

BINYAMIN TABORY

THE  
WEEKLY  
MITZVA



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## Parashat Bereshit

# Peru URevu

**S***efer HaHinnukh* states that procreation is the first mitzva in the Torah. Bereshit 1:28 reads, “God blessed them and God said to them, ‘Be fruitful and multiply (*peru urevu*).’” The *Sefer Yere'im* (413) says that the Torah commanded us in four different places regarding this mitzva. He cites only two of these, the present verse and the commandment given to Noah when he left the ark (Bereshit 9:7). The commentary *To'afot Re'em* also cites God's words to Yaakov (Bereshit 35:11), which are written in singular (*pereh ureveh*) as opposed to the plural (*peru urevu*).

There is a dispute among *Tanna'im* (Yevamot 65b) as to whether women are commanded to perform this mitzva. The *tanna kamma* maintains that women are exempt, either because the verse relates procreation to *kibbush*, i.e., conquering or dominion, or because the command was given to Yaakov in singular form, indicating that it applies to a man and not to a woman. The *Tosafot* (ad loc.) point out that the statement to Adam, which is phrased in the plural, should be construed as a blessing given to both man and woman, rather than a mitzva. R. Yoḥanan b. Beroka, however, maintains that the original statement to Adam and Hava is the source of the mitzva; therefore women are equally obligated.

Rambam (*Hilkhot Ishut* 15:2) and the *Shulḥan Arukh* (*Even HaEzer* 13) codify the halakha according to the *tanna kamma*. In *Meshekh Ḥokhma*, Rabbi Meir Simḥa HaKohen suggests that the mitzva given to Adam and Ḥava was indeed incumbent upon both of them. However, the mitzva given to Noah applied only to him and his sons, and similarly Yaakov's mitzva was addressed only to him. The reason for this change may be that God did not command mitzvot that were painful, dangerous, and even life-threatening. Before the sin of eating from the Tree of Knowledge, childbirth was a relatively simple process, and therefore man and woman were commanded equally. However, after the sin, when God mandated that childbirth be accompanied by pain and difficulty, women could no longer be commanded to bear children. Women would desire to have children because of an inherent maternal instinct rather than a divine commandment.

Rabbi Meir Simḥa also gives an additional rationale. Since under biblical law a man is entitled to be polygamous, if his wife is incapable of having children, he does not have to divorce her in order to fulfill the mitzva: he can simply marry a second wife. However, since a woman must be monogamous, if her husband were incapable of siring children, she would need to obtain a divorce from him in order to fulfill the mitzva. This would create an acrimonious situation, and thereby contradict the principle that the ways of the Torah are pleasant (*Mishlei* 3:17). One may also add that this reasoning did not apply to Adam and Ḥava, as they received God's blessing to procreate, and furthermore could not have married anyone else even if the blessing were not realized.

It is obvious that even if women are not obligated to have children, they certainly fulfill the mitzva if they do. Similarly, women can fulfill the mitzva of *kiddushin* (betrothal) even though they are not commanded to marry. The Gemara (*Kiddushin* 41a) says that although a woman could become halakhically engaged by proxy, it is a greater mitzva for her to do so in person. Rishonim raise the obvious question: if women are not commanded to marry and to have children, why does the Gemara state that it is a greater mitzva for them to be personally involved in the betrothal process? The Ran (*ad loc.*) says that a woman fulfills the mitzva since she enables her husband to fulfill his obligation. The Ḥida (*Birkei Yosef*, *Even HaEzer* 1:16) cites an anonymous Rishon according to whom



women fulfill the mitzva even though they are not obligated by it, just as they can fulfill the mitzvot of sukka, shofar, and lulav even though they are not obligated. This Rishon also suggests that although women are exempt from the biblical mitzva, they may be obligated by rabbinic law. This concept, namely, that the Rabbis required women to fulfill a mitzva from which the Torah exempts them, seems to be a novel one.

The mitzva of procreation appears to be independent of any other mitzva, and therefore the Rosh (Ketubbot 1:12) says that if one fathered children with a concubine, he would not have to marry. However, Rabbi Aḥai Gaon (*She'iltot* 165) writes that “the Children of Israel are required to marry, have children, and engage in procreation.” He cites as a proof text Yirmiyahu 29:6: “Marry and have sons and daughters.” Since this source is not from the Torah but from Nevi'im, it does not seem to be a Torah requirement. Yirmiyahu's admonition begins with advice to people going into exile to invest in real estate and work the land, as life will go on. He further adds that they should ensure that their children marry and have children. This is definitely not a Torah requirement (see Kiddushin 29a; Rambam, *Hilkhot Ishut* 20:1). It therefore seems that the verse in Yirmiyahu may indicate a rabbinic commandment. Alternatively, it may merely represent sage advice to marry prior to having children.

*Sefer HaḤinnukh* concludes its discussion of this mitzva by saying that one who negates this mitzva will be sorely punished, as he thus demonstrates that he does not wish to realize God's desire to populate the world.