



## RABBI GIDEON WEITZMAN

Machon Puah for Fertility and  
Gynecology in Accordance with Halacha

### Dina's Mother?

Last time we brought a “proof” that the birth mother is the mother and not the genetic mother, from the verse describing Esther’s parents.

Another proof that has been suggested is in the comparison between two different Talmudic passages. The Gemara (Berachot 60a) describes how Leah prayed that the male child she was carrying would become a female. This miracle occurred and Dina was born.

In another Talmudic passage, (Niddah 31a) a verse is brought to prove that if the man gives seed first the child will be a girl and if the woman gives seed first the child will be a boy. The verse is “these are the children of Leah that she bore for Yaakov in Padan Aram, and Dina, his daughter” (Bereishit 46:15). The daughters are dependent on the father and the sons on the mother.

But these two sources contradict each other, if Dina was originally a boy and became a girl due to Leah’s prayers, how can she prove that if the man gives seed first the couple will have a girl?

The Maharasha explains in the name of a book that we do not know of, called Paaneach Razi, that Leah and Rachel were both pregnant, Leah with a boy, Yosef, and Rachel with a girl, Dina, and the two embryos switched. Thus, Dina was always a girl and only moved from one mother to the next.

Since Rachel is definitely Yosef’s mother, this can be used as a proof that the birth mother is the mother.

But this “proof” is also problematic; not only is it a slightly fanciful Aggadic portion of the Talmud that may not carry any halachic weight, but due to a comment by the Tosafot. The Tosafot in their commentary on the Torah bring a Midrash that Dina married Shimon, but it is forbidden for a brother and sister from the same parents to marry, even according to the Noachide laws. Since prior to the Torah being given Yaakov’s family were obligated in Noachide laws at the very least, how could Dina and Shimon marry?

They answer that, in fact, Dina and Shimon shared the same father but not the same mother, since Dina was actually Rachel’s daughter. This suggests that this same “proof” can be employed to prove the opposite position, that the genetic mother is the mother and not the woman who delivered the baby.

More on this next time. ■



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