

SHOULD THERE BE A SPECIAL CEREMONY IN RECOGNITION OF A FIRST-BORN FEMALE CHILD?

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This paper was approved by the CJLS on May 19, 1993, by a vote of seventeen in favor and six abstaining (17-0-6). Voting in favor: Rabbis Kassel Abelson, Stanley Brannick, Elliot N. Dorff, Jerome M. Epstein, Samuel Fraint, Arnold M. Goodman, Reuven Kimelman, Judah Kogen, Vernon H. Kurtz, Lionel E. Moses, Paul Plotkin, Mayer Rabinowitz, Avram Israel Reisner, Joel E. Rembaum, Chaim Rogoff, Joel Roth, and Gerald Skolnik. Abstaining: Rabbis Ben Zion Bergman, Myron S. Geller, Susan Grossman, Jan Caryl Kaufman, Aaron L. Mackler, and Gordon Tucker.

The Committee on Jewish Law and Standards of the Rabbinical Assembly provides guidance in matters of halakhah for the Conservative movement. The individual rabbi, however, is the authority for the interpretation and application of all matters of halakhah.

שאלה

Should there be a special ceremony in recognition of a first-born female child?

תשובה

While the desire to enhance the sense of worth and value to the Jewish community of a female child is understandable and laudable, it would be preferable to include the element of בכורה בת as a component of a שמחת בת ceremony, rather than create a new ceremony which few would be likely to utilize and which would have no true halakhic integrity.

The general question of whether or not a פדיון הבן ceremony might properly be performed for a female first-born child is answered clearly and unequivocally in the Torah. The mandated practice of redeeming the first-born son from his special religious obligations via the agency of the levī'im (or today their descendants, the kohanim; see Exod. 13:1-2, and Num. 3:11-13 and 18:15-16) clearly holds only with regard to male first-born children, and not female. No matter what the motivation, one cannot change history and retroactively project this obligation onto a female child.

In our own time, a number of factors have conspired to cause the practice of פדיון הבן to fall into widespread disuse. In addition to the general unfamiliarity of our laity with its origins and significance, large numbers of adoptions in the Jewish community, the tremendous number of women who have had previous abortions or miscarriages, or whose first-

born sons were delivered by Caesarean section, have contributed to this situation even more. All are practices or states of being which render a פדיון הבן unnecessary. While it might be something of an exaggeration to call a פדיון הבן a rare occurrence, it certainly does not occur with the frequency of a ברית מילה or a שמחת בת. Moreover, those instances when a פדיון הבן does occur are, as often as not, more excuses for food to be served and friends and relatives to be gathered together than they are religious events of any real significance.

None of this in any way renders null and void the Torah's command with regard to the redemption of the first born son. Certainly, the ignorance of the laity on this matter cannot be the determining factor, nor can the relative rarity of the event. These ceremonies should be taking place when they are supposed to.

Yet the fact that the Torah clearly restricts the practice of פדיון הבן to male first-born children only serves to reinforce the sense of distress experienced by some men and women regarding gender-related status issues in the Jewish community. Is a first-born female child less precious to God in our eyes than a male one? The exclusive obligations and privileges of a first-born male Jewish child in ancient Israel certainly do, to many, suggest that. And for those who feel that way, the absence of a parallel ritual today for first-born female Jewish children only serves to exacerbate the sense of historic inequity.

It was to address this situation that the Chairman of the Committee on Jewish Law and Standards suggested that perhaps someone would be interested in drafting a ceremony to take note of the special status – in our eyes, today – of the first-born female Jewish child. I volunteered believing at the time that such a ritual might alleviate the aforementioned inequity perceived by some, without doing harm to the halakhic issues involved in פדיון הבן.

Although it is somewhat uncomfortable to say so, I have, after a good deal of consideration, come to the conclusion that the development of such a ceremony is unnecessary and perhaps even ill-advised. I would rather withdraw from my original position than compose some sort of service that I myself would probably never utilize.

The reasoning behind my decision is as follows. To a great degree, the development and increasing prevalence of שמחת בת ceremonies has effectively served the purpose of providing a meaningful and parallel yet unique vehicle for welcoming a female child into the covenant between Israel and God. The task before me, therefore, was not to create some sort of ritual expressing the covenant idea. And, though the true thematic rationale for the ceremony would be redemption, it also increasingly seemed to be a mistake to create a ceremony which would assume that women needed to be redeemed from obligations which they never had in the first place.

What remained, therefore, was to create a ritual vehicle for expressing the special spiritual and familial status of the first-born Jewish female child, much as a first-born male child would enjoy in today's family. Ultimately, I came to the conclusion that it would be better to incorporate the aspect of "first-born-ness" into the שמחת בת ceremony than to create an entirely different ceremony which relatively few people would ever utilize.

In a very brief span of time as Jewish law goes, the שמחת בת ceremony has become widely accepted and utilized, even outside the Conservative community. To the degree that we can reinforce the importance of welcoming a female child into the covenant with the same sense of enthusiasm that we do a male child, הרי זה משובח, the absence of a halakhic time-mandate for a שמחת בת affords parents the opportunity to hold the ceremony at their convenience. Unless they are specifically wedded to the parallelism of a ברית מילה ceremony on the eighth day after birth, there is no reason why the שמחת בת ceremony for a first-born female child could not be held on the day when a פדיון הבן would have been held for a male first-born child – i.e., ופדיוו מִבֶּן חֹדֶשׁ תַּפְדֶּה (Num. 18:16).

For an idea as to how to thematically and appropriately bring the notion of the פדיון ceremony into the שמחת בת, I am grateful for the creative suggestion of my friend and colleague Rabbi Laurence Sebert. The juxtaposition of the command to redeem the first-born Israelite child in Exodus 13 with the account of the plague of the slaying of the Egyptian first-born in Exodus 12 has, to some commentators, suggested an association between the two. In that light, the well-known text from Sh'mot Rabbah 1:12 seems particularly appropriate:

דרש רבי עקיבא בשכר נשים צדקניות שבאותו הדור נגאלו אבותינו
ממצרים.

Rabbi Akiva interpreted: By virtue of the reward due the righteous women of the generation of the Exodus were our forefathers redeemed from Egypt.

What better or more appropriate connecting text could there be?

Conclusion

For all of the above reasons, I have therefore concluded that the Biblically mandated practice of פדיון הבן is restricted to male first-born children, and should not be expanded to include first-born female children. However, all gatherings which serve the purpose of enhancing the sense of blessing and specialness associated with the birth of a first-born female child are to be encouraged.