



Husbands in the Delivery Room

“They journeyed from Beis El and there was still a stretch of land to go to Efrat, when Rachel went into labor and had difficulty in her childbirth. And it was when she had difficulty in her labor that the midwife said to her, “Have no fear, for this one, too, is a son for you.” (Bereishis 35:16-17)

In these Pesukim, the Torah describes the words of comfort offered by Rachel’s midwife during the difficult labor and delivery she experienced with the birth of Binyamin. This highlights the need of the parturient mother for comfort and reassurance during the delivery. Although birth is a natural process, it is not free from danger. There is extensive discussion in Halacha of the woman who is “*Mekasheh laLedes*” – having a difficult birth - and recognition that her life is at risk.

In fact, even a birth that is free of complications is considered to be a situation of *Pikuach Nefesh* due to the labor pains (see *Shabbos* 128a and *Shulchan Aruch O.C.* 330). *Tosfos (Kesubos* 83b, s.v. *Misa*) assert that a woman in labor (a *Yoledes*) is in danger *in the majority of cases!*

Nonetheless, given that birth is a natural process, the *Chachamim* were stringent regarding *Chilul Shabbos* on behalf of the *Yoledes* ruling that a *Shinui* (an unusual method) should be employed whenever possible (*Shulchan Aruch ibid.*)

Chaza"l permitted *Chilul Shabbos* to calm the *Yoledes* so that she shouldn’t panic (“*I’Yesuvei Da’ata*”). For example, it is permitted to light a candle so that she shouldn’t be frightened even if there is no medical need for additional light (*Shabbos* 120a). It is also permissible for a relative or trusted friend to accompany her to the hospital, even if she is traveling in an ambulance with medical personnel, and even if she doesn’t request it. She may also bring along any item that she feels will help her during labor even if it serves no therapeutic purpose. (See *Shemiras Shabbos Kehilchasa*, Chap. 36 & 40 for further details). These rulings are all based on the idea that calm and composure (*Yishuv haDa’as*) are critically important for a person in danger.

Let us examine a related question – may a husband be present in the delivery room as his wife gives birth? Once a woman’s cervix has dilated approximately three



centimeters (*"Pesichas haKever"*), her "water breaks", or she experiences vaginal bleeding or strong contractions that prevent her from walking unassisted, she is considered a *Nidah*. Thereafter, her husband is forbidden from touching her (even to assist her and even though she is considered to be a *Cholah*) or to gaze at areas of her body that are usually covered (*"Mekomos haMechusim"*). A man is perfectly capable of adhering to these *Harchakos* in the delivery room. Is there any reason to forbid his presence during the birth of his child?

In fact, the *Minchas Yitzchak* *zt"l* (4:8) forbids a husband from being present in the delivery room out of concern that he may touch her (when it not an act of *Pikuach Nefesh*) or look at *Mekomos haMechusim*. He only permits it if his absence would present a clear danger. On the other hand, Rav Moshe Feinstein *zt"l* (*Igros Moshe* *Y.D.* 2:75) ruled that it is entirely permitted for a husband to be present, even where there is no explicit need for him, so long as he is careful not to touch his wife or look at the forbidden areas.

Rav Moshe's permissive ruling is not based on the notion that a husband's presence in the delivery room is important *l'Yesuvei Da'ata* (as he clearly rules that it is permitted "even where there is no need"). Rather his perspective is that it is always a husband's prerogative to be in his wife's close vicinity when she is a *Nidah*, as long as he is careful adhere to the *Harchakos*, and the delivery room is no different. We needn't be concerned that out of curiosity or emotion he will come to violate Halacha.

Rav Moshe's ruling can be further clarified by another of his *Teshuvos* (*O.C.* 1:132) that discusses whether a husband may accompany his wife to the hospital on Shabbos. The *Sho'el* contended that it should be permitted just as the *Chachamim* permitted lighting a candle to calm the *Yoledes*. Rav Moshe countered that the fright of the *Yoledes* may be well founded in that case, as she may be concerned that the midwife will not be able to see what she is doing. However, when a *Yoledes* is traveling to the hospital with trained responders, there is no "real" basis for her feeling that she needs her husband. Therefore, one might have forbidden the *Chilul Shabbos* if it was based on the *Heter* of lighting a candle for the *Yoledes* who requests additional light.

However, Rav Moshe concluded that since a *Yoledes* may be endangered by a feeling of panic or fright, we ought not distinguish between the lighting of a candle or any other act that calms her. Therefore, if she is still frightened despite explaining to her that she has nothing to be afraid of, her husband should certainly accompany her as it is a potentially a matter of *Pikuach Nefesh*.



If this is true regarding traveling to the hospital with his wife on Shabbos, it should certainly be permitted for the husband to be present during the birth if his wife is frightened when he isn't there. It should certainly not be forbidden out of concern for the Halachos of *Nidah*, even if she isn't as frightened as she would have been to travel alone to the hospital.

However, as stated above, the *Minchas Yitzchak* disagrees and forbids it out of concern that the husband will violate the *Harchakos*. Moreover, even if the *Yoledes* asks her husband to hold her hand, it is still forbidden as she may have requested it out of a lack of appreciation for the severity of the sin ("*Kalus haDa'as*") and not out of panic or fright ("*Tiruf haDa'as*") (*Minchas Yitzchak* 8:30).

Rav Moshe Shternbuch *Shlit"a* (*Teshuvos v'Hanhagos* 1:862) explains the position of the *Minchas Yitzchak* by comparing it to the famous adage of *Chaza"l*: "*Distance yourself we say to the Nazir (who is forbidden from drinking wine), do not approach a vineyard.*" Thus, we instruct a husband to distance himself from the delivery room where he may violate the *Harchakos*. Rav Shternbuch adds that one cannot claim that the presence of a husband at birth is a legitimate need, since this was never the case in previous generations. Rather, this has developed from popular culture and is not a valid Halachic claim. Nevertheless, if a woman insists that she needs her husband to be present, in spite of the fact that it has been explained to her that it is forbidden, then we would permit her husband to attend as long as her insistence is due to fright and not disregard for the laws of the Torah.

How may we determine whether a woman's insistence is due to fright (*Tiruf haDa'as*) and not disregard for the Torah's laws (*Kalus haDa'as*)? In cases of *Pikuach Nefesh*, we always rule leniently and override the Halachos of the Torah. In order to be stringent in this matter, we must be absolutely certain that there is no danger to the *Yoledes*. Moreover, it is probable that if it is explained to the *Yoledes* that the presence of her husband at the birth is against Halacha (as Rav Shternbuch ruled), she may well agree to be without him, in spite of her genuine fright, thus placing herself in danger.

The *Nishmas Avraham* asked this question of Rav Shlomo Zalman Auerbach *zt"l*. Rav Shlomo Zalman explained that while certain matters that are known to cause *Tiruf haDa'as* are to be avoided even for remote concerns, concerns that are only a reflection of the tendency of the modern generation to avoid and relieve all anxiety are no grounds for violating even an *Issur d'Rabbanan*. For example, if a woman were



to demand that her husband play a musical instrument on Shabbos in order to calm her, we would certainly not permit it!

Nevertheless, Rav Shlomo Zalman permitted a husband to be present in the delivery room during birth as he does not violate the *Harchakos* by doing so. However, he does caution that *it isn't a nice practice ("Ain haDavar Yafeh") and should only be permitted if the wife is genuinely frightened*. A husband's presence is objectively calming for a woman during labor and delivery, and is not merely a reflection of the demands of the modern age and popular culture.