

## **The Gender(s) of the First Human in Creation**

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The verse is as inscrutable as it is familiar: וַיְבָרֵא אֱלֹהִים אֶת-הָאָדָם בְּצַלְמוֹ בְּצֶלֶם, “And God created humankind in the divine image, creating it in the image of God—creating them male and female.”<sup>i</sup> In Genesis 1, God seems to create one human being, but what is that human’s gender? The plain wording of the text indicates that the first human is both male and female.

Yes, I know the whole story of creating Eve from Adam’s rib. That’s in Genesis 2. Any credible scholar will tell you that’s a separate creation story. Over the centuries, rabbinic scholars who lived long before academic biblical scholarship argued that two humans were created on the sixth day—that is, the whole woman-from-the-rib thing happened later the same day. Even medieval scholars, though—Rashi, for example, offer an alternative theory: God created the first human with two faces at first—that is, both male and female—and later divided the one human into two, one of each gender.<sup>ii</sup> A few centuries after Rashi,

Hezekiah ben Manoach was more explicit: God created the first human

“possessing [both] male and female sexual organs.”<sup>iii</sup>

A considerably earlier midrash includes a theory in the name of Rabbi Yirmiya ben Elazar: “When the Holy One blessed be God created Adam the first human, God created that person androgynous.”<sup>iv</sup> In the nineteenth century, an Italian Sephardic rabbi and scholar, Elijah Benamozegh, picked up on this line of reasoning, arguing that the first human being was without physical indicators of being either male or female.<sup>v</sup>

One of the challenges of the Genesis 1 verse is that it first seems to say that God created one human on that first day—the pronoun is singular, that is, God created *אֶחָד*, “**it** [or him] in the image of God.” The next phrase, though, uses a plural pronoun—God created *אֶתָּם* “**them** male and female.” Rebecca Chess reminds us that other Hebrew words—for example, *מֵיִם*, water, appear to be plural, a situation in which “many parts make up a whole.” Commenting on the midrash about the first human being androgynous, Chess writes, “In this reading, we can see that God perhaps created the first human as both man and woman, with

masculine and feminine parts, there was no binary created, just one human holding it all.”<sup>vi</sup>

Chess is suggesting that the first human is nonbinary, which goes a long way to explaining the use of the pronoun **אותם**, “them.” Like themselves, Chess argues, the first human’s pronouns were they/them. Here, I remind us that, as awkward as it may feel grammatically in some situations to refer to one person with they/them pronouns, we have actually been doing that for a long time, since long before some of us met a person who identified as nonbinary. For example: “Whoever is at the door, tell **them** I’m not home!”

Theorizing about the gender or genders of the first human of creation is not an outlier in our Jewish tradition. Rabbi Elliott Kukla explains:

“There are four genders beyond male and female that appear in ancient Jewish holy texts hundreds of times. They are considered during discussions about childbirth, marriage, inheritance, holidays, ritual leadership, and much more.” Speaking as a transgender man, Rabbi Kukla says, “We were always hiding in plain sight, but recently the research of Jewish studies scholars...has demonstrated

how nonbinary gender is central to understanding Jewish law and literature as a whole.”<sup>vii</sup>

Rabbi Kukla explains that the first human of Genesis 1 is far from the only person whom the rabbinic sages understood to possess a gender that does not neatly fit the male-female binary: “When a child was born in the ancient Jewish world it could be designated as a boy, a girl, a ‘tumtum’ (who is neither clearly male nor female), or an ‘androgynous’ (who has both male and female characteristics) based on physical features. There are two more gender designations that form later in life. The ‘aylonit’ is considered female at birth, but develops in an atypical direction. The ‘saris’ is designated male at birth, but later becomes a eunuch.”<sup>viii</sup>

Rabbi Kukla admits: “There is not an exact equivalence between these ancient categories and modern gender identities. Some of these designations are based on biology, some on a person’s role in society. But they show us that people who are more than binary have always been recognized by” Judaism.<sup>ix</sup> Always. Beginning with the first Adam of creation.

Importantly, Rabbi Kukla points to a particularly ancient and authoritative Jewish text, the Mishnah, completed around the year 200. In an entire chapter devoted to discussing the legal status of people who don't neatly fit into the male-female binary, we find a clear prohibition of harming people based on their being one form or another of what we would call "nonbinary."<sup>x</sup>

Sometimes, I am amazed by how forward-thinking our rabbinic sages were. No, they weren't perfect. Often, they treated gender and sexuality as more dangerous than beautiful, and the system they created is patriarchal—that is, by men, and primarily about men, not co-created by people of all genders for everyone.

Still, regarding gender beyond the male-female binary, the sages were ahead of their times—and often, sadly, ahead of our own. They did **not** enact laws that empowered people to discriminate based on their gender identity, unlike the State of Arkansas, where teachers, for example, are explicitly permitted to refer to students by their gender assigned at birth and given name rather than with the pronouns and name they prefer to be called. The sages did **not** enact laws that

prohibited people from expressing their gender identities, unlike Arkansas General Assembly, which in 2021 adopted a law over Governor Hutchinson's veto, targeting gender affirming care as a unique exception to the general rule that parents may seek, and physicians may provide, evidenced-based medical care for their children. That law is currently unenforceable, thanks to a federal court order that is at grave risk of being overturned.

The result of these discriminatory laws is harsh, as is the bias, misunderstanding, and hate that sparks them, not to mention the way that many transgender and nonbinary youth are rejected by their families and communities. As Rabbi Kukla cites a study that shows: "More than half of young people who are transgender and nonbinary seriously considered suicide in the past year[, and t]he same ... survey found that trans and nonbinary youth who report having their pronouns respected by all or most of the people in their life attempted suicide at half the rate of those who didn't."<sup>xi</sup> We can choose life—that is, we can make a decision that saves people's lives—by striving to use their correct pronouns.

Our ancient sages did so much better than much of America in 2024. And so does the Torah, written centuries before the rabbis entered the scene, referring to that first human, who does not fit into the male-female binary by the appropriate pronoun—אֹתָם, “them.”

Amen.

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<sup>i</sup> Genesis 1:27.

<sup>ii</sup> See, for example, Rashi to Genesis 1:27.

<sup>iii</sup> Chizkuni to Genesis 1:27.

<sup>iv</sup> Genesis Rabbah 8:1.

<sup>v</sup> Em LaMikra to Genesis 1:27.

<sup>vi</sup> Rebecca Chess, “The First Human,” *The Torah Studio*, November 16, 2021, <https://www.thetorahstudio.org/post/the-first-human>.

<sup>vii</sup> Elliot Kukla, “Ancient Judaism Recognized a Range of Genders. It’s Time We Did, Too,” *The New York Times*, March 18, 2023, <https://www.nytimes.com/2023/03/18/opinion/trans-teen-suicide-judaism.html>.

<sup>viii</sup> Kukla.

<sup>ix</sup> Kukla.

<sup>x</sup> Mishnah Bikkurim 4:4.

<sup>xi</sup> Kukla.