

Yitzchak Avi Roness is a doctoral student in the Talmud department at Bar Ilan University, concurrently studying for *semikhah* in the Kollel there.

FAMILY PLANNING: THE POSTPONEMENT OF *MITZVAT PERU U-REVU*¹ Yitzchak Avi Roness

Many newlyweds feel it in their best interests to postpone having children immediately after their marriage due to any or all of the following considerations:

1. They may view their relationship as still relatively undeveloped and wish to more firmly establish it before responsibly enlarging their own family unit. (In a similar vein, they may have feelings of immaturity, perceiving themselves to be too young to undertake the responsibilities of parenthood.)
2. The added pressures and demands of parenthood may interfere with their ability to properly devote themselves to the completion of their studies while one or both spouses are in pursuit of an academic or vocational degree.
3. Their current economic situation causes them to feel that they cannot responsibly afford the added expenditures of a larger and expanding family.

The question that arises, however, is whether or not one may legitimately—by using a halakhically sanctioned form of contraception—choose to postpone the fulfillment of the *mitzvah* of *peru u-revu* for any of these considerations. This article will focus on understanding the halakhic concept of marriage and child-rearing in order to better analyze the tension between the halakhic responsibility of *peru u-revu* and the desire to postpone its performance. We will then evaluate if, for any of the reasons mentioned above, certain considerations may be halakhically sanctioned so as to warrant postponement of this *mitzvah*.

Yet before proceeding any further, an important clarification is in order. The extensive halakhic literature which discusses the status of various means of birth control usually presents an entirely different matter than that which will be discussed in this article. A mere superficial perusal of rabbinic responsa on this topic will reveal a longstanding, stringent tradition stemming from the

¹This article is adapted from a more expansive version in Hebrew, published in *Or Ha-Mizrah*, Vol. 50: 1-2, 2004, 109-123, and Vol. 50:3-4, 2005, 135-151.

problem of *hotza'at zera le-vatalah*—literally, wasting one's seed—which can be inherent in the very notion of certain forms of contraception. Since *hotza'at zera le-vatalah* is considered to be a singularly heinous offense,² discussions surrounding matters that concerned it were often considered to be the sole province of the foremost halakhic authorities of the day.³

Though the overwhelming majority of halakhic discussions on this topic are preoccupied with the problem of spilling seed so that discussion—or even mention—of the parameters of the *mitzvah* of *peru u-revu* is fully overshadowed, the halakhic reality confronting us today is wholly unlike that addressed by *poskim* of earlier generations. Due to scientific developments of various hormonal contraceptives widely in use today, the halakhic purview of the discussion has been radically redefined.⁴ The once fanciful notion of a standardized means of birth control which does not impinge on the *isur* of *hotza'at zera le-vatalah* has today become a commonplace reality.⁵

In order to achieve an appreciation of the true import of this change, one need only consider the following point: under present conditions, with certain available forms of birth control, the decision to postpone the *mitzvah* of *peru u-revu* after marriage is no more halakhically problematic than deferral or postponement of marriage itself.⁶ Consequently, any justifications warranting the deferral of marriage from the age of eighteen and onwards should then, likewise, justify the postponement of having children after marriage as well. It is unclear why many do not object to the fact that the serious undertaking one goes through when searching for a spouse is commonly pushed off until one is well into their twenties, yet remarkably, a young married couple is generally not allowed similar leeway in regard to their family planning.⁷

² See the wording of the *Shulhan Arukh*: “*Assur le-hozi shikhvat zera le-vatalah, ve-avon zeh hamur mi-kol aveirot she-ba-Torah.*” *Shulhan Arukh, Even Ha-Ezer* 23:1.

³ See Rabbi Moshe Feinstein *Igerot Moshe, Even Ha-Ezer* 1:64. Note his great caution in dispensing a permitted ruling on this topic.

⁴ Up until the seventies they were not in widespread use, and they were considered by many to present a serious health hazard.

⁵ See *Igerot Moshe, Even Ha-Ezer* 2:17, 3:24. One need only compare this directive to his earlier *tshuvot* in order to appreciate the vast difference in tone. For a further elaboration, see R. Shlomo Aviner, *Sefer Asiyah* 4, pp. 171.

⁶ This fundamental change was forcefully noted by R. Getsel Ellinson (Ellinson, *Procreation in the Light of Halacha: Family Planning and Birth Control* [Jerusalem: World Zionist Organization, Dept. for Torah Education and Culture in the Diaspora, 1977], 9). This last point is based on Rambam, *Hilkhot Ishut*, 15:2. See R. Ellinson, *Procreation in the Light of Halacha*, 33 & 36.

⁷ See R. Moshe Feinstein's response to R. Ellinson (*Even Ha-Ezer* 4:32) which states that it is better to marry with the intention of postponing parenthood than to postpone marriage itself. Although it is not clear that R. Moshe would have allowed the use of the pill in this instance. It seems that this stems from his understanding that this would constitute “*bit-hakhmot neged ratzon Hashem.*” See *Igerot Moshe, Yoreh De'ah* 3:143 and *Even Ha-Ezer* 4:72. This consideration, however, is strange, since it could just as easily be levelled against all medical or technological

Since in the present reality the unwarranted use of these commonplace means of birth control no longer entails a willful transgression of what is described as one of the severest of the Torah's prohibitions, the general focus of the discussion must be adapted accordingly, assuming the pitch and tone befitting the discussion of a deferral of a *mitzvat aseh*, a positive commandment.⁸

Each of the married couple's considerations enumerated above is surely of great consequence. Indeed, "a decision one way or the other upon so vital an aspect of family life must ultimately affect every facet of human aspiration."⁹ Yet the gravity of the halakhic prohibition involved in the use of contraception for those purposes previously left no room for the evaluation of the aforementioned concerns from a broader halakhic perspective. This, then, shall be the express purpose of the following discussion. Though each of these three concerns listed above will be considered and addressed, we shall first start by examining the halakhic legitimacy of the third, which involves establishing a sound financial basis before setting out to enlarge one's family. This principled position bears close resemblance to a rabbinic adage identifying the need to secure financial independence as an elementary prerequisite for marriage.

Marriage and Financial Independence

The Talmudic sages taught that proper "*derekh erez*" (cultured practice) requires that one first establish a firm financial base before proceeding forward with marriage: "The Torah [has] taught us proper etiquette (*derekh erez*): one

advances, including sperm donations to infertile women which Rav Moshe himself discusses: e.g. wouldn't this same logic lead us to prohibit a married woman to accept a sperm donation? See *Igerot Moshe, Even Ha-Ezer* 1:10, 1:71, 2:11, and 4:32. Similarly, would the acceptance of an epidural be considered *bit-bakhmot* against God's decree of "*be-etzev teiledi banim?*"

⁸ The Rambam's wording in *Hilkhot Ishut* 15:2 seems to indicate that the postponement of the *mitzvah* is not merely an issue of "*zerizin makdimin le-mitzvah*," but rather enters into the more serious category of a "*bitul mitzvat aseh*"—annulling a positive commandment. However, as a number of writers have convincingly argued, this simply cannot be Rambam's intention, for he writes in that very same halakhah that one engaged in the study of Torah need not interfere with his studies in order to fulfill this duty, as he is categorized as an "*osek be-mitzvah, patur min ha-mitzvah*" (one engaged in a commandment is excused from performing a commandment). As the Netziv points out, the Rambam's application of this rule to the situation of the Torah scholar implies that we are referring to a case of a *mitzvah she-eino overet*—a commandment where there is no pressing time limit, the postponement of which is not considered to be a *bitul mitzvah*. (On this last point, see *Arukh Ha-Shulhan, Even Ha-Ezer* 1:13, as well as the more recent contributions of R. Shlomo Aviner, R. Avraham Dov Auerbach, and R. Ya'akov Ariel in *Sefer Asiyah* 4, pp. 187. See also the forceful presentation of R. Asher Weiss, *Minhat Asher, Parshat Noah, Mitzvat Periyah ve-Riveyah*.)

⁹ R. Aharon Lichtenstein, Foreword to *Procreation In the Light of Halacha*, 5. "The true significance of the matters at hand is to be measured by the far reaching consequences involved," as the couple's course of action will greatly affect their "economic prospects, social status and vocational attainments," factors which "will in turn make themselves felt in terms of inner happiness and spiritual wellbeing."

should build a house, plant a vineyard and then marry a wife” (*Sotah* 44a). Rambam codifies this directive in his work *Mishneh Torah* under *Hilkhot De’ot*,¹⁰ describing it as “*derekh ba’alei hokhmah*”—the manner of the wise. He presents this in sharp contrast with the more common practice of “*ha-tipshim*”—the manner of fools. Rambam explains that the future stability of the household will be determined, to a great degree, by one’s behavior in this regard. Those who proceed along the rational path—“the manner of the wise”—ensure themselves divine blessing and assistance in the building of their home, whereas those who attempt to establish their home in the contrary order—marrying first and only then beginning the search for a source of income—can expect a shaky future, having chosen a path which will guarantee them a lifetime of financial entanglement and hardship. For Rambam, choosing the latter course of action would effectively be a decision to position oneself within the category of the cursed.¹¹

The *Zohar* offers a similar analysis of the importance of following this correct order when establishing one’s family, stressing the spiritual consequences of one’s actions:

Rabbi Yohanan [stated]: “With wisdom one builds a house: three things must a man do in the manner of the world (*be-darkhei olam*) and they are: to build his dwelling, to plant a vineyard by which to sustain himself [monetarily], and afterwards, to take for himself a wife and bring forth children [so as] to be sustained by them. And not like the ways of the fools that first take a wife and only after plant a vineyard, and then after build a house. Like that which Rav Simon stated: ‘Whoever takes for himself first a wife and does not have at first with what to sustain himself [monetarily]—behold, this is one who is ‘free (*hofshi*) from the *mitzvot*’ like corpses, which are referred to as ‘free’. . . ? And why is he called ‘free’ from the *mitzvot*? Because he is not able to concern himself with the work of his Creator, but rather [only] with the [concern of] work for his wife.’”

Rabbi Yehuda says: “It is as if he has taken idols to himself [with which he will then worship].” For Rabbi Yehuda had said: “In the beginning, the wise ones and the pious ones would take for themselves wives and [even if] they did not have enough to sustain themselves [monetarily], they would [subject themselves] with hunger and thirst and let go their worldly concerns [in order to] be involved with Torah, *mitzvot*, and the work of

¹⁰ 5:11.

¹¹ Compare with Rambam’s explanation of “*Hashgahah*”—providence—in his work *The Guide to the Perplexed* (III:17), where he demonstrates how both the divine blessing and the divine curse can be the direct result of man’s rational or irrational choices.

their Creator. But in our time, when the world is pre-occupied with [sustaining] a livelihood, one must first establish a house and secure his sustenance and [only] after take a wife, [so that he may] be able to worship his Creator and be involved in Torah study. As [the Sages] said: ‘If there is no flour, there is no Torah.’”¹²

Since starting a family without having first ensured a proper economic basis will surely force one to engage in a time consuming and desperate pursuit to make ends meet, one can expect to be left without the minimal peace of mind necessary to worship God properly. He who enters such a situation willfully, marrying and having children before he is capable of looking after his family’s needs is therefore likened to one who has removed the yoke of the Torah from his shoulders, and is even likened to a worshipper of idols. According to the *Zohar*, financial caution, planning, and foresight when building and establishing one’s home is not only praiseworthy, but is indispensable, and even verily a part of *imitatio dei*.¹³

It is also important to note that the Rabbis’ advice regarding the need to prepare a firm financial base is purposefully vague. The expression “to build a house and plant a vineyard” does not convey a clear notion in regard to the size of the home or the size and quality of the vineyard. It is surely true, that generally one must be careful not to overstep the line distinguishing between “*dirah na’eh ve-keilim na’im*”—a nice dwelling and nice utensils—and a completely hedonistic lifestyle. Yet the Rabbis’ directive here, is that no matter what the minimal lifestyle one deems necessary for oneself,¹⁴ appropriate steps must be taken to ensure that this standard of living be maintained as one’s family and expenses grow, for otherwise domestic strife will surely follow.¹⁵ But far

¹² *Zohar Hadash*, Volume 1 (*Torah*), *Beresbit*, 9a

¹³ *Ibid.* See the end of the passage there and Rabbi Yehuda’s final comments. The fact that God brought man into a complete world equipped with all that was necessary to meet his every need is cited as proof that one must always, in the like manner of God, be concerned first with providing for one’s basic needs and only then pursuing other interests. If we wish to construct our home in a similar fashion to reflect how God created the world, we must first prepare all the concrete necessary financial foundations and only then proceed to establish and rear a family.

¹⁴ It is worthy to note, that the Rabbis were aware of the impossibility of setting an objective standard of living applicable to all (see *Mishnah Berurah* 156:1 and *Sha’ar Ha-Tziyun* ad loc., 2). This same understanding is implicit in the halakhic definition of an individual’s needs vis-à-vis the *mitzvah* of *tzedakah*. See *Shulhan Arukh*, *Yoreh De’ah*, 250:1.

¹⁵ Another rabbinic demand that is highly instructive in this regard is the directive that one must ensure that his bride’s standard of living does not fall beneath that which she had been accustomed to in her father’s home. Marriage in and of itself should not be the cause for lowering one’s standard of living. See *Ketuvot* 61a, *Shulhan Arukh*, *Even Ha-Ezer* 70. The commentators there explain that this refers to one’s socio-economic status. One should not expect of his wife to behave in a manner not befitting her previous social milieu. However, if there is a natural distinction between the older, more established generation and the younger generation who

from being some sort of foreign, western notion, a young couple's financial considerations and concerns are fully in accord with the Torah's understanding of the ideal way to set up a household.

Pursuing an Academic Degree—*Osek Be-Mitzvah*?

As mentioned earlier, couples who may have no pressing financial worries may have concerns of a different nature and wish to push off having children in order to first complete their academic studies. Often their studies might require their full attention. Consequently, they may fear that they will not successfully meet the growing demands on their time (as well as the added anxiety on their general frame of mind) as the manifold responsibilities of parenthood begin to take their toll. The notion of a possible conflict between one's scholarly pursuits and the demands of family life is surely not a novel one. *Halakha* explicitly addresses this concern regarding the study of Torah, advising young Torah scholars to delay marriage in order to further their Torah education:

Always, a man should learn Torah [first] and afterwards marry a woman, for if he marries a woman [first], his mind will not be [untarried] for him to [focus on] learning.¹⁶

But can the pursuit of an academic degree likewise be compared to the study of Torah in this regard? Or is this halakhah a special dispensation resulting from the unique importance of the *mitzvah* of *talmud Torah*? The Rambam in *Hilkhot Ishut* explains that the justification of the postponement of marriage for the sake of *talmud Torah* is based on the general halakhic principle of “one who is currently involved in a *mitzvah* is exempt from other mitzvot” (*ha-osek be-mitzvah, patur min ha-mitzvah*).¹⁷ This reasoning can be applied equally to similar situations involving other mitzvot as well, and not just to Torah study.¹⁸ Yet may one who pursues an academic degree be regarded as one who is “involved in” a *mitzvah*?

One early rabbinic teaching enumerates a father's responsibilities to his son and couples his duty to teach his son Torah with the additional responsibility to teach him a profession (*Tosefta Kidushin* 1:8). The gemara cites the source of this obligation from the phrase: “Enjoy life with the woman that you love” (Ecc. 9:9), indicating that it is inconceivable for one to live together with his

have yet to build up their fortune, then a lowering of one's lifestyle—which is shared by all brides belonging to the same social circle—is decidedly not frowned upon.

¹⁶ Tur, *Yoreh De'ah*, 246

¹⁷ *Mishneh Torah*, *Hilkhot Ishut* 15:2. Rabbi Naftali Tzvi Yehuda Berlin, *Ha-Emek She'eilah* 103:14 notes that *talmud Torah* does not normally exempt one from all other *mitzvot*. This principle applies here since marriage and parenthood force upon one a myriad of responsibilities which do not allow for a continuation of one's studies in the manner one had been accustomed to previously, thereby frustrating one's ability to acquire an essential knowledge of the Torah. It seems clear that a similar description can be applied to the university student as well.

¹⁸ For an elaboration of this last point, see *She'eilot u-Teshuvot Shevet ha-Levi* 6-221.

wife without *'hayim'*—a source of livelihood. Thus, the father's obligation to teach his son Torah and to arrange for his marriage¹⁹ must perforce include an obligation to enable his son to secure a future livelihood as well.

The high regard for one's professional education is also indicated in a *beraita* that says, although the discussion of one's business affairs is prohibited on Shabbat, nevertheless one is allowed to pursue the necessary arrangements for one's son's religious, as well as vocational, education (*Shabbat* 150a).²⁰ Though these two sources refer to the father's *mitzvah* of taking care of his son, it is clear that when this has not been done it becomes the son's personal responsibility to do so.²¹

Yet another gemara repeats the same theme as above when discussing the general halakhot of the *rotzeakh be-shegagah*—the inadvertent killer. The gemara there teaches us that *galut* (exile) is only required when the inadvertent death resulted from an act which can be categorized as a *devar reshut*—non-obligatory act—while a *rotzeakh be-shegagah* is not exiled if the death resulted from the act of admonishing a sinner, or disciplining a student, since these both fall under the category of *devar mitzvah* (*Makot* 8b). However, the gemara clarifies that the act of disciplining a student is regarded as a *devar mitzvah*, regardless of whether the instructor is a teacher of Torah or a vocational instructor—just so long as the intended act was meant to further the education of the student.²²

When we consider these sources that equate one's professional schooling to the study of Torah, assuming that an academic degree will serve as a key to one's future livelihood,²³ it seems that the involvement and preoccupation in studies geared towards the acquisition of a profession can indeed be compared to the study of Torah. Both would place one in the category of *osek be-mitzvah*,

¹⁹ This is based on the gemara's contention that the word "*ishah*" may be best understood metaphorically as a reference to *talmud Torah*—*Am Yisrael's* spiritual bride.

²⁰ The gemara there explains that while the discussion of one's business affairs falls under the category of "*hafazekha asurim*," both the study of Torah, as well as the son's professional education—"le-lamdo sefer u-le-lamdo umanut"—are instances of "*hefzei shamayim mutarin*."

²¹ Though the aforementioned *pasuk* in *Kohélet* serves as the source for the father's duty towards his son, it is not necessarily addressed to the father per se, but rather to the individual himself. See *Yerushalmi Kidushin* 1:7 which clearly articulates this idea implicit here in the Bavli.

²² The Talmud notes that the fundamental difference between the two is that there is no concept of '*lishmah*' in professional training, since if the person already has a profession there is no *mitzvah* to acquire another. Torah study however, is limitless and constantly presents a new *mitzvah* to be done. It is worthy to note that the difference between the halakhic status of acquiring a profession, as opposed to the work itself, is apparent in the *sugya*. The Torah's tale of the woodcutter's accidental killing of an innocent bystander is the classic example of the inadvertent killing ensuing from a *devar ha-reshut*, whereas in a case when this very same carpenter was disciplining his disciple (*shuliya di-nagrab*) and inadvertently caused his death it is classified as a *devar mitzvah*.

²³ More often than not, an academic degree is perceived as a part of one's professional education. If one's pursuit of wisdom is in and of itself a religious act, its definition as a *mitzvah* is more straightforward. See R. Yosef Kapach in *Techumin* Vol. 2.

patur min ha-mitzvah and thus legitimately enable one to defer the *mitzvah* of *peru u-revu*.

Marriage and Parenthood

As mentioned before, another possible factor in a couple's decision may be their desire to be free to devote themselves fully towards solidifying the emotional foundations of their relationship. Aware of the challenges they may meet up with in the future, they may be interested in setting aside a period of time in which they will be able to focus on each other—nourishing and building that which is yet a young relationship. They may fear, or even be convinced, that assuming the weighty responsibilities and pressures of parenthood prematurely will have a negative effect on the future of their relationship. In order to properly evaluate this concern, we must first clarify the nature of the relationship between marriage and childbearing.

There is surely a functional connection between marriage and procreation since one must marry in order to be in a position to fulfill the *mitzvah* of *peru u-revu*. It appears clear, though, that this functional connection stems from a deeper conceptual bond. That is, the *mitzvah* of *peru u-revu* is directed at the married individual as opposed to the unmarried one.²⁴ The Torah's intention then, is that childrearing be viewed as the natural outcome of a healthy marriage.

The Netziv (Rabbi Naftali Tzvi Yehuda Berlin 1817-1893) finds proof for this contention in the fact that one's practical obligation vis-a-vis the *mitzvah* of *peru u-revu* is defined as the strict adherence to the marital pattern proscribed by the biblical commandment of *onah*.²⁵

The *mitzvah* of *onah*, however, is unique; since its purpose is to regulate and maintain the couple's conjugal rhythm, there is no universal definition or standard that is applicable to all. Instead, the practical demands of *onah* vary in accordance with the demands of the husband's vocation and his relative level of energy.²⁶ If we find that *peru u-revu* adopts these same unique criteria, this must mean that this *mitzvah* is perceived to be a natural outcome of a healthy marital relationship—not an independent halakhic demand placed upon the couple's relationship.²⁷

This same fundamental understanding underlies a rabbinic statement regarding marital sexual ethics known by the category of "*benei tesha midot*"

²⁴ See Rabbi Joseph B. Soloveitchik, *Family Redeemed: Essays on Family Relationships*, ed. David Shatz & Joel Wolowelsky (New York, Toras HaRav Foundation, 2000), 31-72. [See the article by Rabbi Binyamin Lau cited in this edition who discusses this idea. –Editor's Note]

²⁵ Rabbi Naftali Tzvi Yehuda Berlin, *Ha-Emek She'elah* 165; *Meishiv Davar* 4:11.

²⁶ *Shulhan Arukh*, *Even Ha-Ezer* 76:1-2. See also *Igerot Moshe*, *Even Ha-Ezer* 3:28, who compares *mitzvat onah* to the husband's other obligations of providing his wife with food and clothing, where it is clear that the husband's obligation is relative to his capabilities.

²⁷ See *Otzar ha-Poskim*, *Even Ha-Ezer* 76, who brings the opinion of *Derekh Pikudekha* and others who distinguish between these two *mitzvot*.

(*Nedarim* 20b). The Rabbis delineated moral boundaries of sexual contact by listing nine paradigmatic situations in which a couple must refrain from sexual contact.²⁸ The central theme stressed throughout, is that the marital act must not be allowed to assume the character of an impersonal—and therefore animalistic—release of primal drives. In the ideal situation, the marital act serves as a physical expression and embodiment of the couple’s deep emotional and spiritual attachment. The strict halakhic demand however, does not deal with the ideal as such, but rather with the more modest requirement that the physical act be accompanied by a certain minimal emotional and personal component as well.²⁹

The fundamental understanding that *peru u-revu* can be fulfilled only from within the framework of a healthy marital relationship can clearly be seen by the fact that this ethic remains in full force even when strict adherence to it will force a delay in its fulfillment.³⁰ If, as we have demonstrated, *peru u-revu* pre-supposes a healthy marital relationship, then any measure necessary to strengthen and to insure the health and viability of that relationship must then take precedence over the immediate fulfillment of the *mitzvah*. If childrearing is to ensue from a framework of a healthy marital relationship and does not take precedence over it, then it likewise stands to reason that a couple must be advised *not* to have children in the event that such a move would contribute to the weakening (and possible detriment) of their relationship.

A situation then, in which having a child would definitively serve to *weaken* the marital bond between two individuals would then be in utter opposition to the Torah’s view of their ideal union as expressed in the *pasuk*: “And he shall cling to his wife and they shall be one flesh.” (Gen. 2:24). Procreation here (“and they shall be one flesh”) is assumed to flow naturally from the healthy loving marital relationship (“And he shall cling to his wife”).

Is the *Mitzvah* of *Peru u-Revu* Completed with the Birth of a Child?

In describing the couple’s motives for delaying childbirth, we also mentioned the possibility that they may feel they are emotionally unprepared for parenthood. A powerful self-image of youth and immaturity may lead newlyweds to believe that they are not yet capable of doing justice to the immense responsibilities involved in raising and educating a child. Though they fully intend to assume the responsibilities of parenthood in the future, they hope to do so upon reaching a more mature and established stage in their life.

This basic, almost intuitive understanding closely resembles that which was discussed earlier. If the desire to follow the dictates of *derekh eretz* (cultured practice) demands that one not marry until he is capable of providing a physical home for his family, the same must also be true *a fortiori* in regard to the

²⁸ *Shulhan Arukh, Orach Hayim* 240:3; *Even Ha-Ezer* 25:2.

²⁹ See *Levush, Orach Hayim* 240 and *Darkhei Taharah* pp. 196.

³⁰ See *Beit Yosef and Bah, Orach Hayim* 240.

necessary ability to provide the child with the emotional and spiritual facets of the home as well.

Furthermore, although we generally perceive the *immediate* fulfillment of a *mitzvah* to be desirable, “*zerizut*” (speed or haste) is not always a positive attribute. When the circumstances of a situation are such, that by delaying a *mitzvah* one will allow for a higher level or quality of fulfillment (a “*bidur mitzvah*”), hastiness quickly loses its shine. It would seem then, that a couple’s wish to delay having children until they are in a position which will enable them to more fully care for their child’s needs presents us with exactly such a case.

But in order to convincingly argue that this case may indeed be regarded as an instance of delaying the performance of a *mitzvah* in order to perform it more fully at a later time, we must demonstrate that the parents’ ongoing care for their child’s upbringing and education is directly linked to one’s duty vis-a-vis the *mitzvah* of *peru u-revu*. Surely we sense that this can hardly be otherwise, yet the halakhic interdependence of the two must be established nonetheless.

‘We learn it from the creation of the world...’

Beit Hillel and Beit Shammai disputed as to the halakhic requirements of *peru u-revu*, with Beit Hillel opining that one fulfills this *mitzvah* after fathering both a male and a female child. The Talmud explains that this is derived from the story of creation, as it says: “Male and female He created them.” (Gen. 1:27) (*Yevamot* 61b). On a conceptual level, it is difficult to see how it is possible to derive man’s duty from the divine act of creation. How can the creation of the world serve to teach us this lesson?

The idea implicit in Beit Hillel’s view is that *peru u-revu* is perceived as the human duty to emulate and re-enact in miniature the divine act of creation. Earlier we saw that the *Zohar* considers the story of creation as modeling the correct order in which to erect one’s home. We can now deeply appreciate how that idea stems from the understanding that *peru u-revu* is a human re-enactment of creation. Understanding the *mitzvah* in this way also implies that one is obligated to continue caring for his creation, just as God continuously cares for our world. The parents’ objective, then, must be to insure the success of their “little world”³¹ that they have created, doing their utmost to raise

³¹ Compare with the definition put forth by Rambam, *Mishneh Torah, Hilkhhot Ishut* 15:16. We have explained that Beit Hillel viewed *peru u-revu* as a re-enactment of creation. It would appear from the gemara however, that the measure of one’s continued responsibility towards this ‘creation’ is a matter of dispute. There is an Amoraic dispute (*Yevamot* 62a) as to the basic intention and nature of the *mitzvah*: Is one commanded to bring two souls into this world?—the perspective being that the soul’s descent into this world is an end unto itself, or is the commandment to procreate part of Man’s general mission to both insure and to further the settling and conquering of God’s creation? The gemara explains that the practical difference between these two opinions is found in the tragic case where a father buries his child. Though a soul may have been lowered from the heavens, if that child did not have children of its own

healthy, upright, and God-fearing children.

This understanding acts as a basis for the requirement the Rabbis added to the Torah's definition of the *mitzvah*. The Rabbis determined that even after fulfilling the Torah's requirement of fathering one child of each gender one should continue to have additional children. R. Yehoshua explains that this is intended to raise the probability of succeeding in the ultimate goal of raising healthy, God-fearing children, since any single attempt cannot be relied upon to yield the anticipated results.³² The Rabbis thus expanded the Torah's initial requirement out of concern for the child's future health and spiritual development.

Rabbi Yosef Karo makes explicit reference to this as part of the broader rationale for the commandment and writes that while fulfilling the marital act, one's intention should be: "to fulfill the commandment of his Creator to have sons who are engaged in the [study of] Torah and who are fulfilling the commandments of the people of Israel."³³ One may conclude that the overriding rationale of this *mitzvah* entails much more than the physical/biological creation of a child—it encompasses the desire to raise healthy, upright, and God-fearing children.³⁴

This claim, that caring for the future character of one's offspring can constitute a *hidur mitzvah* of *peru u-revu*, has already been put forth by the Maharam Schick (Rabbi Moshe Schick 1807-1879).³⁵ In the general context of the halakhic discussion of whether or not a *hidur mitzvah* takes precedence over the importance of "*zerizin makdimin le-mitzvot*," the Maharam Schick turns to the example of our forefathers and poses a question: How are we to understand the fact that Avraham—who appears throughout rabbinic literature as the "father" of all "*zerizim*"—did not take any steps to marry off his son Yitzhak immediately upon his coming of age, waiting instead until he reached the relatively advanced age of forty?

The Maharam Schick suggests that Avraham Avinu's behavior can best be understood as proof of the primacy of the perfect (although belated) performance of a *mitzvah* over its immediate execution. He explains that the post-

then the father has not yet fulfilled the latter definition of the *mitzvah*. Even though the father succeeded in performing the act of creation, the purpose and goal was not met.

³² This is derived from the verse: "In the morning sow your seed, and in the evening do not let your hand be idle, for you cannot know which will be successful—this one or that one—or whether both are equally good." (Ecc. 11:6) See Rashi, *Yevamot* 62b, s.v. *ay zeh yekhshar*.

³³ *Shulhan Arukh, Orach Hayim* 240.

³⁴ A number of sources indicate that when it is clear that one's children will not be raised and educated according to Torah ideals there is no value in having children. God's response to Hizkiyahu in *Berakhot* (10a) does not refute Hizkiyahu's assumption, but is rather viewed as his inability to know God's machinations through history. See *Gen. Rabah* 44:9, where it explains that Avraham Avinu's heartfelt desire to bear children is wholly dependent on their future acceptance of the Torah.

³⁵ See *She'eilot U-Teshuvot Maharam Schick, Even Ha-Eezer* 1.

ponement was based on the understanding that if Yitzhak were to first perfect his own character, raising himself to a higher spiritual plane, it would in turn have a beneficial effect on the nature and behavior of his future offspring. As our forefathers' deepest wish was that their children continue on in their path, they willfully postponed the *mitzvah*, waiting for the most opportune time in order to fulfill it in the most perfect manner possible.

With this perspective of the Maharam Schick, we can now support our original claim. The couple's decision to wait until they can better execute their charge of parenthood indeed becomes an instance of delaying the performance of a *mitzvah* in order to fulfill it at a later time in a more perfect manner.

Conclusion

Various groups within the larger Orthodox community often deny legitimacy to any valid, alternative halakhic approaches that differ from their own. Many assume naively that any behavioral nonconformity between the different Orthodox streams results from a pervasively lax attitude towards various religious practices rather than from a legitimate, halakhic source and difference of opinion. Since these attacks often go unanswered, are left unchallenged, or disregarded, the popular impression created in the minds of members of both communities is that these alternate perspectives cannot truly be defended.

Based on the sources however, I believe that the common practice of many young Orthodox couples to postpone having children for any of the considerations mentioned above can be fully validated from a Torah perspective and certainly supported from a halakhic standpoint as well. One may indeed choose to differ with a couple's general outlook on life or with their prioritizing of values. However, one should respect the fact that they are attempting to live according to their own religious and moral convictions in a manner that can (and should) be sanctioned halakhically.³⁶

³⁶ For two additional recent discussions on the topic see See R. Yuval Sherlow's "Delaying the First Birth by Young Couples," *Tzohar* 27, 83-89; as well as R. Michael Broyde "Birth Control and Jewish Law—A Pastoral Letter," at : <http://www.yith.org/newsletter/newsletter.01.5766.pdf>. R. Broyde's halakhic position resembles that which we have presented: "Generally speaking, it is my view that there is nothing wrong with delaying fulfilling the obligation to have children (by not marrying, abstaining from sexual relations, or from using a permissible method of birth control) so long as one does not do so in a manner which defeats the fundamental obligation itself to have children."