“Famous” Fetuses in Rabbinic Narratives

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Abstract and Keywords
This chapter examines rabbinic narratives about fetuses recorded in compilations dating from the third through the tenth centuries CE. Instead of placing these traditions within the context of contemporary questions about abortion, this chapter illustrates the ways that rabbinic narratives about fetuses and traditions about the creation of the embryo provide insights into rabbinic constructions of Israel. Particular attention is paid to rabbinic traditions about prenatal Jacob and Esau, which demonstrate that the rabbis often construct Jewishness in oppositional relation to non-Jewishness.

Keywords: rabbinic, fetus, Jewishness, covenant, Jacob, Esau, Revelation, Exodus, procreation

God said to them, “Do you see that I want to give the Torah to your parents, and you are the guarantors for them, that they will fulfill it?”
They said to God, “Yes.”
God said to them, “I am the Lord your God who brought you out?”
They said to God, “Yes.”
“There will be no other gods before you?”
They said to God, “No.”
God said to them, “You will not swear falsely by the name of the Lord your God?”
They said to God, “No.”
And so it was that they answered God “yes” to all the yes questions and “no” to all the no questions.
This conversation—between God and the Israelite fetuses in their mothers’ wombs—takes place, according to medieval traditions, at Sinai, immediately before God delivers the Torah to Israel. The text, cited here from the Midrash on the Ten Commandments (ca. tenth century CE), reconceives revelation at Sinai, imagining that, before God gives the Torah to Israel, God asks for guarantors that Israel will fulfill it. Israel, according to this tradition, first offers its fathers, Abraham, Isaac, and Jacob, but God rejects them as suitable guarantors because of their past misdeeds. Then Israel offers God its fetuses. The children of Israel bring their pregnant women, and God makes their bellies like glass—rendering the fetuses visible and presumably giving them sight—and then God proceeds to ask if they will fulfill the commandments. The fulfillment of the Torah and its commandments cannot depend on the past, even (p.186) the glorious past embodied by Israel’s patriarchs. Rather, the text continues, the very foundations of the Torah rest upon fetuses, who embody Israel’s future. And yet, the fetuses not only embody Israel’s future, serving as the proper guarantors for their parents at Sinai, but the text further suggests that the fetuses enter into their own covenantal relationship with God, acknowledging God as the God who brought them out of Egypt and promising to have no other gods. As God renders the women’s bellies like glass, the text renders the fetuses active participants in Israel’s covenantal relationship with God, thereby locating the very beginnings of “Jewishness”1 in the womb.

This chapter demonstrates that rabbinic narrative sources, beginning in the third century CE and continuing into the Middle Ages, consistently use the fetus as a vehicle to articulate that which is central to the construction of rabbinic Jewishness. Although the medieval tradition cited above represents the culmination of rabbinic narratives about the fetus discussed here, the Hebrew Bible already sets forth the textual beginnings.

In the Hebrew Bible, fertility rests in the purview of God.2 Numerous biblical verses demonstrate God’s involvement in granting or withholding pregnancy. For example, Genesis 20:18 states, “For the Lord had fast closed up all the wombs of the house of Avimelech,” and Genesis 29:31 states, “And when the Lord saw that Leah was hated, he opened her womb.” According to Genesis 30:1–2, when Rachel desperately desires children, Jacob responds, “Am I in God’s place, who has withheld from you the fruit of the womb?” God’s involvement in procreation is reiterated later in the same chapter, “And God remembered Rachel, and God listened to her, and opened her womb” (Gen. 30:22). And Hosea 9:11 states, “As for Ephraim, their glory shall fly away like a bird, no birth, no pregnancy, no conception.”3 Furthermore, multiple passages from Isaiah and Jeremiah credit God with the creation or formation of Israel in the womb.4 For example, Isaiah 44:1–2 states, “Yet now hear O Jacob my servant and Israel whom I have chosen: Thus says the Lord that made you and formed you from the womb.”5 Job credits God with his formation (Job 10:8–12 and 35:15), and in Psalm 139:13–16 the psalmist attributes his creation to God, proclaiming, “You have formed my
insides; You knit me together in my mother’s womb.” Finally, biblical passages already indicate that some kind of relationship between God and Israel begins in the womb. Jeremiah 1:5 states, “Before I formed you in the womb I knew you, and before you came forth out of the womb (p.187) I made you holy, and I ordained you a prophet to the nations.” Isaiah 49:1 provides the corollary, that Israel likewise locates the beginnings of God’s relationship with it in the womb: “The Lord appointed me before I was born, He named me while I was in my mother’s womb.” Although these verses might be understood to refer only to Israel’s prophets and God’s knowledge of them in utero, Psalm 22 and 71 establish that Israel recognizes God already from the womb. Psalm 22:11 asserts, “From my mother’s womb you have been my God,” and Psalm 71:6 proclaims, “I depended on You while in the belly; in the womb of my mother you were my support.”

Rabbinic sources extend the mutual recognition between God and Israel in the womb to all “Jewish” “fetuses.” The process by which the fetus might be considered Jewish will be traced throughout this chapter, but the use of the term “fetus” requires some immediate comment. Although rabbinic traditions about the fetus remain consistent with biblical sources insofar as both implicate God in the process of coming-into-being and locate the beginnings of Israel’s relationship with God in the womb, one obvious difference presents itself through language. The Hebrew Bible has no distinct word for embryo or fetus. Rabbinic traditions, however, use the words valad and ubar, both of which are almost always qualified by the phrase “in its mother’s womb” or something similar. While not altogether identical with contemporary uses of the word “fetus,” the Hebrew words valad and ubar, followed by the specific location “in its mother’s womb,” nevertheless bear certain similarities with this term, and I translate the phrase as fetus throughout this chapter.

Beyond this discrepancy in language, the difference between biblical and rabbinic traditions about the fetus is one of degree, not of kind. Rabbinic traditions that theorize procreation elaborate upon God’s role in the process of coming-into-being already set forth in biblical sources. Most notably, rabbinic traditions about procreation, in contrast to biblical sources but consistent with Greco-Roman writings on the topic, set forth varying, even conflicting, theories of procreation that explicitly mention the human procreative substances with which God works, be it male seed, or male seed and female seed or blood.

Rabbinic traditions about the fetus also elaborate on the nature of the relationship between God and Israel in the womb, developing the biblical notion of mutual (p.188) recognition between the two already in utero into a thoroughly rabbinic articulation of what the relationship between God and Israel entails from its very beginnings. When rabbinic sources imagine that God creates and cares for the fetus and that the fetus sings praises to God and wishes to study and pray; that Israeliite fetuses are present and participating at
the Song of the Sea and revelation of Torah; and that some fetuses are even born circumcised—these sources simultaneously construct, or mark, the fetus as Jewish and locate the very beginnings of Jewishness in the womb. In rabbinic traditions about the fetus, the rabbis project their own practices and beliefs into the womb to such an extent that the fetus becomes a unique vehicle for conceiving Jewishness itself.

“And the sons struggled together inside her”: Articulating Self and Other in the Womb

And the sons struggled together inside her; and she said, If it be so, why am I thus? And she went to inquiere of God. And God said to her, Two nations are in your womb, and two peoples shall be separated from your bowels; and the one people shall be stronger than the other people; and the elder shall serve the younger. And when her days to be delivered were fulfilled, behold, there were twins in her womb. And the first came out red, all over like a hairy garment; and they called his name Esau. And after that came his brother out, and his hand took hold on Esau’s heel; and his name was called Jacob.

(Gen. 25:22–26)

Through the various midrashic readings of Jacob, Esau, and their prenatal struggle within Rebekah, the rabbis theorize Jewishness, non-Jewishness, and the hostile relationship inherent in these two constructions—from their very conception. In these traditions, the rabbis reflect upon Jewishness in relation to its “other,” non-Jewishness. More precisely, the rabbis articulate Jewishness, as embodied by Jacob, over and against non-Jewishness as embodied by Esau.

The biblical verse, “And the sons struggled together inside her; and she said, If it be so, why am I thus? And she went to inquiere of God,” provides the textual opening for midrashic readings of Jacob’s in utero Jewishness and Esau’s prenatal non-Jewishness. God’s response to Rebekah’s own searching (l’drosh) for some explanation for her pain and anxiety during pregnancy further provides the rabbis with the perfect midrashic opportunity to search out—to theorize—rabbinic Jewishness and its other. God answers Rebekah, explaining, “Two nations are in your womb, and two peoples shall be separated from your bowels; and the one people shall be stronger than the other people; and the elder shall serve the younger.”

The rabbis begin by considering what Jacob and Esau may be fighting about already in the womb. These rabbinic traditions attempt to fill in the biblical story, which only mentions that they are struggling but does not explain the nature of their struggle. *Genesis Rabbah* 63:6 states: “And the sons struggled together [vayitrotzatzu] within her. R. Yohanan and Reish Lakish [interpreted the word vayitrotzatzu]. R. Yohanan said, ‘this one ran [ratz]10 to kill this one and this one ran to kill this one.’ R. Shimeon b. Lakish said, ‘this one permitted11 the [forbidden] commands of this one, and this one permitted the [forbidden] commands of this one.’”12 This passage provides two explanations of Jacob and Esau’s struggle within Rebekah’s womb. The first interpretation, attributed to R. Yohanan, suggests that Jacob and Esau already engage in mortal struggle as fetuses, as they each try to physically kill each other. In contrast, R. Shimeon b. Lakish imagines Jacob and Esau as waging a spiritual/cultural battle, not a physical one. R. Shimeon b. Lakish’s interpretation constructs Jacob in the womb as a rabbinic Jew, who observes commandments, and it constructs Esau as a non-Jew, who follows his own laws.13 Although this text does not specify how Jacob and Esau follow their respective commandments or even what these commandments are, *Lekah Tov*, a later midrashic compilation (ca. twelfth century CE), provides some examples: “This one permitted the commands of this one. How so? This one forbids [work on] shabbat and this one forbids [work on] Sunday; this one forbids [the eating of] pork and this one permits it.”14 Thus Jacob already observes shabbat and kashrut, while Esau does not.

*Genesis Rabbah* 63:6 continues, returning to the physical struggle between Jacob and Esau in Rebekah’s womb: “R. Berekiah in the name of R. Levi, ‘Do not say that [only after] Esau went forth from his mother’s womb did he attack him [Jacob]. But [even] while he was in his mother’s womb, his fist [zoro] was stretched out against him. As it is written, The wicked are estranged [zoru/make fists] from the womb [they go astray from the womb] (Ps. 58:4).”15 This tradition again imagines that Esau attacks Jacob while in the womb. R. Berekiah’s statement moves beyond the assertion of Esau’s otherness to proclaim his “wickedness,” thus conflating difference with wickedness.

Finally, *Genesis Rabbah* 63:6 offers one more interpretation of Jacob and Esau’s in utero struggle: “And the sons struggled together within her. The sons hastened within her. She passes by houses of idolatry and Esau kicks to go out. As it is written, The wicked are estranged from the womb (Ps. 58:4). She passes by synagogues and houses of study and Jacob kicks to go out. As it is written, Before I formed you in the womb, I knew you (Jer. 1:5).”16 Again, revisiting the spiritual/cultural aspect of Jacob and Esau’s struggle, this part of the text portrays Esau as a wicked idolater already in the womb, wishing to worship “strange” gods. In contrast, Jacob—as a fetus—already wishes to pray and study, like the ideal rabbinic Jew. Furthermore, this midrash asserts that not
only does Jacob wish to pray and study—to know God—but God already knows Jacob, just as God knew Jeremiah in the womb.

Up to this point, *Genesis Rabbah* 63:6 explicitly constructs Jacob and Esau, as individuals, in opposition to each other. However, throughout rabbinic literature, Jacob and Esau often represent the collective bodies of Israel and Rome, respectively.\(^{17}\) That the rabbis understand Jacob as Israel and Esau as Rome becomes apparent in *Genesis Rabbah* 63:7:

*Two nations are in your womb* (Gen. 25:23). Two proud nations are in your womb. This one is proud in his world and this one is proud in his world. This one is proud in his kingdom and this one is proud in his kingdom. Two proud nations are in your womb: Hadrian of the nations [of the world] and Solomon of Israel. Two hated nations are in your womb: All the nations hate Esau and all the nations hate Israel. Those who hate your children\(^{18}\) are in your womb, as it is written, *But Esau I hated* (Mal. 1:3).

Here the midrash explicitly connects Esau with Rome and Jacob with Israel, as Rebekah not only carries forth Esau and Jacob, but their offspring: Hadrian and Solomon. The rabbis portray both nations as proud and hated by others. The last line, as rendered above, also alludes to the hatred that Rome has for Israel. However, commentators have suggested a variant reading, which states, “Those hated by your Creator are in your womb.” This amendment has the advantage of being closer to the biblical proof text, which has God express God’s hatred for Esau. Furthermore, Malachi 1:2 has God stating, “Yet I loved Jacob” and then \(^{(p.191)}\) continues to point out that God hated Esau (Mal. 1:3). Thus the text simultaneously asserts God’s love of Jacob/Israel and God’s hatred of Esau/the nations already in the womb.\(^{19}\)

*Genesis Rabbah* 63:7 then interprets the continuation of Genesis 25:23: “Two peoples shall be separated from your bowels. R. Berekiah said, ‘From here we learn that he (Jacob) was born circumcised.’”\(^{20}\) The difference between Jacob and Esau—Israel and the nations—depends not only on theological beliefs (monotheism or polytheism) or practices (observance of the commandments; worship through study and prayer or observance of other laws and “strange” worship) already evident in utero, but the biblical separation of which God speaks in Genesis 25:23 manifests itself as a sign in the flesh—a physical demarcation of bodily difference. Jacob, already in Rebekah’s womb, embodies rabbinic (male) Jewishness; Esau, already in the womb, embodies otherness, for presumably he remains uncircumcised.\(^{21}\)

*Genesis Rabbah* 63:8 proceeds to assert that Jacob’s righteousness and Esau’s wickedness are apparent at birth. Thus Jacob and Esau, already as fetuses, embody the separation of Israel and the nations both bodily and spiritually: “And when her days to be delivered were fulfilled [vayiml’u] behold, there were twins
in her womb (Gen. 25:24). Later [the word for twins is written] full [malei] and here it is deficient. [Here it doesn’t say], ‘Behold there were twins [tomim] in her womb’ but twins [tomm] is written. There [where it is written full it refers to] Peretz and Zerah, both of them righteous. Here [it refers to] Jacob and Esau, one righteous and the other wicked.”

Again, the text constructs Jacob and Esau as opposites. As Jacob is circumcised, so too is he righteous, and as Esau is uncircumcised, so too he is wicked—already in the womb. That these traditions on the whole refer not only to Jacob and Esau, but also to Israel and Rome, surfaces again in the final sections of Genesis Rabbah 63:8. Interpreting Genesis. 25:25, “And the first came out completely red,” the text states: “Why did Esau come forth first? So that he would come forth and take his foul matter with him. R. Abahu said, ‘Like a bath attendant who washes the bath house and afterwards bathes the king, so too why did Esau come forth first? So that he would come forth and [take] his foulness with him.’”

Presumably, no foulness accompanies Jacob’s birth; he is apparently born pure. Furthermore, the text compares Jacob to a king, thus alluding to Israel’s eventual triumph over Rome, which is explicitly invoked in the final text from Genesis Rabbah 63:8 discussed here: “And after that his brother came forth (Gen. 25:26). A [Roman] prefect asked one from the house of Silna, who will seize [power] after us? He [the one from the house of Silna] brought a piece of paper and took a quill and wrote on it, And after that his brother came forth, and his hand seized Esau’s heel. They said, ‘See: old words from the mouth of this new elder.’”

Although Rome rules over Israel at this moment, Israel will ultimately triumph. Israel grasps Rome’s heel, as it were, just as Jacob held fast to Esau’s heel. And eventually, Rome will serve Israel just as Esau serves Jacob.

According to Genesis Rabbah 63:6–8, before birth and at birth, the character—the essences—of Jacob and Esau are already established. The rabbinic interpretation of Esau as Rome and Jacob as Israel already applies to Jacob and Esau as fetuses in Rebekah’s womb. These traditions portray Esau as a wicked, filthy, uncircumcised idolater, who physically injures his mother and tries to kill his brother. In contrast, these same traditions cast Jacob as the paradigmatic rabbinic Jew. As much as Esau epitomizes non-Jewishness, Jacob embodies rabbinic Jewishness: he observes the mitzvot (specifically kashrut and shabbat according to a later tradition); he is known by, and he knows, God; he wishes to study and pray; he is righteous, although he too tries to kill his brother; and he is circumcised.

The lack of ambiguity or nuance in these traditions about Jacob and Esau as fetuses overlooks or simply ignores the depth of ambiguity that shadows these figures in the biblical sources. Although the rabbinic interpretations in Genesis Rabbah 63:6–8 portray Jacob as beyond reproach, Genesis does not readily
suggest such a characterization as a given. And the rabbis, in these passages, portray Esau as beyond salvation, again despite biblical evidence to the contrary. The rabbis neglect, in this context, to comment upon the poignant reconciliation between Jacob and Esau in the book of Genesis: “And he passed over before them, and bowed to the ground seven times, until he came near to his brother. And Esau ran to meet him, and embraced him, and fell on his neck, and kissed him; and they wept” (Gen. 33:3–4).

This rabbinic portrayal of Jacob and Esau as so diametrically opposed throughout Genesis Rabbah 63:6–8 suggests that these traditions have much to do with the construction of rabbinic Jewishness on a national level in the rabbis’ own (p.193) political-cultural setting, when no such reconciliation seems imminent. In these traditions the rabbis do not merely playfully imagine the essences of the battling siblings Jacob and Esau, but they simultaneously, and in all seriousness, construct and essentialize both rabbinic Jewishness and its other. For the rabbis, the biblical figure of Jacob, who becomes/is Israel (Gen. 32), reflects their own group identity. And Esau, who becomes/is Rome, provides the mirror image from which to reflect all that appears anathema to them.

The rabbis do not appeal to Jacob and Esau’s biblical reconciliation. Instead, they grasp hold, perpetuate, and almost eternalize—and they certainly internalize—their difference(s). The rabbis cling to the hope that once again, the older will serve the younger, and on the heels of Roman domination, Israel will once again prevail. The rabbis anachronistically portray Jacob as a rabbinic Jew while in his mother’s womb—reading the rabbinic present into the biblical past—as they foretell the future of Israel’s triumph and redemption through this foundational story of their past. Jacob becomes a rabbinic Jew—both the progenitor and product, the father and son, of the rabbis—as the rabbis make themselves the continuing line of Israel.27

Rabbinic traditions about Jacob and Esau as fetuses expand the biblical passage in Genesis 25 that briefly mentions their prenatal struggle. According to the midrashim, Jacob and Esau struggle over matters of survival and national identity, perhaps equating the intensity of both struggles. Rabbinic Jewishness, no less than physical survival, is a matter of life and death. God’s pronouncement about the future of Rebekah and Isaac’s twins in Genesis 25 provides the rabbis with the opportunity to theorize the difference between Jacob and Esau, and the nations they have engendered: Israel and Rome. Both nations, both peoples, struggle together in Rebekah’s womb, because, according to these rabbinic traditions, Jewishness and non-Jewishness begin in the womb.

I have focused at some length on the traditions about Jacob and Esau set forth in Genesis Rabbah because these siblings are construed, already as fetuses, as paradigms for Israel and Rome, provocatively exemplifying—and internalizing—rabbinic cultural articulations of “otherness” and selfhood. Since Jacob and Esau
symbolize Israel and Rome on a national level, prenatal Jacob and Esau are not, or at least not only, exceptional or extraordinary; they are paradigmatic. Indeed, this is already alluded to when the rabbis remake Jacob into a rabbic Jew already in the womb, since he is Israel’s namesake; Jacob is Israel. Jacob’s in utero rabbic Jewishness, therefore, not only designates Jacob as extraordinary but further suggests that all Israel as Jewish already in the womb.

“Before I formed you in the womb”: Rabbinic Articulations of Jewishness in the Womb

In contrast to the traditions discussed above, where rabbic Jewishness is theorized in relation to its other, rabbic traditions about the fetus discussed in (p.194) the following section theorize rabbic Jewishness by itself, from within. We have already seen that Genesis Rabbah 63:6 applied the verse from Jeremiah, “Before I formed you in the womb I knew you, and before you came forth out of the womb I made you holy” (1:5), to Jacob in Rebekah’s womb. Since Jacob symbolizes Israel on a collective level, the application of this verse to Jacob in the womb suggests that God knows all Israelite fetuses, not just famous fetuses. Indeed, another rabbic tradition uses Psalm 139, “Your eyes have seen my unformed shape” to demonstrate that God knows the fetus, “famous” or not, in its mother’s womb. This more general application further indicates that, according to rabbic narrative traditions, God knows all Israel already as fetuses.

This section focuses on rabbic traditions that imagine Israelite fetuses as a collective at the birth of the nation—singing after crossing the Red Sea and receiving Torah at Sinai—along with rabbic traditions that imagine that all Israel already as fetuses praise God and receive God’s Torah. Again I suggest that these traditions provide insights into the rabbic construction of Jewishness itself. These sources not only describe how the rabbis conceived the fetus in its mother’s womb, but they also demonstrate how the rabbis used the fetus to articulate that which they themselves saw as essential to, and perhaps even constitutive of, rabbic Jewishness.

In contrast to the rabbic traditions about Jacob and Esau examined in the previous section, which were all recorded in one section of Genesis Rabbah, this section more broadly surveys rabbic narratives about the fetus from a variety of rabbic compilations of different time periods (third through eighth centuries CE) and geographical locations (Palestine and Babylonia). Despite some methodological difficulties inherent in such a broad survey, a distinct advantage gained from such an investigation is that it demonstrates that rabbic traditions about the fetus, like the fetus itself, develop over time.

Singing Fetuses

One of the most pervasive rabbic traditions about the fetus recorded in both tannaitic (ca. third century CE) and amoraic sources (ca. fourth through sixth
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centuries CE) teaches that after Israel crosses the Red Sea, the fetuses join in singing their God’s praises. The *Mekhilla of R. Ishmael*, the *Mekhilla of R. Shimeon bar Yohai*, the Tosefta, the Yerushalmi, and the Bavli, as well as later midrashic compilations, all record a version of this teaching. At a moment of national birth, when Israel ceases to be just Jacob as an individual and becomes a collective people, the rabbis consistently assert that the fetuses in their mothers’ wombs praised God. Citing just the end of a lengthy discussion, the *Mekhilla of R. Ishmael* (d’Shira 1) states: “R. Meir says: ‘Even the fetuses in their mothers’ wombs opened their mouths and sang before God. As it is said, *Bless God in the congregations, the Lord from the womb [m’makor] of Israel* (Ps. 68:27).’ R. Meir interprets m’makor Israel as “from the womb of Israel” and so the fetuses, Israel from the womb, opened up in song to praise God after the crossing of the sea. These collective Israelite fetuses recognize God as the God who delivered them out of Egypt, and thus they praise God for their deliverance.

Beyond this often-repeated tradition about the collective Israelite fetuses of the generation of the Exodus praising God as their deliverer, Palestinian *amoraic* sources also indicate that God delivers all individual fetuses, if not from Egypt, at least from the womb. Indeed, the crossing of the sea itself has been interpreted as nothing short of a miraculous birth story on a national level. Ilana Pardes characterizes the parting of the Red Sea as the preeminent wonder God performs for the Israelites, explaining that the passage “marks the nation’s first breath—out in the open air—and serves as a distinct reminder of the miraculous character of birth. Where there was nothing, a living creature emerges all of a sudden.” She continues, “It is an intensified miracle: a wonder on a great scale. The two enormous walls of water, the ultimate breaking of the waters, and the exciting appearance of dry land all seem to represent a gigantic birth, a birth that is analogous to the creation of the world.” Thus, God “births” the Israelites out of Egypt, and, in like fashion, as the following traditions suggest, God brings forth every fetus from the womb.

*Leviticus Rabbah* 14:2 likens the womb to a prison, in which God cares for the fetus and from which God releases and “brings forth” the fetus. *Leviticus Rabbah* 14:4 interprets Job 38:8, “Who shut up the sea with doors, when it broke forth and came out of the womb,” to describe the gestation and birth, or delivery, of the fetus from its mother’s womb, suggesting that just as God let the sea issue out of the womb, God brings forth the fetus from the womb. Furthermore, just as the collective Israelite fetuses praise God after crossing the sea, so too every fetus praises God from the womb. *Leviticus Rabbah* 4:7 interprets Psalms 103 and 104, which mention the word soul (*nefesh*) five times: “R. Yehoshua ben Levi said: ‘Five times the word soul is written here. Five times stands for the five worlds that a person sees. *Bless the Lord, O my soul: and all that is within me* [k’ravai] (Ps. 103:1). [This is said] at the time that one dwells in its mother’s womb.” Psalm 103:1 is interpreted as, Bless the
Lord, O my soul, from within the womb, which is understood as the first world one sees. Thus the fetus praises God already in the womb. *Leviticus Rabbah* 4:7 does not specify for what the fetus praises God, but Psalms 103 and 104 provide ample statements affirming God as the creator of everything. Furthermore, Psalm (p.196) 103:4 states, “[Bless the Lord, O my soul …] Who redeems your life from the pit, who encircles you with loving kindness and compassion.” Although *Leviticus Rabbah* 4:7 does not explicitly state that the fetus utters this specific verse while in its mother’s womb, the biblical context and proximity of these verses suggest that, once again, God redeems or delivers all Israel from the womb, just as God delivered the Israelites—even those in the womb—from Egypt.

Finally, if, as Pardes asserts, the passage of the Israelites through the sea represents a moment of national birth, which recalls Creation, the collective Israelite fetuses, along with Israel, not only praise God as deliverer, but also God as creator. Pardes writes, “Accordingly, God is defined as the ‘maker’ of the nation [*am zu kanita*], a term that otherwise is used only in the context of the creation (Exod. 15:16).” Numerous rabbinic traditions about procreation attribute the creation of the embryo to God, as will be discussed below. Here I mention just one tradition, which in the midst of a description of the fetus in its mother’s womb, applies Psalm 139:16, “Your eyes have seen my unformed shape,” to the fetus (y. *Nid.* 3:3;50d; *Lev. Rab.* 14:8). The overall context of Psalm 139:13–17 teaches that God has created the fetus, with Psalm 139:13 stating, “For you have made [*atah kanita*] my insides.” Since Psalm 139 uses the second-person “you,” the rabbinic attachment of this psalm to the fetus suggests that the fetus itself acknowledges God as its creator. It is as if the fetus recites this psalm in the womb. Furthermore, Psalm 139:9–10 states, “If I take the wings of the morning, and dwell in the uttermost parts of the sea, even there shall your hand lead me, and your right hand shall hold me.” According to these verses, every fetus, not only those of the generation of the Exodus, acknowledges God as both its deliverer in the sea, or womb, and as its creator.

The rabbinic traditions discussed above indicate that fetuses, be they the collective Israelite fetuses of the Exodus generation or the individual fetus as imagined by the rabbis in their own time, praise God as their creator and deliverer. The fetuses recognize God as the God who creates and brings Israel forth, from Egypt and the womb. These traditions emphasize God’s roles as deliverer and creator of Israel, and because they are projected onto the fetus in its mother’s womb, they highlight the importance, the centrality of the belief in God as the creator and deliverer of Israel for the construction of rabbinic Jewishness. This belief, apparently, exists while one is still a fetus, and thus, in some way, this belief is not only essential, but also innate, to rabbinic Jewishness.
Studying Fetuses

Revelation at Sinai follows the Exodus not only in Israelite history but, according to rabbinic traditions, also in fetal development. The medieval tradition cited at the opening of this chapter has it that the collective Israelite fetuses who sing to God after crossing the sea also bear witness to, and even participate in, the giving of Torah at Mt. Sinai. As the following rabbinic traditions demonstrate, all fetuses, not only the collective Israelite fetuses of the generation of the Exodus, receive Torah already in the womb.

As seen above in Genesis Rabbah 63:6, Jacob, already in the womb, sought to enter synagogues and houses of study. According to a rabbinic tradition first recorded in the Babylonian Talmud (or Bavli, ca. sixth century CE), the fetus not only desires to study Torah but actually learns Torah in the womb, only to be slapped by an angel at the moment of birth, causing it to forget what was learned. Bavli Niddah 30b, in the context of an extended discourse about the fetus attributed to R. Simlai, states, “And they teach it [the fetus] all the Torah in its entirety.” In order to substantiate this claim, the text first cites Proverbs 4:4, applying it to the fetus, “He taught me also, and said to me, Let your heart hold fast to my words: keep my commandments and live.” Presumably this is a fitting proof text for the fetus because it teaches that if the fetus keeps the commandments, the fetus will live, that is, be born, and/or it is fitting because the previous verses state, “Hear, you children, the instruction of a father... . For I give you good doctrine, do not forsake my torah” (Prov. 4:1–2). The Bavli then brings another proof text, “And scripture says, [As I was in the days of my youth] when the teaching [sod] of God was upon my tent (Job 29:4).” This verse is also applied to the fetus in its “tent” or dwelling, which is to say, in its mother’s womb. But the Bavli then pauses to consider why this second verse was cited, because presumably one proof text would be enough to prove that the fetus learns Torah. The text answers, “You might have said that a prophet was the one who stated it; Come and learn, When the teaching of God was upon my tent (Job 29:4).” This answer is somewhat ambiguous, because according to rabbinic traditions, both Solomon and Job were prophets. In either case, the concern is that one might think that only Solomon or Job knew Torah in the womb. Thus the Bavli repeats Job 29:4, asserting that each fetus learns Torah, not just Solomon or Job. Finally, although the text does not explicitly mention who teaches the fetus Torah, both proof texts suggest that the fetus receives Torah from God.

The motif about the fetus learning Torah is unique to the Bavli; it does not appear in tannaitic or amoraic Palestinian compilations. However, post-talmudic sources record a similar, though slightly modified tradition. Midrash Tanhuma (Tazria) asserts that the fetus receives Torah: “So this fetus, before he comes forth from his mother’s womb, the Holy Blessed One commands him, ‘From this you shall eat and from this you shall not eat and this is unclean to you.’ And when he accepts upon himself in his mother’s womb all of the
commandments that are in the Torah, after that he is born. As scripture states, *When a woman conceives and gives birth to a male* (Lev. 12:2). According to this tradition, God first teaches, or commands, the fetus the instructions of *kashrut*, echoing the language of Deuteronomy 14. Furthermore, the fetus is born only after he has accepted all of the commandments in the Torah, and in contrast to *Bavli Niddah* 30b, here the fetus apparently does not forget what he has learned upon birth. The fetus, in other words, is born only once he has been modeled after the rabbis themselves, or molded in their own image.

The medieval text cited at the beginning of this chapter, where the collective Israelite fetuses accept the Torah at Mt. Sinai on their parents’ and their own behalf, builds upon the *Bavli’s* and *Tanhuma’s* traditions that individual fetuses learn (or receive) Torah. By making the fetuses not only the guarantors for their parents but also the direct recipients of Sinaitic revelation, the rabbis mark the relationship between God and the fetus as covenantal. Even though this tradition explicitly initiates the Israelite fetuses of the generation of the Exodus and revelation into the covenant, the text implicitly reaches its medieval audiences—and beyond—as an affirmation of both their own present and future. The previous generations cannot guarantee the Torah’s fulfillment any more than the biblical patriarchs could. The foundations of the Torah still rest upon the fetuses, from generation to generation.

Furthermore, this medieval tradition refashions the covenantal relationship as a covenant of equals, as it were. God no longer commands the ten “commandments,” and Israel no longer pleads to be removed from God’s awesome speech acts (Exod. 20:16). Now God asks the fetuses if they will fulfill God’s Torah, and the fetuses, Israel, must agree. Although the tannaitic tradition about the Israelite fetuses singing to God at the crossing of the Red Sea and the medieval tradition about the Israelite fetuses at Mt. Sinai are surely separated by a considerable chronological gap, the two traditions might be brought together, such that the covenantal relationship between God and the fetus—and thus God and Israel—becomes clear. According to the tannaitic tradition, the singing fetuses at the crossing of the sea would have sung, “Who is like you, God among the gods?” (Exod. 15:11) and in reciprocal fashion, at the end of the medieval tradition about the fetuses receiving God’s Torah, God states, “Happy are you, Israel: Who is like you?” (Deut. 33:29).

(p.199) The rabbinic traditions set forth in this section demonstrate that Exodus and revelation, or the belief in a God who delivered Israel out of Egypt and then delivered the Torah to Israel, are, somewhat obviously, fundamental to the construction of rabbinic Jewishness. Less obvious, however, is the provocative result of the rabbinic projection of these collective—and timeless—events onto the fetus in its mother’s womb: belief in a God who delivered Israel
out of Egypt and gave the Torah to Israel is not only fundamental to rabbinic Jewishness, it is innate—inborn—in every Jew.\textsuperscript{48}

In contrast to rabbinic traditions about Jacob and Esau discussed in the first section of this chapter, where Jewishness is articulated in opposition to non-Jewishness, the traditions just examined offer an internalized conception of Jewishness on its own terms. Jewishness is not defined by what it is not as much as by what it is. Here Jewishness is defined solely by the foundational affirmation of the covenantal relationship between God and Israel, which begins in the womb.

Conclusion: Conceiving Israel

Rabbinic narratives about the fetus, both those that theorize Jewishness in relation to its other and those that articulate Jewishness by itself, provide significant insight into the rabbinic construction of Jewishness. Taken together, these traditions set forth both quintessentially rabbinic Jewish practices and essential rabbinic Jewish beliefs. Rabbinic traditions about the fetus enhance contemporary scholarly endeavors to reconstruct rabbinic Jewishness because they celebrate the importance of both internal beliefs and external practices—even projecting them inside—to the construction of rabbinic Jewishness.

When rabbinic sources portray the fetus as righteous, circumcised, wishing to enter synagogues and houses of study, observing \textit{mitzvot}, fasting on Yom Kippur,\textsuperscript{49} and according to later traditions, studying Torah, cognizant of the laws of \textit{kashrut}, accepting the Ten Commandments and even all the commandments in the Torah, the rabbis construct the fetus as Jewish. Part of what makes the fetus Jewish is its (imagined) performance of these Jewish practices, thus highlighting the importance of these practices for rabbinic Jewishness, even internalizing them. However, the (imagined) performance of these practices remains only part of what makes the fetus Jewish. The rabbis further construct the fetus as Jewish by projecting the covenantal relationship between God and Israel onto the fetus. The fetus ostensibly performs such Jewish practices because of, and to express, Israel’s covenantal relationship with God.

\textbf{(p.200)} Although the previous section of this chapter demonstrated the centrality of the Exodus from Egypt and revelation of Torah for the construction of rabbinic Jewishness, one further central belief of rabbinic Jewishness is repeatedly articulated in rabbinic narratives about the fetus: the belief in a God who created the world—and Israel—and who continues to do so. As mentioned in the beginning of this chapter, in the Hebrew Bible, God controls fertility; God grants pregnancy; God creates the embryo. Rabbinic traditions concur: Quite succinctly and unequivocally, \textit{Genesis Rabbah} 73:4 asserts, “Three keys are in the hands of the Holy Blessed One: the key to the grave [resurrection], rain, and the womb.”\textsuperscript{50} Although this midrash comments upon Genesis 30:22, “And God remembered Rachel and opened her womb,” the rabbis interpret this verse to
teach that God opens all wombs. The rabbis have learned that God holds the key to all wombs directly from scripture. In fact, except for God’s involvement in biblical pregnancies, the Bible lacks any explicit theory of precisely how pregnancy occurs. Of course, sexual intercourse is often—but not always—alluded to or mentioned, but the Hebrew Bible lacks any explicit mention of the substances involved in bringing about pregnancy. Rabbinic sources record varying theories of conception, with significant overlap—and certain divergence from—Greco-Roman theories. However, what is common to all rabbinic narratives that theorize procreation is God’s involvement in the process. To cite just one example, *Leviticus Rabbah* 14:9 states: “The womb of the woman is always full of blood and from it [blood] goes forth to the source of her menstrual flow. And by the will of the Holy Blessed One, a drop of white falls into it [the womb] and immediately, the embryo is created. [This may be compared] to milk that was put in a bowl. If one puts a curdling agent in it, it coagulates and stands. And if not, it moves and shakes.”\(^{51}\) This tradition imagines that God causes the man’s semen to enter the womb, where it interacts with the woman’s blood, causing the creation of the embryo. Thus God is not only instrumental for the conception of famous biblical heroes, but God continues to create each embryo.

Furthermore, the creation of each embryo recalls the creation of the world—Creation itself. In a striking parallel, *Genesis Rabbah* 4:8 states:

> And God called the firmament heaven/shamayim (Gen. 1:8)… . R. Yitzhak said, [shamayim means] to be laden with water. [This may be compared] to milk that was placed in a bowl. Before one drop of a curdling agent descends into it, it shakes. When one drop of a curdling agent descends into it, immediately it curdles and stands still. So [scripture says], *The pillars of heaven shake* (Job 26:11) but the curdling agent was placed in them, *And there was evening and morning the second day* (Gen. 1:8). This is supported by Rav’s statement, “The works [of God] were liquid and became solid on the second day.”\(^{52}\)

\(\text{(p.201)}\) Just as an embryo comes to be, so too, the heavens came to be. Both began as liquid, and both become solidified. The creation of an embryo recalls and repeats the creation of the cosmos. Both are created from a “drop,” which once placed by the will of God into the cosmos or into the womb, acts as a curdling agent upon previously unsolidified matter. Rabbinic traditions about procreation are thus imbued with cosmic significance. A later rabbinic tradition makes this explicit: “The creation of the embryo is like the creation of the world because a person is a small world” (*Tanh. Pikudei* 3).\(^{53}\) Rabbinic traditions bring together the macrocosm (cosmos) and the microcosm (embryo), and attribute the creation of both to God.
In addition to internalizing the rabbinic belief in a God who delivered Israel out of Egypt and gave the Torah to Israel, rabbinic narratives about the fetus internalize—and eternalize—Creation. The fetus not only serves as a unique vehicle for conceiving Jewishness, it also provides a bridge between the biblical and rabbinic “worlds.”

The Jewishness the rabbis ascribe to the fetus reaches beyond exceptional biblical figures as the rabbis locate the very beginnings of Jewishness in the womb for all Israel, rendering all fetuses not only Jewish, but also extraordinary—like their biblical ancestors. The very distinction between “famous” fetuses and not-famous fetuses, between the collective Israelite fetuses of the past and fetuses of the present, collapses because every fetus is created by God, delivered by God, and given God’s Torah.

Works Cited

Bibliography references:


Notes:

(1.) I use the term rabbinic Jewishness throughout this essay as short-hand for rabbinic constructions of Israel. In my full-length study on rabbinic narratives about fetuses—Conceiving Israel (Philadelphia: University of Pennsylvania Press, forthcoming)—I discuss the problem of applying the term “Jewishness” to rabbinic traditions.
“Famous” Fetuses in Rabbinic Narratives


(4.) See Isa. 43:1, which uses both *yatzar* (form) and *bara* (create), and 43:7, which uses both of these and adds *asah* (made). In Isa. 44:2 and 44:24 and Jer. 1:5, the Hebrew root *yatsar* (to form) is used. Cf. Gen. 2:6. In Ps. 139:15 and Job 10:8–9 and 31:15, the Hebrew root *asah* (to make) is used. For a rabbinic discussion about possible differences between *yatzar* and *bara*, see b. Nid. 22b and b. Sanh. 39a.

(5.) See also Isa. 29:15–16, Isa. 45:9–11, and Jer. 18:3–6.

(6.) The phrase “fruit of the womb,” which appears in Gen. 30:2, Deut. 7:13, Isa. 13:18, Hosea 9:16, and Ps. 127:3, refers to children, or progeny. Gen. 25:22 uses the Hebrew word *banim* (sons/children); Exod. 21:22 uses the Hebrew word *yeladehah* (her offspring/her child).

(7.) *Ubar* is used in reference to human and animal fetuses. *Valad* is used in reference to human fetuses and, when unaccompanied by the phrase “in its mother’s womb,” to human and animal offspring. Sometimes, primarily in later compilations, the Hebrew word *tinukot* is used in references to fetuses as well, e.g.: *Song of Songs Rab.* 7:6; *Deut. Rab.* 9:2; *Mid. Tanhuma Ki Tissa* 2, *Tazria* 1, 3, and *Mid. Tehilim* 8:4.


(9.) When translating passages that have to do with fetal creation, I use the term “embryo,” which covers, in contemporary medical usage, the first two months of gestation.

(10.) The Hebrew word *ratzatz*, meaning to squeeze or crush, is also being punned here.
(11.) Reish Lakish interprets vayitrotzatzu as vayeter tzivav. Reish Lakish’s explanation is based on a notarikon—a rabbinic hermeneutic which divides a word into two or more words. See Strack and Stemberger, Introduction to the Talmud and Midrash, trans. Markus Bockmuehl (Minneapolis: Fortress Press, 1992), 30.

(12.) Jehuda Theodor and Hanoch Albeck, Midrash Bereshit Rabba: Critical Edition with Notes and Commentary, 3 vols., 2nd ed. (Jerusalem: Wahrmann, 1965), 682. Theodor, in his comments on Genesis Rabbah 63:6, writes: “That which is forbidden to Israel is permitted to the nations of the world[,] and their laws which are forbidden to them [the nations], are permitted to Israel.”

(13.) Ascribing to the patriarchs contemporary rabbinic practices is a common trope in rabbinic literature. See A. Marmorstein, “Quelques problèmes de l’ancienne apologetique juive,” in Revue des Etudes Juives 68 (1914), 161: “The idea that the patriarchs observed the commandments of the Torah and studied the law is already found in tannaitic sources.”


(15.) Theodor and Albeck, Midrash Bereshit Rabba: Critical Edition, 682. The verse from Psalms is translated differently. The Jerusalem Bible states, “The wicked are estranged from the womb: they err from birth.” The Jewish Publication Society Tanakh writes, “The wicked are defiant from birth; the liars go astray from the womb.”


(18.) Almost all manuscripts state children (banaiah) However, see R. Enoch Zundel b. Joseph of Billenstock in his Etz Yoseph and R. Jacob Moses Ashkenazi in his Yede Moshe and also Issachar Ber Ashkenazi in his Matnoth Kehunah to Gen. Rab. 63:6 where all of these exegetes amend the text to baraiah, Creator. This reading has the disadvantage of amending the printed text, but it has the advantage of fitting more closely with the biblical prooftext, where God is the

(19.) Cf. Rom. 9:11-13: “Even before they had been born or had done anything good or bad (so that God’s purpose of election might continue, not by works but by his call) she was told, ‘The elder shall serve the younger.’ As it is written, ‘I have loved Jacob, but I have hated Esau.’” Cf. Origen, *On First Principles*, Book II, 9:5, “the child of Isaac and Rebecca who, while yet lying in the womb, supplants his brother and is said, before he is born, to be loved by God.”


(21.) *Ruth Rab. Proem 3*, interprets “The way of man is crooked and strange” (Prov. 21:8) to refer to Esau: “Man, refers to the wicked Esau, as it is said, *And Esau was a man, a cunning hunter* (Gen. 25:27). *And strange [zar]—* because he estranged himself from circumcision and he estranged himself from *mitzvot.*” *B. Sanh.* 59b apparently excludes Esau’s descendants from the commandment of circumcision. *Pirke Rabbi Eliezer*, chapter 29, however, claims that Isaac circumcised Jacob and Esau.


(23.) Cf. *b. Nid.* 30b, where the fetus must make an oath that it will be righteous. Contrast *b. Nid.* 16b, where God decrees the fate of embryos at (or before) conception—except for whether the person will be righteous or wicked.

(24.) Theodor and Albeck *Midrash Bereshit Rabba: Critical Edition*, 687–88. A reading of biblical texts for the inheritance of the firstborn, as far as the patriarchs and leaders of the Israelite people are concerned, would of course find that the firstborn is almost never the elected or anointed.


Ezra, “From him sprang Jacob and Esau, but Jacob’s hand held the heel of Esau from the beginning. The heel of the first age is Esau; the hand of the second is Jacob.” Cohen continues, “Latin and Arabic versions of the book render the answer even more pointedly: ‘For Esau is the end of this world, and Jacob is the beginning of the one which follows.’”

(27.) In Genesis Rabbah 63:6–8, Jacob is likened to a king, sage, prophet, and symbol for the redemption of Israel.

(28.) See y. Nid. 3:3;50d; Lev. Rab. 14:8.

(29.) Mekhilta of R. Ishmael (d’Shira 1). See also t. Sot. 6:4; y. Sot. 5:6 (20c); b. Sot. 30b; Mid. Tanh. (Warsaw) b’Shalakh 11; Mid. Tehillim 8:5 and 68:14. Cf. b. Ber. 50a and b. Ket. 7b for partial parallels.


(31.) Here m’makor is midrashically understood as from the womb. Cf. t. Shab. 9:14; Sifra Tazria 3:6; Lev. Rab. 14:9; b. Nid. 17b, 18a, 22a, 41b.

(32.) According to the Bavli (Sot. 30b), the fetuses see the Shekhinah after God turns their mothers’ bellies into glass.


(34.) The fourteenth chapter of Leviticus Rabbah deals almost exclusively with the creation and care of the fetus.

(35.) Lev. Rab. 4:7 comments upon Lev. 4:2, “If a soul shall sin through ignorance.” Cf. b. Ber. 10a, where a similar tradition is applied to David.


(37.) Pardes, Biography of Ancient Israel, 28.

(38.) Cf. t. Nid. 4:10; b. Nid. 25a, which describe the fetus’s creation similarly, but apply Job 10:10–12.

(39.) Although this rabbinic tradition does not explicitly teach that the fetus utters this psalm in the womb, it seems a plausible reading given that Lev. Rab. 4:7, discussed above, teaches that the fetus recites Ps. 103 in the womb.
Furthermore, since Ps. 139:13 and Exod. 15:16 both refer to God as “maker,” it seems worthwhile to connect the two passages.


(41.) R. Simlai was a second-generation amora who was born in Babylonia but taught in Israel.

(42.) The Hebrew states, “And they teach him [oto, sing. masc.] all the Torah in its entirety.” It is unclear, at this point, who precisely teaches the fetus Torah, as the text simply states “they.” I discuss the gender of the fetus below.


(44.) Solomon is referred to as a prophet on b. Sot. 48b and Job on b. Bab. Bat. 15b.

(45.) Alternatively, or additionally, the concern might be that neither Prov. 4:4 or Job 29:2–4 explicitly refer, in their biblical context, to the womb.

(46.) Cf. Mid. Tanhuma Tazria 1 (Warsaw). Job 10:10–12 is used to describe the formation of the embryo in Genesis Rabbah 14:5 and Lev. Rab. 14:9, and it is applied to the fetus in t. Nid. 4:10 and b. Nid. 25a.

(47.) Mid. Tanh. Tazria 2 (Buber); cf. Midrash Tanh. Tazria 1 (Warsaw). This midrash interprets Lev. 12:2 in light of Ps. 139:5, midrashically understood as “You have created me after and before.” The text offers multiple interpretations of “after” and “before.” In this section, the text imagines Adam saying, “After the Holy Blessed One created the beasts and living things, God created me?” Thus the text tries to understand why God created Adam after the beasts and other living creatures. The answer offered is that, presumably, God was busy commanding Adam, and so too all fetuses, on the laws concerning which living creatures they were permitted to eat and which were unclean. Furthermore, God instructs Adam and every fetus all the mitzvot in the Torah, and after that, they are born. Why Lev. 12:2 proves this lesson remains somewhat unclear. Perhaps this tradition is not directly connected to that verse, and it is stated here because the rabbis are interpreting Ps. 139:5 with its mention of “after and before.” Perhaps Lev. 12:2 is being interpreted as, “When a woman conceives and [after] gives birth to a male.” I have referred to the fetus as “he” because this tradition specifically comments on Lev. 12:2, which is concerned with the birth of a male child.
(48.) When the rabbis imagine the collective Israelite fetuses singing after crossing the sea and accepting Torah at Sinai, there seems little reason to believe that this collective would not include female fetuses—had the rabbis asked themselves or been asked. Although the Bavli and Tanhuma traditions discussed above seem to take for granted that the fetus learning Torah is a male fetus, it is clear that, according to the book of Exodus, women sing to God at the sea (15:20–21); and although one might legitimately ask where women were at Sinai, when the rabbis do pose this question to themselves in later traditions, they answer that women were there, with their fetuses and sucklings. See Ex. Rab. 28:6 and PRE 40. Of course, women are there because of their fetuses and sucklings.

(49.) See y. Yoma 8:4;45a and b. Yoma 82b-83b.

(50.) Cf. b. Tan. 2a; b. Sanh. 113a; and Deut. Rab. 7:6. See also b. Bekh. 45a.


(52.) Theodor and Albeck, Midrash Bereshit Rabba: Critical Edition, 31. Cf. Genesis Rabbah 4:2, “At the time that God said, Let there be a firmament in the midst of the waters (Gen. 1:6), a drop of the middle waters became solid and the lower heavens and the water of the upper heavens were made. Rav said, the works of God were as liquid and on the second day they were made solid.”

(53.) The context of this midrash is the construction of the mishkan, which is equated with the creation of the world and the creation of humanity. Just as the embryo develops from the navel, the world develops from the “founding-stone” just below the mishkan.

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