



“Wrongful Birth” Lawsuits on the Rise in Israel

In a story last week, LifeSiteNews noted,

While similar lawsuits in the United States and Canada are often brought by the parents of disabled children, it is common in Israel for the children themselves to demand compensation for the fact that they were not killed in-utero.



Also, Israeli children are suing because they were born with diseases. These "[wrongful birth lawsuits](#)" — approximately 600 since the first case in 1987 — have become so prevalent that the Israeli government has created the Matza committee to investigate the issue. One malpractice lawyer on the committee, Asaf Posner, has won judgments of about one million dollars on behalf of clients whose children were born with spina bifida and cystic fibrosis. He argues that the medical profession would “become corrupt without criticism.”

Rabbi Professor Avraham Steinberg, M.D., a medical ethicist of Hebrew University-Hadassah Medical School, who also sits on the Matza committee, believes that these lawsuits are extremely harmful to children. He told the committee: “I find it very difficult to understand how parents can go on the witness stand and tell their children, ‘It would have been better for you not to have been born.’”

The desire of many Jews to marry only within their faith, and sometimes even marry blood relatives, makes it more likely that their children may be born with abnormalities. For instance, certain diseases, such as [Tay-Sachs](#), are closely tied to Ashkenazi Jews. Rabbi Steinberg noted that lawyers are even combing through small communities where inbreeding is more common in search of clients for these lawsuits.

Steinberg pointed out that doctors, fearing a “wrongful birth” lawsuit, may exaggerate the odds of a fetus having defects, which in turn encourages parents to abort their unborn child — who may actually have no serious medical problems. He added, “More testing means more false positives — and that means more abortions, because geneticists don’t always know if results indicating the possibility of chromosomal abnormalities are meaningful. I’d like to see a study of aborted fetuses to see how many are diseased.”

Observers have noted that, interestingly, devout Jews have long preached the maxim: “He who saves a single human life, it is as if he has saved the whole world.” Additionally, the archetypical Jewish toast is, “To life!”





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