



RABBI GIDEON WEITZMAN

Machon Puah for Fertility and
Gynecology in Accordance with Halacha

Unusual Conception

Last time we presented the recent report that over 13 million children have been born through in-vitro fertilization, IVF. This is a huge number in less than 50 years, an average of more than 774 every day. IVF has become a perfectly normal and extremely common way of conception, and this has impact on certain halachic discussions.

Last time we asked whether a couple fulfill their halachic obligation to procreate if they have a child through IVF. On the one hand, it would seem intuitive that this is a legitimate way to fulfill the commandment to be “fruitful and multiply”. The requirement is to have children, and the mitzvah does not stipulate the method of conception.

This is the opinion of Rabbi Yosef Babad, in his seminal and widely studied book *Minchat Chinuch*, a commentary and elucidation of the classic *Sefer Chinuch*. The *Minchat Chinuch* claims that the mitzvah is to raise the children, and he would be of the opinion that one fulfills this instruction whichever way

the children were conceived.

But many halachic authorities disagree and hold that the conception of the child is part of the mitzvah and must be done according to certain criteria and parameters. If this is the case then the way that the child is conceived is extremely important.

We have a general Talmudic principle “the Torah was not given to the Ministering Angels” (*Kiddushin* 54a), rather it was given to Man. The Torah cannot instruct us to do something that is beyond human capacity. In addition, the commandments must be kept by humans in a regular human manner, in other words, in the natural normal way.

If a person was born without arms, they would have no obligation to transplant an arm in order to don tefillin, the Torah is binding only when it is performed in a natural way. Someone who injected matzah into their stomach would not fulfill the commandment to eat matzah on Pesach. Only if it is consumed in the normal manner is the mitzvah fulfilled.

We can apply this same principle to procreation; if a child is conceived naturally then the parents fulfill their halachic obligation to procreate. But this may well not be the case if the child is conceived in an unusual way, for example, by creating an embryo in the laboratory, and not in the body.

IVF is a departure from the norm and therefore it can be claimed that the parents do not fulfill their halachic obligation.

More on this next time. ■

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