

1. Emma Davis, *Can a Robot be Jewish?*, Tablet 11/6/17

<https://www.tabletmag.com/scroll/248774/can-robots-be-jewish>

"I'd certainly be a lot quicker to offer [robots] citizenship than I would be to offer them religion," said Rabbi Jack Abramowitz, who has written about artificial intelligence for the Orthodox site Jew in the City. "If they are determined to be intelligent and aware and able to feel and suffer, then they should enjoy the same rights we would give to anybody."...

Both rabbis are skeptical of the concept of a Jewish robot, citing the need for moral discernment. "Even if they have intelligence, it doesn't mean they have a soul, which is basically the foundation of religion. It's a spiritual obligation rather than a physical one," Abramowitz explained...

Three years ago, [Rabbi Mark] Goldfeder sparked controversy for suggesting that a robot could be counted in a minyan. Today, he stands by his opinion, arguing that "there's no requirement" for members of the quorum to be flesh and blood Jews. He believes that "if the soul is the ability to tell right from wrong, and that drives you to a greater spiritual ability... then sure, you can easily program a soul."

Aspect 1: Does an Artificial Intelligence have Mitzvot?

2. Talmud, Sanhedrin 65b

Rava created a man and sent him before Rabbi Zeira. Rabbi Zeira spoke to him, but he did not respond. Rabbi Zeira said: You must be from the magicians; return to your dust.

3. Commentary of Onkelos to Genesis 2:7

And He breathed in his nostrils the *neshamah* of life, and it was in Man for a speaking spirit.

4. Midrash HaGadol

To what was Amos referring, when he said (4:13), 'The Former of mountains and Creator of the wind, who tells a person his speech?' This was, specifically, a reference to Gd's praise and might. When Gd decides to create a person, He decrees how many conversations that person will have, and how many things he will say, as David said, 'For there is no word on my tongue; Gd, You know all of it.'

5. Zohar, Parshat Mishpatim 100a

Even the breath of the mouth has a place and position, and Gd does with it what He does. Even a person's word, even a person's voice is not for nothing; all have a place and position.

6. Rabbi Chaim of Volozhin (18th century Lithuania/Russia), *Nefesh haChaim* 2:16

Each word has three aspects: Speech, Thought and Deed, *nefesh*, *ruach* and *neshamah*, which are the letters, vowels and *t'amim* of the word. As the introduction to the Tikkunei Zohar (pg. 7b) states, 'The *t'amim* are the *neshamah*, the vowels are the *ruach*, and the letters are the *nefesh*.'

7. Rabbi Zvi Ashkenazi (17th century, Across Europe), *Chacham Zvi* 93

I was uncertain regarding a man created via *Sefer Yetzirah*. Do we say that since the Torah says, "And I will be sanctified among the Children of Israel" he is not included, or perhaps, since the Talmud (Sanhedrin) says, "One who raises an orphan in his home is considered as though he had birthed him"... since this man was created by the righteous, he is included in the "Children of Israel", for the deeds of the righteous are their children? And it appears to me that since we find that Rabbi Zeira said, "You must be from the magicians; return to your dust," so he killed him, and if there were a benefit in joining him with a group of ten for sacred matters then Rabbi Zeira would not have eliminated him...

8. Rabbi Moshe Cordovero (16th century Israel), *Pardes Rimonim*

This creation was in the form of a man... Not that it contained a *neshamah*, *nefesh* or *ruach*, but life alone.

9. Genesis 2:7

And Gd formed the man, dirt from the ground, and He breathed into his nostrils the spirit of life, and the man was a living spirit...

10. Talmud, Berachot 10a

What was King David referring to, when he sang five psalms using the words, "My *Nefesh* blesses Gd?" He said them concerning Gd and concerning the Soul:

1. Gd fills the whole universe; the Soul also fills the whole body.
2. Gd sees and isn't seen; the Soul also sees and isn't seen.
3. Gd feeds the entire universe; the Soul also feeds the entire body.
4. Gd is pure; the Soul is also pure.
5. Gd sits in a room inside rooms; the Soul also is in a room inside rooms.

Aspect 2: Perhaps I Am Obligated in the AI's Rest?

11. Exodus 23:12

Six days you shall perform your deeds, and on the seventh day you shall halt, so that your ox and donkey will rest, and the son of your maid and the foreigner shall rest.

12. Deuteronomy 5:14

And the seventh day is Shabbat for Hashem your Gd. You shall not perform any *melachah* - you, your son, your daughter, your male and female servant, your ox and your donkey and all of your animals....

13. Jerusalem Talmud, Shabbat 5:3

One may not have a rope dangle from the neck of an animal; one is commanded to have his animal halt, like himself, as in Exodus 23:12...

14. Rabbi Yechiel Michel Epstein (19th-20th century Lithuania), Aruch haShulchan Orach Chaim 246:17

A Jew is commanded to keep his animal from working on Shabbat; this means that he may not let his animal perform *melachah* which a person may not perform. It would seem that we should not be allowed to let our animals graze and eat grass, then; the animals uproot them from the ground!

However, we learn the opposite in the Mechilta (Mishpatim 20): "It is written, 'So that your ox and donkey will rest.' Did the Torah add an additional word, 'rest,' to teach that the animal may uproot from the ground and eat, or must one keep the animal in his house? We see that keeping the animal in the house would not be 'rest' for the animal; it would be painful."...

If the animal performs *melachah* without the owners' participation, meaning that the *melachah* does not affect the owner, the prohibition is irrelevant. Therefore, the Talmud (Shabbat 122a) said, "One may set up his animal to graze."

15. Talmud, Shabbat 18a

Which sage taught that there is a biblical commandment to have one's implements halt? The school of Shammai, not the school of Hillel. According to the school of Shammai, it is prohibited whether or not the implements perform an action. According to the school of Hillel, it is permitted even if the implements perform an action.

16. Talmud, Berachot 61a

Why does the Torah say, '*Vayyitzer* [And Gd created],' with two *yuds*? Because Gd created humans with two *yitzrim* [natures], the *yetzer tov* and *yetzer ra*.

Rabbi Nachman bar Yitzchak asked: If so, then will you say that animals do not have a *yetzer*, since for them the Torah says *Vayyitzer* with only one *yud*? But we see that they damage and bite and kick!...

17. Rabbi Moshe of Coucy (13th century France), Sefer Mitzvot Gadol, Prohibition 75

A midrash (Mechilta Bo 9) teaches, "'No *melachah* shall be performed then' – You shall not perform it, and your friend shall not perform it, and a non-Jew shall not perform your *melachah*." This indicates that a Jew may not permit a non-Jew to perform his *melachah*, whether on holidays or Shabbat, biblically...

Aspect 3: Where Could This Lead?

18. Talmud, Shabbat 18a

"But one may not place wheat in a water-driven mill unless it would be ground up before Shabbat." Why? Rabbah said: Because it makes noise. Rav Yosef replied: Why doesn't his honour say it is because one's implements must halt?

19. Rabbi Yosef Karo and Rabbi Moshe Isserles (16th century Israel, Poland), Code of Jewish Law Orach Chaim 252:5
Rabb Karo: One may place wheat into a water-driven mill, close to dark [on Friday].

Rabbi Isserles: We are not concerned about noise, and people saying that So-and-so's mill is grinding on Shabbat. And some prohibit with a mill and in any case where there is concern for noise. This is the appropriate practice *ab initio*, unless there is concern for loss, in which case there is room for leniency.

20. Rabbi Shemuel Vosner (20th-21st century Israel), Shevet haLevi 10:200

Regarding the reason for the rabbinic prohibition (against asking a non-Jew to perform *melachah*), there are three views:

- (1) Rashi from [a verse in Isaiah] "not to pursue your needs and speak of such matters" – this speech is prohibited, and asking a non-Jew is no less than mundane speech on Shabbat;
- (2) Maimonides' statement that this is prohibited rabbinically lest one treat Shabbat lightly and come to perform these actions personally;
- (3) The non-Jew is your proxy...

Aspect 4: The Atmosphere of Shabbat

21. Rabbi Moses Maimonides (12th century Egypt), Mishneh Torah, Laws of Shabbat 21:1

The Torah said, 'You shall cease.' A person is required to cease even from practices which are not *melachah*. The sages forbade many activities as *shevut*, some of which are prohibited because they resemble *melachah* and some of which are prohibited lest one come to violate a capital crime.

22. Rabbi Moses Nachmanides (13th century Spain), Commentary to Leviticus 23:24

It appears to me that this midrash teaches that we are biblically instructed to rest on holidays even from actions that do not involve *melachah*. We should not strain all day in measuring grain and weighing produce and metals and filling barrels with wine and moving implements and even stones from one house to another and from one place to another. If a city is bounded by a wall and its doors are closed at night, people will even load their donkeys, and they will even bring wine and grapes and figs and every burden on holidays, and the market will be filled with all kinds of commerce, and the store will be open and the store-owner will keep a tab and the moneychangers will be at their tables with the gold coins before them, and the workers will rise early for their work and they will hire themselves out like weekdays for these and similar tasks, and these holidays, and even Shabbat itself, will become permitted, for in all this there is no *melachah*. This is why the Torah declared 'Shabbaton,' that it should be a day of ceasing and rest, not a day of strain.

23. Pico Iyer, *Why We Need a Secular Sabbath*

<http://ideas.ted.com/2014/11/04/why-we-need-a-secular-sabbath/>

The need for an empty space, a pause, is something we have all felt in our bones; it's the rest in a piece of music that gives it resonance and shape. That's the reason American football players prefer to go into a huddle rather than just race toward the line of scrimmage, the reason a certain kind of writer will include a lot of blank space on a page, so his sentences have room to breathe (and his readers, too). The one word for which the adjective "holy" is used in the Ten Commandments is Sabbath.

24. Pico Iyer, *Why We Need a Secular Sabbath*

One day I visited Google's headquarters to give a talk on the Dalai Lama book I'd completed and, like most visitors, was much impressed by the trampolines, the indoor tree houses, and the workers at the time enjoying a fifth of their working hours free, letting their minds wander off leash to where inspiration might be hiding. As I travel the world, one of the greatest surprises I have encountered has been that the people who seem wisest about the necessity of placing limits on the newest technologies are, often, precisely the ones who helped develop those technologies, which have bulldozed over so many of the limits of old. The very people, in short, who have worked to speed up the world are the same ones most sensitive to the virtue of slowing down.

25. Pico Iyer, *Why We Need a Secular Sabbath*

One day Mahatma Gandhi was said to have woken up and told those around him, "This is going to be a very busy day. I won't be able to meditate for an hour." His friends were taken aback at this rare break from his discipline. "I'll have to meditate for two," he spelled out. I mentioned this once on a radio program and a woman called in, understandably impatient. "It's all very well for a male travel writer in Santa Barbara to talk about taking time off," she said. "But what about me? I'm a mother trying to start a small business, and I don't have the luxury of meditating for two hours a day." Yet it's precisely those who are busiest, I wanted to tell her, who most need to give themselves a break.