus) 21:10

The three protections listed are **sh'er** (שָׂאֵר) — H7607 — her flesh-provision (food, sustenance); **kesut** (כְּסוּת) — H3682 — her covering (clothing, shelter); and **onah** (עֲנָה) — H6040 — her conjugal right. Brown-Driver-Briggs defines **onah** as “cohabitation, conjugal right” — the right of the wife to sexual union within the covenant relationship. The classical rabbinic reading (Ketubot 61b in the Talmud, consistent with the plain sense of the Masoretic text) interprets this as the husband’s **obligation** to make himself available to his wife for sexual union on a regular basis — an obligation that cannot be withdrawn as punishment, discipline, or neglect.

This is a revolutionary legal standard in the ancient world. In the surrounding cultures of Egypt, Mesopotamia, and Canaan, a husband’s sexual availability to his wife was entirely at his discretion. Torah makes it a **legally enforceable covenant obligation**. The **onah** is not optional. It is not conditioned on the husband’s mood, the wife’s behavior, her appearance, or any other circumstance the Torah does not specify. **The obligation runs unconditionally.**

### **What Onah Is — And What It Is Not**

A critical question arises immediately: is **onah** the right to sexual union for the purpose of producing children, or is it the right to sexual union itself — regardless of whether conception results? The Torah text answers this directly through its own structure.

If **onah** were about procreation alone, Torah would have no basis for protecting a post-menopausal wife’s **onah** — yet Torah never removes the **onah** obligation based on the wife’s age or fertility status. If **onah** were merely about reproduction, it would be unnecessary to protect it separately from the fruitfulness mandate of Bereishit 1:28 — yet Torah protects it as its own legal category in Shemot 21.

The conclusion demanded by the text is this: **onah** is **sexual union itself — the covenant act of physical intimacy between husband and wife — as a right belonging to the wife, independent of its procreative outcome**. Shir HaShirim (Song of Songs) confirms this entirely: the most extended piece of erotic poetry in the Tanakh celebrates the desire, pleasure, and intimacy of the covenant relationship between a man and a woman with no reference whatsoever to procreation. **Yahweh** placed this text in the canon of Scripture. The covenant body was designed for union, not merely for reproduction.

### **When a Husband Withdraws: The Covenant Violation Torah Names**

The question you have raised is real and it is a covenant matter: some husbands withdraw from sexual union with their wives because of **disrespect shown by the wife, or because the wife has stopped taking care of herself physically — weight, appearance, or the general neglect of the covenant body she brought into the marriage**. Torah speaks to both sides of this dynamic with precision.

First: **a husband who withdraws the onah as a response to a wife's behavior — however justified his grievance — is in violation of the Shemot 21:10 standard.** Torah does not list conditions under which the *onah* may be withheld. The obligation is stated without exception. The husband's covenant response to a disrespectful or self-neglecting wife is not withdrawal — it is covenant confrontation, correction, and if necessary, the covenant legal process. Using the *onah* as a weapon of punishment is a covenant violation in its own right.

Second: **the wife also carries a covenant obligation regarding her own body.** The same *basar* — the flesh — that **Yahweh** designed for covenant union was brought into the marriage as a covenant gift. Shir HaShirim is explicit: the beloved takes care of her appearance (1:5–6, 4:1–7, 7:1–9). The man who speaks in the Song describes his wife's physical beauty with specific, loving attention. This is not objectification — it is the Torah's affirmation that **physical covenant beauty and the care of the body within marriage is a covenant matter, not a vanity.**

Mishlei (Proverbs) 31 — the portrait of the *eshet chayil* (the woman of valor) — describes a woman of strength, dignity, and disciplined self-management. The word *chayil* (חַיִל) — H2428 — means strength, force, ability, valor. The *eshet chayil* is not a woman who has let herself go. She is **clothed with strength and dignity (Mishlei 31:25)** — and this language is as much about her physical presence as her character. The word translated “dignity” is *hadar* (הִדָּר) — H1926 — ornament, splendor, majesty. It is used of the glory of **Yahweh** Himself in the Tehillim. A covenant wife who clothes herself with *hadar* is one who understands that the body she brings to her husband is a covenant stewardship.

### **The Covenant Obligation Runs Both Ways**

Torah does not assign the *onah* obligation only to the husband. Sha'ul (Paul) in 1 Corinthians 7:3–5 — writing in Greek but thinking in Hebrew — articulates the same mutual standard the rabbinic tradition derived from Shemot 21:10 and the Song of Songs:

***“The husband must fulfill his duty to his wife, and likewise also the wife to her husband. The wife does not have authority over her own body, but the husband does; and likewise also the husband does not have authority over his own body, but the wife does. Stop depriving one another, except by agreement for a time, so that you may devote yourselves to prayer, and come together again so that Satan will not tempt you because of your lack of self-control.” — 1 Corinthians 7:3–5***

This text is cited here not as covenant authority — the Greek New Testament is not a Torah source — but as a witness that the Hebrew covenant understanding of mutual

**onah** obligation survived into the first-century Jewish community in which Sha'ul operated. The principle it articulates — **neither spouse has unilateral authority over their own body in the covenant marriage; each belongs to the other** — is grounded in Bereishit 2:24: **“they shall become one flesh.”** One **basar**. The body is no longer solely one's own.

### The Covenant Verdict on This Question

Torah's answer to the question raised is thus layered and precise:

**1. The onah is the right to sexual union itself — not merely the right to conception.** A wife is owed the physical covenant presence of her husband regardless of whether children are being sought. Sexual union in covenant marriage has intrinsic value — expressed in the Song of Songs, codified in Shemot 21, and confirmed by the fruitfulness mandate that does not attach itself to every act.

**2. A husband who withholds the onah — for any reason Torah does not explicitly name — is in covenant violation.** Disrespect, weight gain, or perceived self-neglect by the wife are real covenant concerns that must be addressed — but through covenant confrontation and correction, not sexual abandonment. Using withdrawal of intimacy as a tool of punishment or passive judgment is a covenant sin against the **onah** obligation.

**3. A wife who neglects the covenant stewardship of her body is also in violation of her covenant obligation.** The **basar** brought into the marriage covenant was not brought as personal property to be managed at will. It was brought as a covenant gift. The **eshet chayil** of Mishlei 31 is clothed in **oz (strength) and hadar (splendor)**. The disrespect that drives a husband from his wife's bed — whether through contempt, bitterness, or the abandonment of physical self-care — is a covenant violation that Torah's standard of the **eshet chayil** and the **ish chayil** (the man of valor) does not permit.

**4. Contraception that is mutually agreed upon within a covenant marriage — with the intention of spacing children or addressing genuine physical risk — has no Torah prohibition standing against it.** The **onah** and the fruitfulness mandate are both honored when the covenant union is maintained in mutual respect, physical care, and willing presence — whether or not conception is the immediate goal.

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## Section 4: Bodily Autonomy as a Covenant Concept

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**"My body, my choice" is the foundational axiom of the pro-choice movement.** It is a statement of bodily autonomy rooted in Western liberal political philosophy — specifically in John Locke's theory of self-ownership and John Stuart Mill's harm

principle. Neither Locke nor Mill is a Torah authority. The question is: does Torah recognize bodily autonomy as a governing principle?

## The Body Belongs to Yahweh

Torah is unambiguous: the human body is not self-owned. **Yahweh** formed it (Bereishit 2:7), He knows it (Tehillim 139), He redeems it (Vayikra 25), and He alone determines its ultimate fate. The covenant sign of circumcision is **Yahweh's** mark in the *basar* — the flesh — of every male child. This is not the mark of self-ownership. It is the mark of belonging to **Yahweh's** covenant.

## The Covenant Rights of the Woman

**Torah does, however, assign covenant rights and protections to women that the surrounding ancient cultures did not recognize.** Shemot 21:10 establishes a wife's right to food, clothing, and conjugal duty — rights that belong to her, not to her husband's discretion. Bemidbar (Numbers) 5 (the Sotah procedure) gives a woman accused of adultery a covenant procedure — flawed and culturally embedded as it is — rather than summary execution at the husband's hand. Vayikra 12 gives specific attention to the woman's body in postpartum recovery. Torah is not silent on women's bodily dignity.

But **covenant rights are not unlimited autonomy.** In Torah, every right exists within a web of covenant relationships and responsibilities. A wife has rights over her body, but so does her husband (Shemot 21:10). A husband has authority in the household, but not the authority to harm, defraud, or kill. The body of a pregnant woman carries **two** covenant interests: her own, and that of the life **Yahweh** is forming within her. Torah holds both simultaneously.

## The Covenant Silence on Elective Abortion

**Torah does not prescribe a blanket death penalty for abortion.** The pro-life political movement's most extreme legislative proposals — treating abortion as first-degree murder in all circumstances — go beyond what Torah mandates. The Shemot 21 *ason* standard establishes a graduated response to harm, not an absolute equation of early pregnancy termination with premeditated murder. Torah's silence on a specific law against elective abortion is not permission — it is Torah's characteristic refusal to legislate beyond what **Yahweh** has explicitly commanded.

At the same time, the **framing of the unborn as having no covenant standing whatsoever** — the pro-choice claim that the fetus is merely tissue with no protected status — is flatly contradicted by Tehillim 139, Yirmeyahu 1:5, and the Shemot 21 *ason* penalty. **Both extremes depart from the Torah's measured, graduated framework.**



## PART TWO

### *Covenant Analysis of the Movements*

#### Section 5: Margaret Sanger — Eugenics, Race, and the Planned Parenthood Origin

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**Margaret Sanger (1879–1966) is the most consequential figure in the modern birth control movement and the founder of the organization that became Planned Parenthood.** She is celebrated by the pro-choice movement as a champion of women's reproductive freedom. She is condemned by the pro-life movement as the architect of a eugenic population-control agenda. Both assessments contain truth, and neither is the whole story. The covenant standard demands that we examine the full evidentiary record.

#### What Sanger Actually Said

**Sanger was an explicit eugenicist.** Her 1922 book *The Pivot of Civilization* argued for the elimination of "human weeds" and the reduction of "dysgenic" populations. She published articles in the *Birth Control Review* by members of the American Eugenics Society. She organized the 1939 "Negro Project" — a campaign to reduce Black birth rates in the American South — and wrote to her colleague Clarence Gamble: the project needed Black ministers to lead it so that it would not appear to the Black community that they were being used for extermination purposes.

Sanger's eugenicism was not incidental to her birth control advocacy — it was central to it. She explicitly framed contraception as a tool for preventing "the multiplication of the unfit." The populations she consistently targeted as "unfit" were immigrants, the poor, the disabled, and people of color.

#### The Covenant Verdict on Sanger

**From a Torah covenant standard, Sanger's framework is a direct violation of the covenant dignity of every human being created in the image of Elohim.** Bereishit 1:26–27 establishes the *tzelem Elohim* — the image of **Elohim** — as the covenant status of every human being, without racial, ethnic, or class qualification. The classification of human beings as "weeds" to be eliminated is not progressive medicine. It is the ancient covenant sin of treating image-bearers of **Yahweh** as less than human.

The fact that Sanger advocated for birth control access for women who genuinely wanted it does not cleanse the eugenic foundation of her movement. In covenant evidentiary terms (Devarim/Deuteronomy 19:15), the witness against Sanger's

framework is not a single text — it is the entire covenant architecture of Torah, which begins and ends with the equal dignity of every human *nephesh*.

### What This Means for Planned Parenthood

Planned Parenthood has, in recent years, acknowledged Sanger's racist and eugenic history and removed her name from its flagship New York clinic. But the structural and ideological inheritance remains: the organization's highest concentration of clinics are in low-income communities and communities of color — a demographic pattern that cannot be divorced from its eugenic founding intent, regardless of the organization's current stated values.

**A Torah witness is not satisfied by name removal. It demands examination of the fruit.** The question Torah asks is: whose children are being prevented, and at whose initiative? When the answer disproportionately points to the poor and to people of color, the covenant witness against Sanger's legacy stands.

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## Section 6: The Catholic Church's Position vs. Torah

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**The Roman Catholic Church is the largest institutional voice in the world against both artificial contraception and abortion.** Its position on contraception (articulated definitively in *Humanae Vitae*, 1968) and abortion (condemned in all circumstances since the early medieval period) is often cited as the religious anchor of the pro-life movement. A Torah examination finds both points of genuine alignment and significant departure.

### Where the Church Aligns with Torah

**The Church's insistence on the dignity of every human life from conception forward resonates with the Torah evidence of Tehillim 139 and the Shemot 21 ason standard.** The consistent condemnation of abortion as a destruction of human life has a genuine covenant basis — the unborn child is being formed by **Yahweh** and carries covenant standing in the text.

The Church's framing of the body as a gift from the Creator — not a piece of personal property to be disposed of at will — also aligns with the Torah framework of the body belonging to **Yahweh**.

### Where the Church Departs from Torah

**The Church's absolute prohibition on artificial contraception has no Torah basis.** As established in Section 3, the Onan account prohibits covenant fraud in a levirate context — not all forms of birth control. Torah does not prohibit a husband and wife from preventing conception through mutually agreed means. The Church's prohibition is derived from Stoic natural law philosophy (specifically from Augustine and Aquinas, who absorbed Greek philosophical categories of "natural" and "unnatural" acts) — not from Hebrew Scripture.

**The Church's "ensoulment" doctrine — derived from Aristotelian biology via Thomas Aquinas — has no grounding in the Hebrew text.** The Greek concept of a soul that is "infused" at a particular developmental moment is a philosophical import into a Hebrew revelation. The Torah word *nephesh* is not an infused Aristotelian soul. It is the whole living being. The Aristotelian delay-of-ensoulment teaching (which allowed for less severe moral assessment of early-stage abortion) was historically the Church's dominant position for centuries before the 19th century — a historical fact that modern Catholic pro-life advocacy rarely acknowledges.

Additionally, the Church's institutional history of criminalizing abortion in European law — and, through colonial expansion, in Latin American, African, and Asian legal systems — carries a political dimension that extends far beyond covenant instruction. Laws restricting abortion that were imposed by colonial powers on indigenous populations represent a covenant violation in their own right: the imposition of one tradition's reading of natural law on peoples whose own covenant frameworks were destroyed in the process.

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## **Section 7: Islam's Position — The Quran, Hadith, and Torah Intersection**

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**Islam's position on abortion is frequently misrepresented in Western media as uniformly pro-life.** In fact, classical Islamic jurisprudence reflects significant diversity on this question, and its points of intersection with Torah are more direct than either Judaism or Christianity.

### **The Quranic Foundation**

The Quran explicitly affirms the sanctity of life and prohibits the killing of children (Quran 6:151, 17:31). The Quran 17:31 directly addresses the killing of children out of fear of poverty: "Do not kill your children for fear of poverty — We will provide for them and for you." This is a direct prohibition against economically motivated infanticide — and, by

extension, against abortion for economic reasons — that aligns with the Torah's covenant protection of the weak.

The Quran 23:12–14 describes the stages of human development in the womb — from a clay (earth) origin to a clot of blood, to a lump of flesh, to bones clothed with flesh, to "another creation." This developmental framework is the basis for the classical Islamic jurisprudential position that abortion before 120 days (the point at which the soul is believed to be breathed in, based on a hadith tradition) is less severely prohibited than abortion after that point.

### Where Islam Aligns with Torah

**Islam's graduated framework — with increasing prohibition as fetal development progresses — is structurally the closest of the three traditions to the Torah's own *ason*-based graduated framework.** Both Torah and classical Islamic jurisprudence resist the absolute equation of early-stage pregnancy termination with premeditated murder, while both assign serious moral weight to harm inflicted on the unborn.

Islam's absolute prohibition on abortion after ensoulment (120 days in most Sunni schools, 40 days in the Maliki school) aligns with the Torah's life-for-life standard when serious harm — *ason* — is inflicted on a developed, viable fetus.

### Where Islam Departs from Torah

**The hadith tradition (specifically the hadith in Sahih Bukhari and Muslim describing the soul's infusion at 40 or 120 days) introduces a developmental timeline that is not found in Torah.** Torah does not specify a developmental moment at which a different level of legal protection activates. The *ason* standard in Shemot 21 does not distinguish between a six-week embryo and a six-month fetus in its application of the life-for-life penalty for intentional harm. Torah's protection of the unborn is not staged by trimester or by "ensoulment" — it is activated by the presence of a recognized pregnancy and the question of harm inflicted.

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## Section 8: The Pro-Choice Movement Through a Torah Lens

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**The pro-choice movement rests on three foundational arguments: bodily autonomy, privacy, and gender equality.** Each must be examined through the Torah lens established in Part One.

### Bodily Autonomy

As established in Section 4, Torah does not support the Western liberal framework of absolute self-ownership of the body. The body belongs to **Yahweh**. However, Torah does assign women genuine covenant rights over their bodies within the covenant relationship — rights that no husband or civil authority can override by force or fraud. The pro-choice movement correctly identifies that women's bodily dignity matters in Torah. It incorrectly grounds that dignity in self-ownership rather than in their status as image-bearers of **Elohim**.

### **The Economic Argument**

Research from the Guttmacher Institute and the Turnaway Study indicates that women who are denied abortions face measurably worse economic outcomes — higher rates of poverty, debt, and inability to care for existing children. This is a real covenant concern. Torah's commitment to the protection of the poor and the vulnerable (Vayikra 19:9–10, Devarim 15:7–11) is unambiguous. A society that bans abortion while simultaneously defunding nutrition programs, housing assistance, and healthcare for poor mothers and children is not operating from Torah values — it is operating from selective political theology.

**Torah demands that both the unborn life and the living mother be cared for.** A covenant community that protects the unborn but abandons the mother to poverty has not honored Torah — it has honored a political position dressed in Torah language.

### **Where the Pro-Choice Movement Violates Torah**

**The pro-choice movement's framing of the unborn child as having no independent covenant standing — as mere tissue, as an extension of the woman's body with no distinct status — is contradicted by the Hebrew text.** Tehillim 139 attributes personhood to the *golem* (the embryo). Yirmeyahu 1:5 establishes **Yahweh**'s personal covenant knowledge of a human being before birth. The Shemot 21 *ason* standard applies the *lex talionis* — life for life — to harm inflicted on the unborn. The pro-choice claim that the fetus is not a *nepesh* — not a covenant being with protected standing — cannot survive a careful reading of the Hebrew text.

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## **Section 9: The Pro-Life Movement Through a Torah Lens**

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**The pro-life movement correctly identifies that the unborn child has covenant standing in the Hebrew text.** Tehillim 139, Yirmeyahu 1:5, and the Shemot 21 *ason* standard all confirm this. The movement also correctly insists on the dignity of every

human life as an image-bearer of **Elohim**. These are genuine Torah positions. But the modern pro-life political movement has significant covenant problems of its own.

## The Political Origins Problem

**Historians of American religion — including Randall Balmer of Dartmouth and others — have documented that the modern evangelical pro-life political movement was not primarily galvanized by abortion.** It was galvanized by the IRS's revocation of tax-exempt status from racially segregated Christian schools in the late 1970s. Abortion was subsequently adopted by political strategists (notably Paul Weyrich, the co-founder of the Heritage Foundation and the Moral Majority) as the unifying issue capable of building a new conservative voting bloc. This political engineering — not covenant instruction — gave the modern pro-life movement its particular shape and alliances.

**A movement that claims Torah authority must be willing to have its origins examined by the Torah standard.** If the modern pro-life political movement was manufactured for political bloc-building — with abortion elevated not because it was the central covenant issue of the era but because it was the most effective political wedge — then its claim to covenant authority is compromised at the root.

## The "Life Begins at Conception" Absolute

The pro-life movement's signature claim — that life begins at conception and that all abortion is therefore murder — goes further than Torah mandates. As established in Section 2, the Hebrew text does not give an unambiguous ruling on the precise moment at which the *nephesh chayyah* standard applies to an embryo. The *ason* standard of Shemot 21 applies the *lex talionis* when death results — but it does not equate first-trimester miscarriage caused by stress with premeditated murder.

**Overstating the Torah's position is not a covenant virtue.** Torah is precise. Where it speaks clearly, it must be obeyed. Where it leaves room for graduated judgment — as it does in the Shemot 21 framework — adding absolute prohibitions that Torah does not mandate is the error of the Pharisees: building a fence around the Torah that becomes indistinguishable from the Torah itself.

## The Selective Life Ethic

**The deepest covenant problem with the modern pro-life political movement is its selective application of the life ethic.** Torah's protection of the vulnerable does not begin and end with the unborn. It extends to the poor (Devarim 15:7), the widow (Devarim 10:18), the orphan (Devarim 10:18), the stranger (Vayikra 19:34), the prisoner (Bereishit 40), the condemned man (Devarim 17:6–7), the enemy's animal (Devarim

22:4), and the land itself (Vayikra 25). A political movement that fights for the unborn while supporting the death penalty without Torah's evidentiary safeguards, opposing refugee protection, cutting food assistance for children already born, and waging wars in which thousands of children die has no standing to claim the full Torah life ethic. It has claimed a part of it for political purposes while abandoning the rest.

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## PART THREE

### *The Covenant Verdict*

## Section 10: What Torah Permits, What Torah Forbids, and the Gray Between

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### What Torah Clearly Establishes

- 1. Every human being — including the unborn — bears covenant standing before Yahweh.** This is established in Bereishit 1:26–27 (the *tzelem Elohim*), Tehillim 139 (the *golem* seen by **Yahweh**), and Yirmeyahu 1:5 (covenant knowledge before birth). Treating the unborn as having no status is a covenant error.
- 2. Intentionally causing the death of an unborn child through violent action carries the *lex talionis* — life for life.** This is the Shemot 21:22–25 standard. It is not negotiable.
- 3. The body belongs to Yahweh, not to the individual.** Neither "my body, my choice" nor any other framework of absolute individual autonomy has Torah authority.
- 4. The fruitfulness mandate (Bereishit 1:28) is a covenant calling and directional blessing — not a law requiring that every sexual act produce a child.** Torah nowhere prohibits mutually agreed contraception within a covenant marriage.
- 5. Covenant community is responsible for the full life of every person — born and unborn.** Protection of the unborn that abandons the born mother and child is not Torah. Care for the living mother that disregards the unborn child is not Torah. Both obligations are binding.

### What Torah Does Not Legislate

**Torah does not issue a blanket capital sentence for all abortion in all circumstances.** The *ason* framework of Shemot 21 is graduated and contextual. Torah's silence where it has not legislated must be respected — it is not permission, but it is also not prohibition. Covenant communities operating under Torah must exercise graduated, wise judgment in the gray areas that the text does not explicitly resolve.

### The Gray Between: Where Covenant Wisdom Must Operate

**Ectopic pregnancy.** A fertilized egg implanted in the fallopian tube cannot survive and will kill the mother if not treated. Torah's consistent protection of life — applied to both the mother and the child — does not require that the mother die attempting to carry an inherently non-viable pregnancy. This is not a case of elective abortion. It is a medical

emergency in which a known unviable life must be removed to preserve the living mother. Torah's life-for-life standard does not demand that one certain death be substituted for a possible survival.

**Rape.** Torah does not require a woman to carry the child of a violent criminal assault as a covenant obligation. This is an area where the Hebrew text is silent on explicit legislation — and where that silence must be respected. No covenant community should impose a further sentence on a victim of violence by compounding her violation with a forced biological outcome.

**Severe fetal anomaly incompatible with life.** Torah's graduated framework, the reality of covenant mercy (*chesed*), and the protection of the mother's physical and psychological wellbeing all speak into situations where a fetus is diagnosed with a condition that makes post-birth survival impossible. These are not cases of convenience — they are covenant tragedies requiring wisdom, not legislation.

**These gray areas require covenant community discernment — elders, wisdom, prayer, and honest application of Torah principles.** They do not require the permanent political polarization of two movements, neither of which is operating from the full Torah standard.

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## Section 11: A Covenant Word to All Three Traditions

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### To Judaism

**Judaism has the clearest and most honest engagement with the Torah text on this question of any of the three traditions.** The rabbinic tradition's recognition of the breath standard (Bereishit 2:7) as the legal threshold of full *nepesh* status, combined with the graduated protection of the Shemot 21 framework, produces a position closer to the Torah's actual legislative structure than the absolute positions of either the Catholic Church or the modern evangelical movement.

However, the rabbinic tradition's use of this graduated framework to permit abortion in a relatively wide range of circumstances — in some schools, including cases of emotional distress — goes beyond what the Torah explicitly licenses. The Tehillim 139 evidence of **Yahweh's** personal knowing of the *golem* does not permit a community of **Yahweh's** people to treat the embryo as having no moral weight in elective situations. Judaism is called to hold both its honest engagement with the text and its full covenant responsibility toward life in the womb.

### To Christianity

**Christianity must reckon honestly with the Greek philosophical inheritance that has shaped its position on both contraception and abortion far more than the Hebrew text has.** The Augustinian concept of the body as a site of corruption, the Aristotelian doctrine of delayed ensoulment, the Stoic natural law framework behind Catholic sexual teaching — these are Greek imports into a Hebrew revelation. They must be distinguished from Torah authority.

The evangelical political movement must reckon with its manufactured origins and its selective life ethic. A church that fights for the unborn and abandons the born poor, the refugee, the prisoner, and the enemy has not honored the God of **Yirmeyahu, Amos, or Yeshayahu**. It has honored a political coalition.

Christianity is called to return to the Hebrew roots of its faith — to read Tehillim 139, to honor the Shemot 21 *ason* standard, to care for both the unborn and the born, and to abandon the Greek philosophical frameworks that have distorted its engagement with the Torah's actual teaching.

## To Islam

**Islam's classical jurisprudential tradition is structurally the most compatible with Torah's graduated framework of the three traditions,** and this should be acknowledged. The Quran's direct prohibition on killing children for fear of poverty is a covenant-aligned standard. The classical schools' differentiation of early and late-stage abortion, while based on hadith rather than Torah directly, produces a legal framework that corresponds to the moral weight the Hebrew text assigns to increasing fetal development.

Islam is called to recognize that its graduated framework has Torah grounding — and to apply it consistently: protecting the unborn at every stage as a creation of **Yahweh** (whom Islam calls Allah — the same God of Abraham), while maintaining the compassionate exceptions that the classical scholars recognized for the life and health of the mother.

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## Closing: The Covenant Standard Stands

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**The debate over birth control and abortion will not be resolved by elections, court decisions, or political coalitions.** It will not be resolved by the pro-choice movement's appeal to bodily autonomy or the pro-life movement's appeal to the innocent unborn. Both appeals touch something real. Neither is the whole covenant truth.

**The covenant truth is this: Yahweh forms every human being. He sees the golem. He knew Yirmeyahu before the womb. He assigned the lex talionis to the death of the unborn. He created the woman in His image. He called the covenant people to be fruitful. He commanded care for the poor, the widow, the orphan, and the stranger.** These instructions do not fit neatly into a political party or a protest sign. They are a covenant calling that demands the whole of what we are.

Every human community — Jewish, Christian, Muslim, or other — that names the God of Abraham as its foundation is called to hold all of this simultaneously: the life of the unborn, the dignity of the mother, the care of the poor, the wisdom of covenant judgment in cases of genuine tragedy, and the refusal to reduce any of these to a political weapon.

**The body, the seed, and the blood all belong to Yahweh.** That is where this study begins. That is where it ends.

***Elder Kepha Arcemont***

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