

kol chovevei TORAH

PARSHA PONDERINGS

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Kol Chovevei Torah is a publication of Yeshivat Chovevei Torah Rabbinical School. YCT's mission is to professionally train open Orthodox rabbis who will lead the Jewish community and shape its spiritual and intellectual character in consonance with modern and open Orthodox values and commitments.

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Women and the Mitzvah of Pru u'Rvu

By Rabbi Dov Linzer

In the first chapter of Bereshit, the Torah describes the creation of both man and woman, their joint blessing and their shared command to procreate and fill the earth: "And God created the human in God's image; in the image of God, God created them; male and female created God them. And God blessed them and God said to them, "Be fruitful and multiply and fill the earth and subdue it..." (Gen. 1:27-28). This second verse, coupled with the biological fact that it is the woman who actually carries and bears children, would suggest that woman should be at least as obligated as men in the mitzvah of procreation or *pru u'rvu*. While this is the position of Rabbi Yochanan ben Beroka (mishna Yevamot 65b), and the ruling of some Amoraim in the Jerusalem Talmud (Yevamot 6:6), the dominant position in the Babylonian Talmud and of the *poskim* is that women are exempt.

What are the reasons behind this exemption? What do they tell us about a woman's role in Judaism?

The Talmud (Yevamot 65b) explains that the verse "Be fruitful and multiply" does not apply to women, inasmuch as they are not included in the command at end of the verse: "Fill the earth and conquer it." Women are not the ones being commanded here because, as the Talmud states, "It is in man's nature to conquer and not in woman's nature to conquer."

As a basis for women's exemption from the mitzvah of procreation, this explanation seems arbitrary and formal. However, a number of authorities see a logical connection between women's exemption and the assumption that "it is not in their nature to con-

quer." A practical application of this logical, non-formal linkage is the statement in Tosa-fot Rid (13th C, Italy, on Baba Batra, 13a, *s.v. viHa Ketiv*) that non-Jewish male slaves, who normally share the formal exemptions of women, would be obligated in *pru u'rvu* since it is in their male nature to conquer. What is the logic at work here? Rav Ovadiah Bertinoro (15th C, Italy) states in his mishna commentary (mishna Yevamot 6:6) that only a man is obligated to procreate because it is in his nature to subdue *the woman*. Presumably, for him, it is only the man who plays the initiating and dominating role in sex. Thus, women cannot be obligated in a mitzvah whose path to fulfillment is largely beyond their control. Rejecting this approach, R. Baruch Epstein (19th C, Lithuania, Torah Temimah on Gen. 1:28), argues that the mitzvah to procreate is part of the larger mandate to conquer and settle the earth. Thus, an exemption from conquering the earth entails an exemption from settling and filling it through the act of procreation.

These explanations both amplify and build on the Talmud's statements, either expanding the assumptions about the inherent distinctive natures of men and women, or underscoring women's exclusion from the Divine mandate to conquer the world. Apparently rejecting these approaches, Rabbi Meir Simcha of Dvinsk (19th-20th C) offers a significantly different explanation. He states, "The reason the Torah exempted women from *pru u'rvu* and obligated only men, is because God's Law and the Torah's ways are "ways of pleasantness and all of her paths are peace" (Prov. 3:17), and the Torah did not burden a Jew with an obligation that he (*sic*) is physically unable to handle... Therefore, regarding women, who are endangered during pregnancy and childbirth... the Torah did not obligate them to procreate." (Meshek

Chachma, Gen. 9:7). Women, then, deserve to be obligated, but are exempted due to the risk. This approach fits nicely with the position of Rabbeinu Nissim of Gerona (Ran), who states that just as a woman who takes a lulav or hears shofar fulfils a mitzvah although she has no obligation, so too, a woman who has children fulfils the mitzvah of *pru u'rvu* although she is not obligated (Responsa of Ran 32). The combined effect of these two statements is that women are not excluded from the mitzvah, but are only exempt due to special considerations, and if they choose to waive their exemption, they fulfill the mitzvah of *pru u'rvu*.

A feminist perspective would yield yet another explanation. It seems that from the Torah's viewpoint, the wife gives birth to her husband's children and not her own. As is the case in patriarchal societies, tribal identification and, more significantly, parentage, is through the father: "And these are the generations of Yitzchak the son of Avraham: Avraham begot Yitzchak" (Gen. 23:19). In the halakhic realm, the Torah states that someone who assaults a pregnant woman and causes a miscarriage, pays the husband for the lost fetus (Ex. 21:22). This concept of parentage carries over into the realm of parental obligations. It is the father who is obligated to provide food for his children (Ketuvot 65b) and only the father and not the mother is obligated to give his son a *brit*, to perform a *pidyon haben*, to teach his son Torah and to teach him a trade (mishna Kiddushin 29a). Even the mitzvah of *chinukh*, or religious training, according to many rests primarily with the father (see Encyclopedia Talmudit, *s.v.* Chinukh, section 2). Following this, a woman would not be obligated to have children because halakha sees her children as primarily belonging to her husband. Thus,

while she provides the means for her husband to have *his* children and fulfill *his* mitzvah, neither the children nor the mitzvah are hers.

We have entered into the realm of *taamei hamitzvot*, the reasons for mitzvot, and we are now faced with a conundrum. From a halakhic perspective, a single woman can, by and large, choose to remain single and never marry nor have children. What – we have asked – is the meaning of this? Is it that women are excluded from the mandate to conquer and transform the world? That a woman never rises beyond her function as an enabler and never fulfills the mitzvah in her own right? Or perhaps one could argue diametrically the opposite. One could claim that contrary to the widespread belief that a Jewish woman's primary religious role is as an enabler for their husbands and children, halakha rejects the primacy of this role and frees them from the obligation to be a bearer of children. Or does the explanation lie somewhere in between, that a woman is both an enabler and someone who fulfils the mitzvah in her own right, who was exempted from the mitzvah only out of consideration for risks to her life? These widely divergent explanations should give pause to those who argue for an unambiguous system of values that emerges directly from the halakhic system. We absolutely must look to the Torah for our values, and not just for our halakha. But in the end, how we understand those values, even when searching for them honestly and objectively, will often be a matter of interpretation.

Rabbi Dov Linzer is the Rosh HaYeshiva of Yeshivat Chovevei Torah Rabbinical School.

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