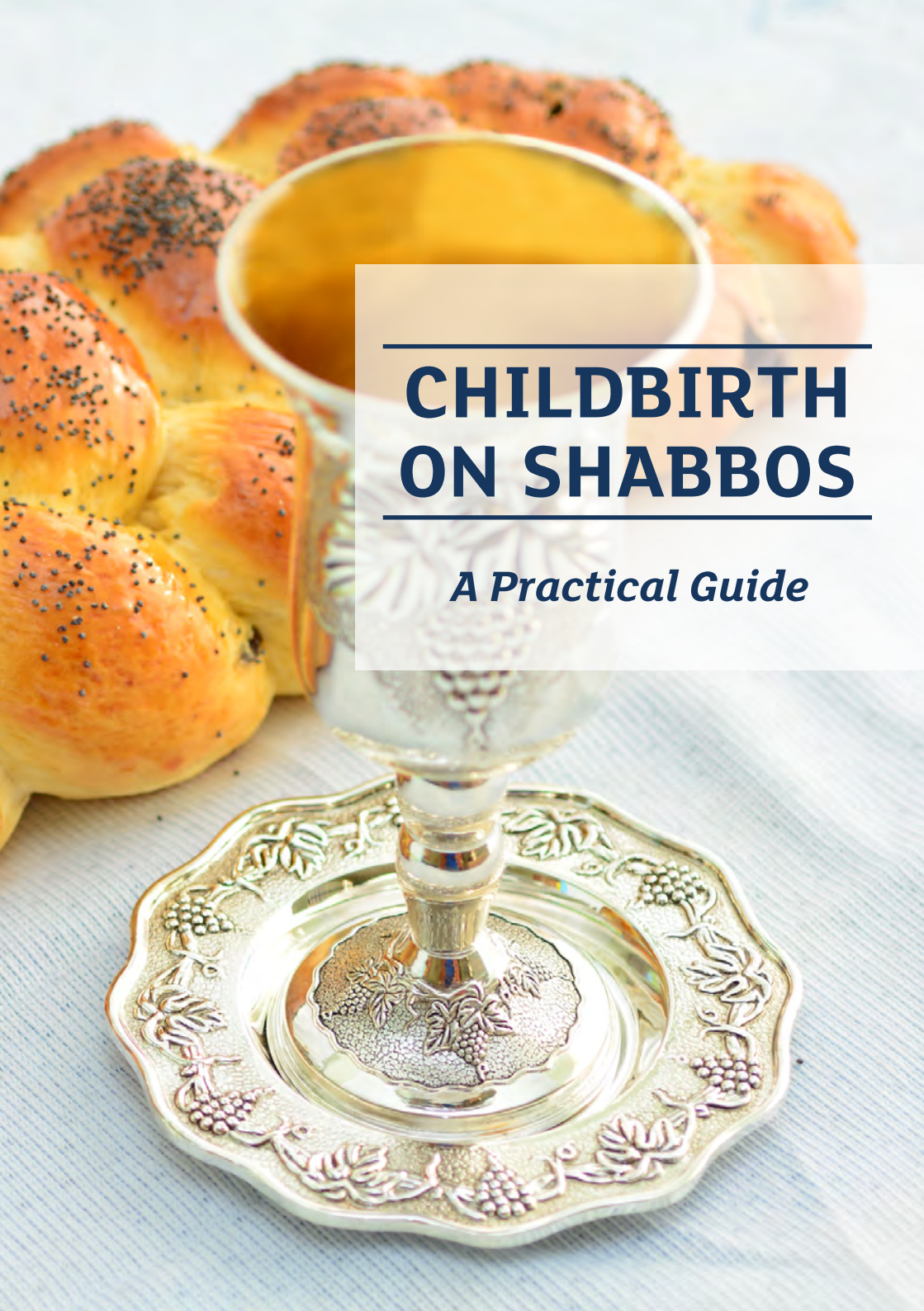

CHILDBIRTH ON SHABBOS

A Practical Guide

Approbation from Rabbi Eisner

אלכסנדר מרדכי הכהן אייזנער

דומ"ץ בהתקה"ח לונדון

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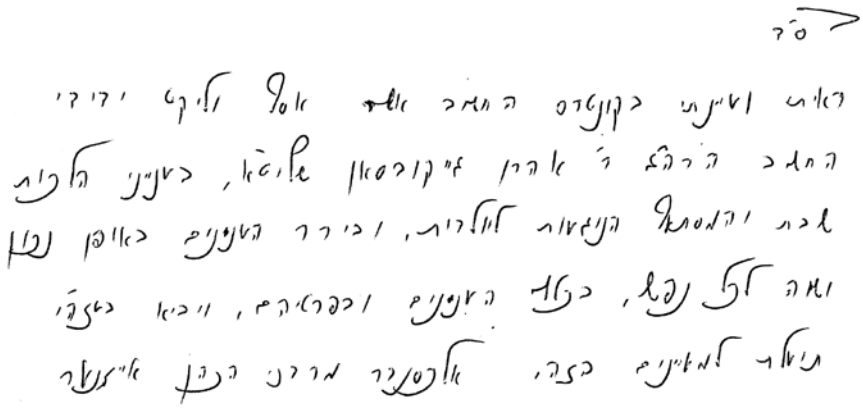

Please be aware that the labour support has slightly different halochos (ערובין פרק ד')

It is our sincere hope that this guide will help you and we kindly request your comments.

MEDICAL DISCLAIMER

No medical facts in this pamphlet should be relied upon. Please contact a competent medical professional.

For comments, suggestions or to order copies of this booklet please contact:

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INTRODUCTION

שבת is an everlasting bond between Hashem and the Jewish nation - ביני ובין בני ישראל אות היא לעולם - and therefore its sanctity is very great. Nevertheless a ישראל's life takes precedence over the שבת.

The תורה prescribes וחי בהם - that one should live by the תורה. Therefore one must do whatever one can to preserve and protect the life of a person and that includes the life of a foetus. As a result childbirth is considered a פיקוח נפש situation and overrides שבת.

However, any unnecessary חילול שבת must be avoided. The חפץ חיים recommends that every lady in her ninth month should make adequate preparations in advance to cover the eventuality of a birth occurring on שבת.

This booklet is intended as a brief guide for these preparations and to promote awareness of the halachic issues concerning childbirth on שבת.

The booklet has been prepared in consultation with various Rabbonim. Nevertheless, for all final rulings one should consult with one's רב and all medical issues should be discussed with a competent medical authority.

It is our תפילה that in the זכות of שמירת שבת you will be blessed with an easy, safe and healthy birth בעז"ה.

IMPORTANT NOTES

In a high risk pregnancy, or where bleeding, severe abdominal pains, or any other abnormal condition arises, one should seek immediate medical attention. וכל הזריז הרי זה משובח – In these cases חז"ל actively encourage speedy attention by a ישראל without regard to the איסורים of שבת.

If delaying a few minutes will not make any difference to the wellbeing of the mother or her child one is required to minimise חילול שבת as much as possible.

Therefore, if possible, one should instruct a non-Jew to do the מלאכה.

Where a non-Jew is not available, a Jew may do the מלאכה with a שינוי - eg with one's wrist or back of hand. As writing is a specialised act, writing with a left hand (for right handed people) or with the right hand (for left handed people) is also considered a שינוי.

If a non-Jew is not available and doing the מלאכה with a שינוי is also not possible, then an adult Jew should do whatever is necessary in the normal manner.

A child should never be used as a preference to do the מלאכה.

- ***If the mother feels that the baby's movements have stopped or slowed, then this may indicate fetal distress, and she should drink something sweet, and wait a few minutes. If she still feels no movement then she should seek URGENT medical advice.***

GENERAL הלכות OF אמירה לעכו"ם ON SHABBOS

Under normal circumstances, one may not directly ask a non-Jew to do a מלאכה מן התורה or even an אסור דרבנן. In certain situations, one is permitted to 'hint' to a non-Jew with an indirect רמז without directly stipulating the request.

For example if the light is on at night in a bedroom it would be prohibited to ask the non-Jew to switch it off but one can tell the non-Jew that the light in the room is lit and that שבת laws prohibit a Jew switching off the light, from which he will understand to switch it off himself. Note: If the non-Jew replies "So you would like me to open the door", answering "Yes" would constitute a direct request which is אסור.

The details as to the extent that this is permitted are beyond the scope of this guide.

In situations of great necessity, מצוה, or severe monetary loss one may directly instruct a non-Jew to do a מלאכה מדרבנן.

In all situations of a חולה, which includes all the requirements of a יולדת, the איסור of אמירה לעכו"ם is waived even for instruction to do a מלאכה דאורייתא.

WHEN DOES ONE OVERRIDE THE SHABBOS FOR A יולדת?

The היתר to override the שבת for all the requirements of a יולדת only starts when a lady is deemed to be in a situation of חולה שיש בו סכנה

This is when one of the following situations occur:

- Strong contractions every 5 minutes, each one lasting at least 45 seconds[1]
- Serious bleeding דם שותת ויורד
- Lack of fetal movement

Nevertheless, with regards getting to hospital, even if one has not yet reached the stage of being considered a יולדת, (for example, if ones waters are breaking or one is having contractions at longer intervals which are situations insufficient to override Shabbos,) one must nonetheless take due consideration to get to hospital in good time. Therefore one may do any מלאכה required to get to hospital (as detailed on Page 4)

1 See Shulchan Oruch in ג-ל"ש who defines the stage of יולדת as: אינה יכולה להלך ברגליה בלי סיוע ומשתשב על המשבר

PREPARATION BEFORE שבת

Packing to go to hospital

Pack only the basics that are needed just for שבת – change of clothes for mother and nappies, baby gro etc for baby.

As one can be quite ravenous after birth, one should make sure to pack plenty of food. Food may also be included for the husband.

Preparation at home

Seeing as light may be required at home in the middle of the night it would be advisable to leave some lights on throughout the night[2] .

Packing on שבת FAQ

- ***Q. Can I pack a mobile phone?***

  A. You should take a mobile in case there is an unforeseen emergency.

- ***Q. Can I pack a סידור/ תהלים?***

  A. Anything required by the יולדת to enhance her peace of mind during the birth is permitted[1].

- ***Q. סידור/ תהלים or other book for husband?***

  A. It is permissible as long as a non-Jew is taking you to the hospital and the סידור/ תהלים is packed together with all of the other necessary items[2].

- ***Q. Can I pack money for taxi?***

  A. If necessary, but usually preparing money at home should be sufficient.

1 דקים להו לרבנן דיתובי דעתא דיולדת הוא מילתא דסכנתא שו"ע ש"ל סעיף ו

2 שבות דשבות במקום הצורך

2 שמירת שבת כהלכתה פ' ל"ו הערה א

WHEN TO GO TO HOSPITAL

One should go to hospital when one has reached the stage that one would normally go to hospital during the week. Go to the pre-arranged hospital even if it entails travelling a further distance.

The reason one is not required to travel to the nearest hospital and one may go to a hospital further afield is because presumably this hospital was chosen as it provides a preferential service and anything that adds to the peace of mind of the יולדת overrides the שבת.

When to go to the hospital FAQ

- ***Q. I've started irregular contractions before שבת and I know that I will definitely have to go in on שבת. Can I wait at home until I need to go or should I go before שבת in order to reduce חילול שבת?***

  A. Call the hospital about half an hour before שבת. If they do not yet want you, then stay at home, relax and go when you are ready[1].

- ***Q. It is שבת afternoon, contractions have started and I reckon that I could wait until שבת terminates to go to hospital. Should I do so?***

  A. This is not necessary. Unless, you know that you have definitely got plenty of time, you should act as you would normally do during the week.

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1 קצות השלחן סימן ק"מ בדי השלחן ס"ק ג' החכם עיניו בראשו שאם רואה התחלת חבלי לידה מערב שבת מוליכין אותה מבעוד יום לביה"ח כדי שלא יצטרכו אח"כ לחלל שבת בנסיעה וכן נוהגים יראי ה'. אולם ראיתי בספר רפואה לר' י.פ.בודנר שנשאל להג"ר שלמה זלמן זצ"ל דאם תצטרך לחכות בחדר המתנה אינה צריכה. ולכאו' בפרט כאן באנגלי' שבודאי לא תהא במצב יישוב הדעת כשתגיע ללידה וגם בפרט דאין כאן חילול שבת דאורייתא שהרי הנסיעה על ידי גוי-וא"כ בודאי אין להחמיר

- ***Q. I have a high risk pregnancy, does that allow us to go to hospital earlier?***

  A. If you suspect any complications then get to hospital asap - וחי בהם.

- ***Q. This is my first birth and I am uncertain if it is time to go to hospital?***

  A. Giving birth is deemed by חז"ל as a פיקוח נפש situation and therefore always err on the side of caution. If you are uncertain then do whatever you would normally do had it been a weekday.

GETTING TO HOSPITAL

Necessary calls

1. Alert the hospital labour ward
2. Call the labour coach
3. Call a non-Jewish minicab (if available)

Using the phone on שבת involves a number of איסורי דרבנן and possibly דאורייתא: Therefore

- Lift the receiver from the base with a שינוי, eg with one's wrist, back of hand etc.
- Press the buttons with the knuckles or little finger
- Be polite but keep the discussion to the matter at hand[3].

Hang up after calling, as the taxi service may need to call back if they can't find the house. Obviously if there is no possibility of any return calls happening then don't replace the receiver, unless one is connected to an emergency service (eg Hatzola) who need the lines to be kept free in the event of other emergencies.

Transport

The ideal way to get to hospital is with a non-Jewish driver. Ask him to take the bag out of the house and upon arrival to take the bags out of the car into the hospital[4].

Ask him to open the doors. Most drivers are very obliging once explained that the שבת restricts these actions.

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3 דיבור בטלפון אינה מלאכה אלא עובדא דחול

4 Consideration should be given to the type of area where the car is parked. If the car is in the same halachic רשות as the departure/arrival point and this is surrounded by walls of ten טפחים high (approx 1m) then this requirement is superfluous.

Getting to the hospital FAQs

✦ ***Q. Who can accompany the יולדת to hospital?***

A. The labour support obviously gives active support but the husband or mother also gives much needed emotional support. Furthermore their presence means that they are on hand to call for extra medical assistance should the need arise.

If the mother of the יולדת accompanies her in addition to the labour support, then the attendance of another person is superfluous and the husband would not be permitted to accompany his wife.

It is important to note that this pamphlet is intended for general guidelines and each personal situation should be discussed with one's רב well in advance of childbirth.

In such circumstances, where the husband is not permitted to travel with, it goes without saying that he should not undertake walking if the route to hospital involves going through areas that might cause worry or distress to his wife, as the peace of mind of the יולדת is of paramount importance for a healthy birth.

✦ ***Q. My cab driver turned out to be Jewish what should I do?***

Please note that in general you do not have to suspect that the cab driver is Jewish, and it is best to avoid discussing the issue with him. Keeping conversation with the driver to a minimum will help you to minimise halachic difficulties.

A. Continue the journey to hospital with this cab driver – this is a פיקוח נפש situation. In this situation there is no advantage in the driver taking the bags out of the car, but sometimes the hospital porter (or another non-Jew) is in an obliging mood and will take the bags in, avoiding carrying from one רשות to another[1].

In this case, if you have to take the bags in yourself, you may only take in to the hospital what the יולדת requires and NOT for those assisting her.

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1 Consideration should be given to the type of area where the car is parked. If the car is in the same halachic רשות as the arrival point and this is surrounded by walls of ten טפחים high (approx 1m) then one is permitted to carry in this area .

✦ ***Q. It's become an emergency and there's no time to wait for a cab. Should my husband drive to hospital?***

A. This is never a recommended suggestion from a practical, emotional and halachic perspective. In emergency situations call Hatzola or London Ambulance service.

If time allows you may find yourself more comfortable with the ambulance service as opposed to people you are more familiar with. Furthermore if you have the minutes to spare using a non-Jew is always preferable.

If there is no alternative but to drive, take someone else with for emergency purposes. Drive carefully with all the appropriate safety considerations. Upon arrival in the hospital leave the car running and advise a member of staff with an indirect hint that one must leave the car here running as the Sabbath laws prohibits switching off the car, since it is no longer required for life saving. One may add that Jewish law does not prevent a non-Jew from switching off the motor. (see Page 4)

✦ ***Q. May I make a detour to take my toddler to a childminder or relative?***

A. If there is no one at home suitable to look after the remaining family then it is permitted. This is because ensuring the children are cared for is part of the necessary preparation for going to hospital.

One should enquire in good time prior to שבת, as to which taxi companies generally have non- Jewish drivers and politely request to be served by a non-Jew.

IN THE HOSPITAL

Using electricity

If time is of essence then proceed quickly doing whatever מלאכה is required, eg opening electric doors etc. If there is time then request a גוי to open the doors, switch on lights and heating. Where there is no גוי then the Jew should use, where possible, a שינוי (see page 4) when pressing electrical switches eg the lift call button.

Switching on the heating oneself is only permitted when the יולדת has reached the stage that she is considered a יולדת for שבת purposes - see Page 6. Prior to that stage a non-Jew should be asked to put the heating on.

Light in the delivery room is considered by חז"ל as essential for a comfortable and safe birth and hence in the unlikely event that a non-Jew is not available, one may turn on the light oneself once the יולדת has reached the stage detailed on page 6 (if possible, one must use a שינוי in the first instance)

Signing

In cases where a signature is required e.g for consent to a C-section, quite a number of hospitals will accept verbal consent, which is of course the more preferred option.

If verbal consent is not possible then sign with a שינוי as detailed on Page 4.

Use of sensors in non-emergency situations

In many hospitals sensors are used to operate lights and other facilities. This poses a problem as one is effectively switching on an electric appliance on שבת.

With regard to lights, for the יולדת a non-Jew may be asked directly to enter the room first and so activate the lights.

For those accompanying the יולדת this would apply where there is a need to use the WC[5].

There is no problem in leaving the room even though the light will eventually go out.

With regards to using the WC, toilets where the flush mechanism is automatically activated by sensors may be used.[6]

Toilets where the sensors are manually activated may not be flushed, and similarly, wash basins that are sensor operated should not be used. Use an alternative manually operated tap. If no alternative is available, ask a non-Jew to activate the tap.

In the hospital FAQ

✦ ***Q. My husband needs to move around the hospital for his own personal needs – What's the הלכה for him with regards to opening doors etc.?***

A. Here one is required to use an indirect hint to a non-Jew, eg "I need to leave but our Sabbath restricts us opening this door" (see page 5)
Note: If the non-Jew replies "So you would like me to open the door", answering "Yes" would constitute a direct request which is אסור.

5 מפני כבוד הבריות

6 פסיק רישא דלא ניחא ליה במקום כבוד הבריות

KIDDUSH & HAVDOLO

קידוש – If one does not have grape juice, one can make kiddush on *challa*. If no challa is available, then on beer or pure fruit juice. The normal text of kiddush should be recited, replacing the brachah of הגפן with שהכל/המוציא.

On Shabbos morning if no grape juice is available, then beer or pure fruit juice may be used. If neither of these is available then it is sufficient to make המוציא on *challa* in lieu of kiddush. If one was unable to make Kiddush on Friday night, then the full text of the Friday night Kiddush is said .

If none of the above items (grape juice, beer, wine or *challa*) is available, and it is thus not possible to make kiddush one may nonetheless eat other foods without making kiddush[7].

הבדלה - One can make havdala on beer or pure fruit juice if no grape juice available, but not on bread.

If one does not have בשמים or a candle available one should still make havdala, omitting those brochos.

If none of the above is available then one may eat before havdala[8]

7 רפ"ט סעיף ב'

8 רצ"ו-ג'

POST-NATAL

After the birth

A lady is considered to be in a state of חולה שיש בה סכנה for 7 days after birth. Therefore one should ensure that hot water and heating is prepared for her before the onset of שבת.

Should she have requirements which have not been prepared then her needs override the שבת.

Ideally a non-Jew should be asked to do the required מלאכות. In cases of extreme necessity – see notes on Page 4.

The hospital is the best place to be if the care in hospital is of a satisfactory standard, as they are on the spot should ח"ו any fever, haemorrhaging or other complication to mother or baby occur.

An effort should be made to remain in the hospital to avoid unneccessary חילול שבת.

However if she is discharged on שבת or יום טוב then one should ask a non-Jew to call a cab to get her home.

Taking the baby home

Ask a nurse to accompany the mother until the entrance of the hospital, and ask her to carry the baby to the car.

Upon arrival home

If possible, ask the driver or other non-Jew to take the baby into the house.

Taking belongings home

Pack all belongings together in one bag and let the non-Jew take

this to his car. One should ask using an indirect hint as explained on Page 4 “It is our Sabbath and we may not carry our bags to the car today.”[9]

Post-Natal FAQ

✦ ***Q. If I need to call the nurse at any time during my hospital stay after the birth, how may I do so?***

A. Use the call button with a שנוי[1]

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1 שכ“ח ד’- מ“מ כל צרכי חולה שיש בו סכנה מותר לעשות וע’ במ“ב דבמלאכה דאורייתא יש להחמיר

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9 באמת המשנה ברורה ש“ז סעיף ה מתיר רק במקום הצורך או בלי צורך בהפסד מרובה. אולם יש לצרף דיעשה בדרך רמז ושיש נידון אם הוי ריבוי בשיעורים וגם המנהג להתיר של הרמ“א שכ“ה סעיף י’

GENERAL נדה GUIDELINES

A יולדת becomes a נדה when:

- Either there is a show of blood of even the minutest amount.
- Or when contractions are very strong[10].
- Waterbreakingisusuallyaccompaniedwithashowofblood. (Ask your רב for individual circumstances)

נדה *FAQ*

✦ ***Q. If no one else is around to help my wife give birth what can I do?***

A. Medical staff in the hospital like to involve the husband in the birth. This is forbidden by הלכה. If there is no assistance available - for example an emergency home delivery then one should do everything required to ensure a safe delivery for the baby and a comfortable environment for the יולדת until assistance arrives. Once this help arrives, the היתר of פיקוח נפש for the husband no longer applies, as there are now other people on hand to take care of the יולדת .

One of the זכויות that assists a woman in childbirth is her meticulous attention to the הלכות נדה, it is therefore appropriate to make sure that one's help is truly required as פיקוח נפש.

10 See Shulcan Oruch in ג-ל"ש who defines the stage of יולדת as: אינה יכולה להלך ברגליה בלי סיוע ומשתשב על המשבר

USEFUL NUMBERS

Please take the time to fill in your relevant numbers

Hospital ID Number .....

Hospital labour ward .....

Hatzola ***0300 999 4 999***

Labour support .....

Emergency services ***999***

Taxi service .....