

HALACHICALLY SPEAKING

Volume 15 Issue 6



{ TOPIC }

Inducing Labor



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Compiled by
Rabbi Moishe Dovid Lebovits

Edited by: **Rabbi Chanoch Levi**

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► Halachically Speaking is a monthly publication compiled by Rabbi Moishe Dovid Lebovits, a former *chaver kollel* of Yeshiva Torah Vodaath and a *musmach* of Harav Yisroel Belsky Shlita. Rabbi Lebovits currently works as the Rabbinical Administrator for the KOF-K Kosher Supervision.

► Each issue reviews a different area of contemporary *halacha* with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of Harav Yisroel Belsky, Shlita on current issues.

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Inducing Labor

A common question which arises during the ninth month of pregnancy is whether a woman may have her labor induced. There are a variety of reasons for this, such as a doctor who wants to go on vacation and doesn't want to deal with a delivery. The mother might want the birth on a Sunday so she can have a Sunday *bris*. The doctor may feel that there is a risk to the mother or baby.

Are there differences in halachah in these cases? Is there a reason not to induce labor? Does it make a difference if it is done on Shabbos? What if the woman is already due, or if it is past the due date?

We will discuss this topic in this issue.

No Choice

If the doctor feels that any delay will cause danger to the woman or the child, then obviously the doctor can induce labor.¹ Our discussion focuses on a situation where there is no danger to the woman or the child.

Reasons Against: Danger / Labor

Even though women are not commanded in the mitzvah of *peru u'revu*, having children, they experience the pain of childbirth. There is danger in giving birth, as it says it is one of the actions which can kill a woman.²

1 *Igros Moshe*, Y.D. 2:74, O.C. 4:105:6; *Teshuvos V'hanhagos* 1:894; *Vayitzbar Yosef* 5:84, page 302; *Orchos Habayis* 33:9.

2 *Maseches Shabbos* 31b. Refer to *Maseches Shabbos* 128b; *Rambam*, *Hilchos Shabbos* 2:11, 13; *Shulchan Aruch*, O.C. 330:1.

However, Harav Moshe Feinstein *zt"l*³ maintains that it is only dangerous if the birth does not take place at the proper time. The pain from childbirth is a punishment of the *eitz hada'as*, but it does not cause death. Only a birth at the incorrect time can cause death.

The child should be in the womb until the last possible moment.⁴

Many *poskim* maintain that one should not induce labor.⁵

Others argue with this and say that we do not see danger even when people induce labor.⁶

Other Reasons to Avoid

There are three “keys” that Hashem did not entrust to a messenger, but controls them Himself.⁷ These are the keys to rain, childbirth, and *techiyas hameisim*. Each *neshamah* has its goal on this world. If one brings the child into the world at an earlier time, this may infringe on Hashem’s plan.⁸

Harav Elyashiv *zt"l* would say, “The Mishnah¹⁰ says that one is formed and born without his consent. Therefore, one should leave the time of birth to Hashem.”

3 *Igros Moshe*, Y.D. 2:74. Refer to *Noam* 19, page 340. See *Nishmas Avraham*, Y.D. 194:13.

4 *Igros Moshe* *ibid*.

5 *Ibid.*, O.C. 4:105:6; *Habayis Hayehudi* 10, page 169, 14; *Mitzvas Hanashim* page 269, 10; *Nashim B'halachah* page 149, 9; *Shaiarei Halachah U'minhag* 5, page 260; *Divrei Binahu* 12, page 415, 4; *Orchos Habayis* 33:9 quoting the opinion of the Steipler *zt"l*; *Teshuvos V'hanhagos* 1:894, 5:389; *Vayitzbar Yosef* 5:84, page 302; opinions of Harav Ovadia Yosef *zt"l* and Harav Neuwirth *zt"l* quoted in *Nishmas Avraham*, Y.D. 194, page 197; *Nishmas Shabbos* 5:512; *Otzros Hatehorah* page 759:25; *Bishvil Harefuah* 3-4, pages 85-94.

6 *Teshuvos V'hanhagos* 5:389. See *Shevet Halevi* 6:128.

7 *Maseches Ta'anis* 2a.

8 *Vayitzbar Yosef* 5:84, page 302.

9 Quoted in *Toras Hayoledes* 1, footnote 1.

10 *Maseches Avos* 4:24.

The Gemara¹¹ says that one is born with a certain *mazel*. Inducing labor and giving birth early can affect the *mazel*.¹²

The Gemara¹³ says that the baby learns Torah in the womb, and these are its best days. Why would one induce labor and take it out early?¹⁴

Starting to Go into Labor

If labor has actually begun, then inducing is permitted.¹⁵

Specific Doctor

If the woman wishes to have her doctor deliver the baby and the doctor will go on vacation at her due time, then her mental turmoil is considered dangerous, and inducing would be permitted.¹⁶ If it is possible to calm her down, one should do so.¹⁷

Past Due

It is possible for a child to stay in the mother's womb for up to twelve months.¹⁸ However, if the woman is past due and it will be a danger to leave the baby for so long, inducing is permitted.¹⁹

Some hold if she is one week in the tenth month or more²⁰

11 *Maseches Shabbos* 156a.

12 *V'darashta V'chakarta* 3:19.

13 *Niddah* 30b.

14 *V'darashta V'chakarta* *ibid*.

15 *Teshuvos V'hanhagos* 5:389.

16 *Ibid*.

17 *Ibid*.

18 Refer to *Maseches Yevamos* 60b; *Shulchan E.H.* 4:14.

19 *Vayitzbar Yosef* 5:84, page 302.

20 *Krayna D'igrisa* 1, page 196; see *Massei Ish* 1, page 136.

אין על להדפי"ה בעולמו אלא י אמורת של הלכה בלובד (ברכות ה')

and the child is healthy, she can do certain actions to her body which would induce the labor.²¹

Sunday *Bris*

A Sunday *bris* is nice, and people want their family members to attend. This is still no reason to induce labor so the baby can be born on Sunday.²²

Shabbos Birth

The Gemara²³ says that if one is born on Shabbos he will die on Shabbos since he caused *chillul Shabbos*.²⁴

Nevertheless, one may not induce labor to make sure the baby is not born on Shabbos, even if one wants to avoid going to the hospital on Shabbos etc.²⁵ If the baby is supposed to be born on Shabbos, then it is not in your hands to avoid the *chillul Shabbos*.²⁶

Clearly, it is prohibited to cause an early birth on Shabbos, as this will cause a lot of *chillul Shabbos*²⁷ (obviously, if the baby or mother are in danger it is permitted).

If the woman goes to the hospital on Shabbos and the birth is imminent, then the non-Jewish doctor or nurse can give her a shot to induce her.²⁸

Fast

Some *poskim* maintain that a woman should not fast on Tishah B'Av (this does not apply to Yom Kippur) in her ninth

21 Teshuvos V'hanhagos 1:894. See Nishmas Avraham, Y.D. 194, page 198.

22 Toras Hayoledes 1:1, footnote 2; Bishvil Harefuah 3-4, page 93.

23 Shabbos 156a.

24 See Chashukei Chemed, Maseches Shabbos pages 740-741.

25 Toras Hayoledes 1:1.

26 Toras Hayoledes 1, footnote 2. See Shemiras Shabbos K'hilchasah 32:33, footnote 98.

27 Toras Hayoledes 1:1.

28 Nishmas Shabbos 5:512.



month because fasting might cause early labor.²⁹ Others say that she should fast even if she will go into labor, as only an action that causes labor is prohibited.³⁰

Pregnancies in the Torah

Why was it that the pregnancy of Rivka Imeinu was a difficult nine months, but the pregnancy of Tamar was an easy six months? The *Apirion*³¹ answers that Tamar was carrying two tzaddikim, so why should their birth be delayed. However, Rivka bore Eisav. Avraham's life was cut short by five years so he would not see Eisav start his life of evil. Had Eisav been born early, Avraham would have died three months earlier.

Epidual

Women are supposed to have some pain when giving birth.³² Although it is a curse, it does not mean that one cannot take measures to avoid it.

Many women request an epidural³³ before giving birth to ease the pain of labor. The chance of a dangerous reaction is rare, and it causes the woman to be calmer. It is permitted, and there is no need to avoid it.³⁴

It is permitted on Shabbos as well (it is better if it is administered by a non-Jew).³⁵

29 Opinion of Harav Shlomo Zalman Auerbach *zt"l* quoted in *Nishmas Avraham*, Y.D. 194, page 197.

30 Refer to *Natei Gavriel (Bein Hametzarim) Meluim V'hosafos* page 65.

31 Page 33.

32 *Bereishis* 3:16.

33 See *Asa* (journal) 65-66, pages 72-82.

34 Refer to *Shevet Halevi* 9:75; *M'Beis Levi* 10, pages 79-80; *Asa* (journal) 79-80, pages 113-114; *B'mareh Bezek* 6, page 184, footnote 3. See *Sdei Tzofim*, *Maseches Shabbos* page 602.

35 *Nishmas Shabbos* 5:536.

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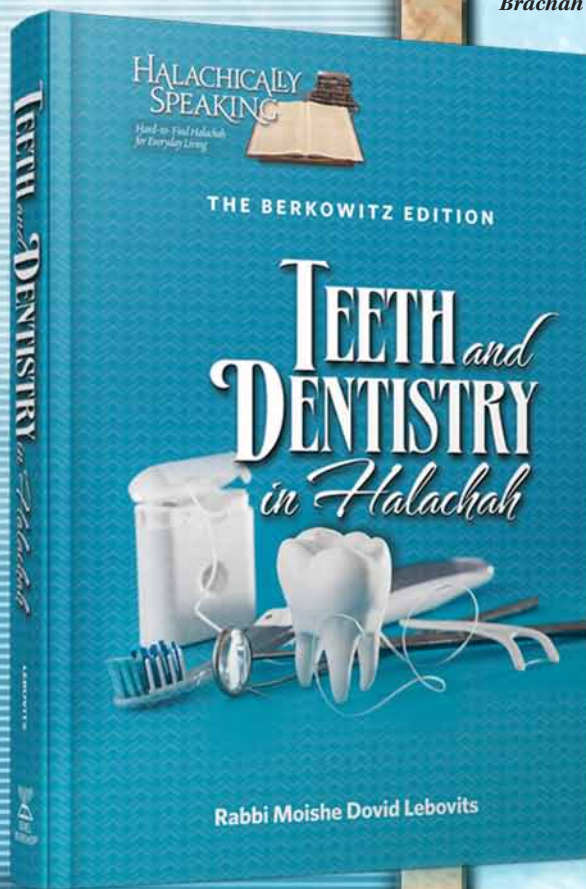
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***Tzitzis* and Teeth**

Davening* and *Shul

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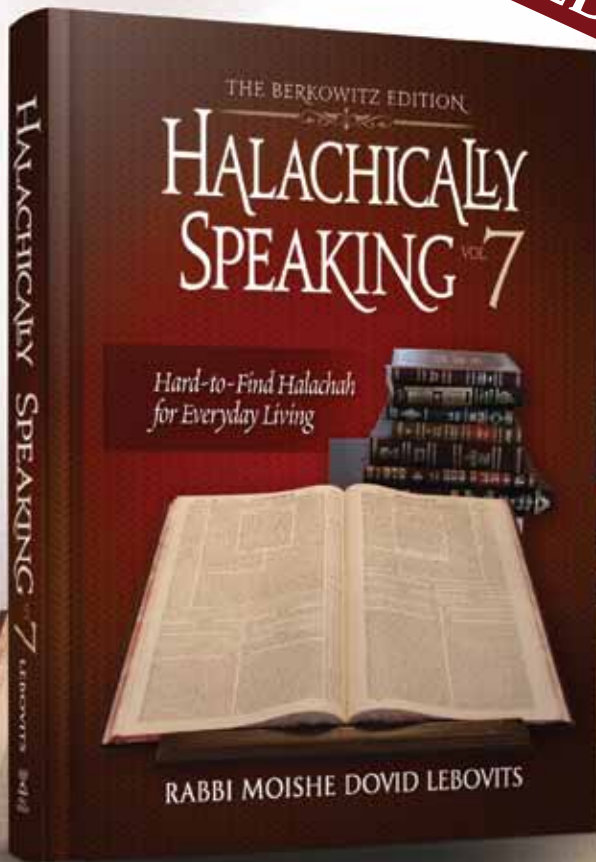
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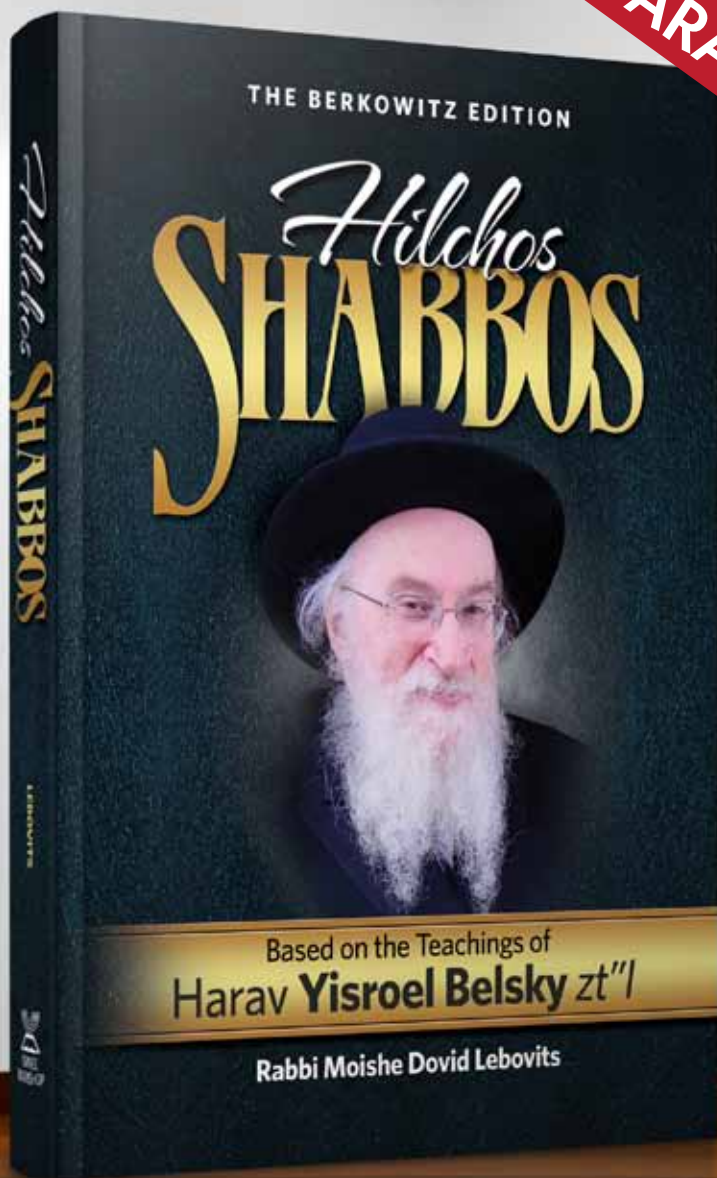


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Rabbi Moishe Lebovits

Rabbinical Administrator KOF-K Kosher Supervision

at 718-744-4360 • email: mlebovits@kof-k.org

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