

Natural Childbirth: May The Husband Attend?

By Dr. Avraham Steinberg

A. Introduction

Throughout history, women have suffered the pangs of childbirth, almost as a law of nature. The Torah teaches that this was Eve's punishment for eating from the forbidden fruit: "בעצב תלדי בנים" "You will bear children in pain."¹

The Catholic church regarded this dictum as an imperative, so that human beings were not allowed to change it under any circumstances. Rabbi I. Jakobovitz quotes a historic fact that "before the discovery of anesthesia, a woman in France was detected in an attempt to ease the pain of childbirth with the help of another woman. This was construed as a blasphemous attempt to thwart the curse which G-d had laid upon Eve and both women were burnt to death."² It was not, in fact, until 1949 that the Holy Office announced papal sanction for painless births.

1. בראשית, ג' ט"ז.

2. I. Jakobovitz, *Jewish Medical Ethics*, 2nd Ed., New York, 1975, p. 104.

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Among Jewish scholars this problem is never raised. The reference regarding Eve never presented any difficulty, as she was *cursed*, not commanded, to suffer birth pains. Zimmels³ remarks that the prohibition of analgesics for pangs of birth would, in fact, contradict Jewish ideology, since the ways of Torah "are ways of pleasantness and all her paths are peace"⁴.

Since pain of labor and delivery is so great, one would not be surprised to find — from time immemorial — various attempts to reduce and alleviate this suffering. We encounter in all cultures and throughout human history the usage of medical-anesthetic devices as well as psychological attempts to relieve the pain of birth and encourage the woman at her difficult time of parturition (labor and delivery). In all but one of 150 cultures studied by anthropologists, a family member or friend, usually a female, remained with a mother during labor and delivery.⁵ In Jewish tradition the onlookers at labor used to encourage her, saying: "The L-rd who answered your mother in her time of need, will also answer you in your time of need"⁶.

Several scientific articles have been published recently, pointing out the importance of human companionship during birth. One of these studies⁷ proved that when there was a companion to the woman during her labor, the length of time from admission to the hospital until delivery was shortened. Furthermore, mothers who had a companion present during labor were more awake after delivery, smiled and talked to their babies and were more alert and active compared to control mothers without companions. The frequency of development of certain problems that require intervention during labor and delivery was lower for mothers who had a supportive companion. This — and other previous studies — suggest that there may be a major perinatal benefit of constant human support during labor.

3. H.J. Zimmels, *Magicians, Theologians and Doctors*, London, 1952, p. 7.

4. משלי, ג' י"ז.

5. R. Rosa et. al., *New Engl. J. Med.*, 303: 597-600, 1980.

6. מדרש תהילים, כ' ב' י"ד.

7. R. Rosa et al, *loc. cit.*

In the past three decades, an extended birth psychoprophylaxis has developed. This is a psychologic method of preparation during pregnancy designed to prevent — or at least to minimize — pain and difficulty during labor. The pregnant woman is taught in various modes to use her natural brain processes to her advantage. The basic principles and methods of psychoprophylaxis were developed by Russian obstetricians. In 1951, Dr. Lamaze, a French obstetrician, visited Russia and saw women trained in psychoprophylaxis deliver without pain. Upon his return to Paris, Dr. Lamaze adapted this method for use in the Western world. This technique — as well as some other variants — have spread to many countries all over the world.

Most of these methods include training programs during pregnancy together with a companion — usually the husband — who continues to accompany the woman at labor and delivery, encouraging and reminding her to use the psychotherapy and relaxation exercises learned and practiced during pregnancy. These include learning how to relax the muscles via various breathing exercises. The husband is also trained to ease his wife's pain by applying pressure to painful areas, mopping her brow, and massaging or rubbing her as needed to relieve tension.

B. The Halachic Problems

From the halachic viewpoint, there are two aspects to the issue of the husband's participation at parturition. On the one hand a woman in labor and delivery is considered a *Nidah*, and therefore the husband is prohibited to touch her and to look at certain parts of her body. On the other hand a woman giving birth is considered a dangerously sick person for whom many prohibitions are permitted. The question now is — which halachic definition should be operative? May he try to alleviate her distress by implementing the Lamaze techniques, or is he forbidden to touch her as she is *Nidah*?

(a) The Status of *Nidah*

In Shulchan Aruch we find the following *Din*⁸:

יולדת, אפילו לא ראתה דם, טמאה כנדה, בין ילדה חי בין ילדה מת ואפילו נפל.

"A woman giving birth, even if she did not see any blood, is 'unclean' as a *Nidah*, whether she bore a live child or a dead child, or even had a miscarriage." According to this halachic definition, all laws of *Nidah* are applicable to a woman in parturition. The definitions of various stages of labor were discussed by *Chazal* in reference to the woman's status as a dangerously sick person — see further in section (b). These definitions are valid to her *Nidah* state as well. As soon as regular contractions commence, she should be regarded as "*safek Nidah*" (possibly a *Nidah*)⁹, unless it is proven that those were false contractions. Of special relevance to our discussion are two *Dinim*: (1) The prohibition to look at certain parts of one's wife's body during her period of *Nidah*; (2) The prohibition to touch her at that time.

(1) Regarding observation — the following *Psak* is cited in Shulchan Aruch¹⁰:

מוותר לארם להביט באשתו, אע"פ שהיא נידה והיא ערוה, לו, אע"פ שיש לו הנאה בראייתה, הואל והיא מותרת לו לאחר זמן אינו בא בזה לידי ממשל, אבל לא ישחק ולא יקל ראש עמה.

"It is permitted for a man to look at his wife, even if she is a *Nidah* and is (sexually) forbidden to

8. שר"ע, יורה דעה, קצ"ד, א'.

9. סו"ט, קצ"ד, סכ"ה; שו"ת אגרות משה יורה דעה ב שאלה ע"ה.

10. שר"ע, אה"ע, בא"ר, ד'.

him, and even if he derives pleasure from seeing her, for since she will be permitted to him later on, he will not (by looking at her) come to do a sin. However, he should not joke around or be light-headed with her."

Although according to this statement, one might argue that it is permitted to look at all parts of a *Nidah*-wife, elsewhere the Shulchan Aruch limited this permission¹¹, and subsequent *Poskim* have followed this ruling¹². Some have forbidden looking at genital organs, whereas others have expanded the prohibition to all parts of the woman's body which are ordinarily covered¹³. Therefore the husband is forbidden to look at the actual delivery — whether directly or through a mirror; nor may he take pictures or movies of the delivery, etc.

(2) Regarding touching the *Nidah* — The *Rishonim* are in dispute whether this prohibition is Biblical¹⁴ or Rabbinic. The leading *Posek* who rules that the prohibition to touch a *Nidah* is *mi'd'oratha* (Biblical) is the Rambam¹⁵:

כל הבא על ערוה מן העריות, או שחיבק ונושק ררך תאוה, ונהנה בקירוב בשר — הרי זה לוקח מן התורה, שנאמר, לא תקרבו לגלות ערוה, כלומר לא תקרבו לדבריה המביאים לידי גילוי ערוה.

"Whoever has relations with a woman prohibited to him, or embraces or kisses her in an affectionate manner and derives pleasure from the closeness of flesh — he is punishable according to the Torah, since it is written 'you shall not come near to uncover

11. ויזהר רעה קיצה טיקו ז', ולא יסתכל במקומות המבוסים שבה'.

12. Based on the following: כל המסתכל בעקבה של אשה, חויין לו בנים שאינם מוגנים, אמר רב יוסף, ובאשתו נדה — נדרים, כ' א'.

13. See in detail — סקליב, סי' בא', סקליב — אורחיים, סי' בא', סקליב.

14. This is based on the verse:

איש איש אל כל בשרו לא יקרבו לגלות ערוה' — ויקרא, יח' ו'.

15. רמב"ם, איסורי ביאה, כא' א'.

nakedness', meaning do not come close to those things which lead to forbidden relations.

Most *Rishonim* are in agreement with the Rambam. The leading representative of the opinion that the prohibition of touching a *Nidah* is only Rabbinic, is the Ramban¹⁶, and some of the *Rishonim* agree with him¹⁷. Most *Acharonim* confirm the halacha to be in accordance with the Rambam¹⁸.

However, another problem pertinent to the prohibition of touching a *Nidah* is whether it is only contact in a way of affection and passion which is proscribed (דרך תאוה' in Rambam's language), or even when the touch is for the wife's immediate need. Some *Poskim* forbid the husband to touch his *Nidah*-wife even when she is sick and needs his help to get out of bed¹⁹. Others maintain that when there is no one else to assist her in the above-mentioned circumstances, then the husband is allowed to touch her for her sake and need, even if she is not dangerously ill. The Ramo adds²⁰: "And this is the custom when she needs it very much." Of similar relevance is the halachic dispute whether a physician is allowed to palpate the pulse of his sick wife when she is *Nidah*.^{21,22}

16. רמב"ן, ספר המצוות, מצות לית, שני.

17. See summary of these opinions: אנציקלופדיה: אורחיים, אורחיים סי' ב', סק"ה, אות א', אנציקלופדיה: תלמודית ערך גילוי ערוה, כרך י', עמ' ק"א-ק"ב.

18. See note 17. Also מערכת קוף, כלל ז'; ובאספת דיונים, מערכת חתן וכלה, אות יב'; תורה תמימה, ויקרא, יח, אות ב'.

19. המחבר, שו"ע, יורה דעה, סי' 19.

20. רמ"א, שם, וראה דרכיו כפתוש, שם, סקט"ו.

21. מחלוקת המחבר והרמ"א, שם, סתוף יו'. וראה בהרחבה אורחיים, סי' ב', סק"ה, אות א': אנציקלופדיה תלמודית, ערך חולה, עמ' רפ"ב — ובמקורות שצוינו שם.

22. See שרי חמר note 17.

Others relate this same logic to the question of shaking hands with a woman. It should be pointed out that all opinions agree that touching another woman is forbidden; the argument is only whether it is *issur derabbanan* only, and since she is sick, it would be permitted. In order to permit shaking hands with a woman, it would be necessary to find a similar justification for abrogating the *issur derabbanan*.

Nevertheless, in the context of our discussion, I would tend to define the husband's touch of his wife in labor closer to "affection and passion", since it cannot seriously be stated that such a touch is of immediate medical need and help.²³ Therefore, the husband is forbidden to hold the hands of his wife during labor and delivery, to support her head, or to touch any other part of her body.

(b) The Definition of Parturition as a Dangerous Condition

The Shulchan Aruch gives us the following *Din*²⁴:

היולדת היא כחולה שיש בו סכנה ומחללין עליה את השבת לכל מה שצריכה.

"A woman in labor and childbirth is like a person who is dangerously sick, and we transgress the Sabbath for her for whatever she needs."

Regardless of whether medical opinion is in agreement with the above assessment, the halachic status of a woman in labor is that she is dangerously ill (כחולה שיש בו סכנה). When a person is in mortal danger, we are commanded to do virtually anything which is required to save his life, without giving thought even to desecration of Shabbat. Generally, one need not even seek a Gentile to drive that sick person to the hospital, but should himself immediately do so, and personally perform any other required service. Thus we see that the needs of a dangerously ill person set aside almost all the laws of the Torah.

However, since parturition is a natural occurrence and the

great majority of women in this situation do not die, our Rabbis found it necessary to set more stringent regulations regarding her care than in other dangerous conditions. They recommend that every action needed for the woman in labor on Shabbat be performed in a manner somewhat different from the usual (שינוי). (If activity forbidden on Shabbat is done differently (בשינוי), it is not considered as a Biblical transgression but rather as disregarding a Rabbinic law, which is less severe). Nevertheless, this recommendation holds true only if no delay in the treatment is anticipated due to the deviation. Otherwise, one is encouraged to do everything necessary in mode and manner to save her life.²⁵

Our Rabbis have defined three manifestations of labor, from which time on the woman is considered "dangerously sick":²⁶

משתשב על המשבר או משעה שהדם שוחת ויורד, או משעה שחברותיה נושאות אותה בורעותיה שאין בה בה להלך.

From the time when she sits on the birthing stool or from the time that blood comes forth, or from the time that her friends have to support her arms and hold her up since she cannot walk.

Although for most purposes these stages define the status of labor, there are some actions which are permitted on Shabbat even before the onset of one of the above-mentioned signs.²⁷

25. מנן אברהם סי' שיל אות ג.

26. שו"ע, א"ח, ש"ל ג' – עפ"י שבת, קב"ט, א'.

These 3 stages can be defined in modern situation as follows: (a) Sitting on the birthstool – coming into the delivery room; (b) Blood running down – would probably include the stage of rupture of the membranes; (c) Friends carrying her – is probably very close to delivery.

The meaning of משבר is discussed by J. Preuss, *Biblical and Talmud Medicine*, trans. by F. Rosner, 1978, pp. 395-396.

27. משנה ברורה, ש"ל, סק"ט, ראה גם: שרית צפנת מענה, (ח"ב), סי' רל"ג. שרית אנרות משת, א"ח, סי' קל"ב.

23. From the Mishna ז"ר אהלות, ז"ר אהלות, one cannot deduct the assumption that a woman in labor was carried in a prohibited way – since most likely this was done by girlfriends, as we find a similar expression in א' – שבת, קב"ט, א' – "At at time when her girlfriends carry her under her armpits."

24. שו"ע, א"ח, ש"ל א'.

(c) Peace of Mind as a Reason for Concession

Since a woman in labor is considered a dangerously sick person, all laws of *pikuach nefesh* (a life-or-death situation) are applicable. Any action necessary for immediate treatment is permitted, even if it is a desecration of the Shabbat under ordinary conditions. But is one permitted to perform an action on Shabbat which is done only for the peace of mind of the patient, even if medically it is unnecessary? In other words, the action is done for the sole aim of preventing the patient from "losing his mind" (טירוף הדעת) if things will not be performed according to his wishes.

If טירוף הדעת is a viable basis for Sabbath desecration, might it also be considered as sufficient grounds for permitting a husband to comfort his wife in labor by touching her? Although his touch is obviously not medically essential, if *she feels* it is necessary, would the halacha permit it so as to prevent טירוף הדעת?

We find several examples in which the patient's psychologic state of mind was taken into consideration to enact a lenient *Psak*: (1) If a person is on his death bed (שכיב מרע), certain otherwise forbidden acts may be done for him, so that he should not become upset and perhaps die more rapidly due to his distress.²⁸ One such ruling refers to his giving a Get (religious divorce) on Shabbat. If he wishes to divorce his wife on Shabbat before he dies, so that she will not become a *Yevama**, he is allowed to do so.²⁹

* A *Yevama* is a woman whose husband died childless. According to the Torah, she must marry her dead husband's brother, or else obtain a release from him prior to marrying anyone else. However, if she were divorced, she would not be his widow (*yevama*) and would thus be free of any restrictions in remarrying.

28. בבא בתרא, קניין, ב.
29. שריע, אויח, שליט, ד.

ואין מגרשין [בשבת] אלא אם כן הוא נט שכיב מרע דתקיף ליה עלמא.

"A divorce may not be issued (on the Sabbath) except in the case of a deathly-ill person." The Mishna Brura appends the following:³⁰

„כדי שלא היטרף דעתו עליו אם לא יעשו כרצונו.

"...so that he will not become upset if they do not do as he wishes."

(2) A further example regarding peace of mind and *hilchot Shabbat* is the following:³¹

„הולה דתקיף ליה עלמא ואמר שישלחו בעד קרובי — ודאי שרי."

"A sick person who is failing rapidly and requests that his relatives be sent for — it is certainly permissible." This is to say that one is permitted (or even obliged³²) to hire a Gentile who will travel beyond the limit of Shabbat (חרום שבת) in order to inform the relatives of the sick man's condition. This is done only for the purpose of keeping the patient calm and reassured.

(3) The above examples indicate the extent to which Rabbinic

30. משנה ברורה, שם, סקביט.

The situation is such that the Get was written prior to Shabbat, and the sick person wants to hand it to his wife on Shabbat, which involves a prohibition דאורייתא but not דרבנן.

31. שריע, אויח, שו"ט.

32. ערוך השולחן, אויח, שו"ט, ב.

prohibitions may be lifted as a concession to the peace of mind of a dangerously sick person. But we also find indications that even a Biblical prohibition can be set aside to assure the peace of mind of the dangerously ill.³³⁻³⁴ Of special relevance to our discussion is the classic example of this principle, as recorded in Tractate Shabbat:³⁵

ומילין את האשה בשבת ... ומחלין עליה את השבת ...
לאחויי הא רתנו רבנן, אם היתה צריכה לנר חבירתא
מלקת לה את הנר ... פשיטא, לא צריכה בסומא, מהו
דתימא כיון דלא חזיא — אסוד, קא משמע לן איחובי
מיתבא רעתא, סברא אי איבא מידי חזיא חבירתא ועברה לי.

We assist a woman to give birth on Shabbat ...
and for her sake we desecrate Shabbat ... as our
Rabbis taught: If she required a light, her friend may
kindle a light for her ... Now it is obvious that a
blind woman in labor does not need light, and we
might think that since she cannot see, it would be
forbidden to kindle a light for her (on Shabbat) —
this passage comes to inform us that we set her mind
at ease, for she believes that if there is anything
required, my friend will see it and do it for me.

In Mishna Brura, it is stressed that the major consideration here is not the medical efficacy of the act, but its psychological impact.³⁶

ואע"פ שהרלקת הנר עיקרה אינה לרפואה, אעפ"כ מחלין,
דקים להו לרבנן דריתובי דעתא ריולדת הוא מילתא
דמיסתבא בה בלאו הכי.

33. רמב"ם, עבודה זרה, יא, א.

34. שו"ת הרשב"א, ח"ד, סי' רמ"ה; מנחת חינוך, מ' תקי"ב; נפש חיה על, 34.
אריה, סי' רע"ח.

35. שבת, קכ"ח. ב' וכן הלכה: רמב"ם, שבת, ב' יא; טושו"ע, א"ח, ש"ל, א.

36. משנה ברורה, ש"ל, אות ד.

And even though kindling the light is not primarily for therapeutic reasons, nevertheless we desecrate the Sabbath since the Rabbis considered that setting the woman's mind at ease during childbirth is something which, if it is lacking, could be a dangerous matter.

This clear-cut permission to violate even a prohibition *d'oraitha* for the peace of mind of a woman in labor is expanded by some *Rishonim* to include all dangerously sick patients, the woman in parturition being only an example of this type of patient.³⁷

It is somewhat surprising to find that some of our contemporary Rabbis try to differentiate between various conditions of danger and apply limiting and more strict rulings towards different types of patients.

For example, Rabbi Neuwirth³⁸ distinguishes between patients who ask for certain actions which have no direct implication on their condition — for which only a prohibition *derabbanan* may be violated — as opposed to a patient whose chances of improving depend on his psychological strength — for which even a prohibition *d'oraitha* is permitted.³⁹

Rabbi Y. Henkin⁴⁰ (grandson of Rabbi Eliyahu Henkin ז"ל) distinguished between the "טירוף הרעת", of a woman in labor and

הרמב"ן, תורת האדם: מסוגיא ריולדת קמ"ל תובי דעתא דחולה בעלמא מחלין שבתא.
כמ"ד ומסתבא; שו"ת התש"ן, ח"א, סי' נ"ד; "שאפילו מפני טוב דעתו של חולה,
ואפילו אינו צריך לרפואתו אלא שיוב דעתו, מרלקים את הנר אע"פ שהוא סומא ואינו
נהנה מן האור, ה"ה לשאר מלאכות שהחולה מתיישב בהן שעשועין אותן בשבת." וע"ע
בשו"ת הריב"ם, ח"ד, סי' ס"ד; פ"ג, סי' ש"ו בא"א סק"ה: שו"ת חלקת יעקב, ח"א, סי'
ס"ד.

38. שמירת שבת בהלכתה, מהרד"ה חשה, תש"ב, ע"ב, כ"ה: ס"ב.

39. The implication from the blind woman in labor who wants a light seems to contradict this distinction. Also, Rabbi Neuwirth's remark (In note 82) against this distinction is unjustified according to the חלקת יעקב.

40. רב"ה. י"ח. הנקח אסאי י"ט השליח ע"מ 82:44.

that of other dangerously sick persons. The woman has to be active during her labor — to expel and deliver her baby. Therefore her peace of mind is an important component of her "cure". However, another sick person has only to be passive and quiet — for which maximum peace of mind is not of such importance.

In my opinion one cannot formulate rigid rules regarding the importance of the peace of mind of a dangerously sick person, but rather judge and evaluate each patient and situation individually, and ask Rabbinic advice accordingly.

This was best summarized by Rabbi Weiss⁴¹ who concluded that "הכל לפי הענין", it depends on each situation.

Moreover, I would like to stress a responsum of Rabbi Feinstein, which is of great importance in defining and applying the concept of הרעת טירוף. Rabbi Feinstein was asked whether a husband is allowed to accompany his wife in labor in a taxi on Shabbat. His answer was positive, for the reason of keeping the wife's mind at ease. Although there might be different types of fear, Rabbi Feinstein disregarded these variations and concluded:⁴²

אבל מכל מקום לריגא, כיון שמצינו ביולדת שעלולה להסתכן מחמת פחד, מי הוא שיוכל לסמוך על חילוקים בחשש מיקוח נפש. ולכן אם היא אומרת שהיא מתפחדת אף אחרי שמסבירין לה שאין מה לפחד ליסע בעצמה — יש בזה חשש פקוח נפש וצריך הבעל או האם ליסע עמה. ואף אם נוסעת להאספיטאל כשעדיין אינה צועקת בחבליה, אם הוא במקום רחוק יש לו גם כן ליסע עמה, דאף שענה לא חסתכן, אבל הא אפשר באמצע הדרך יתווסף לה החבלי לידה עד השיעור שתצטעק בחבליה שאז יש לחוש שמא יסתכן מחמת פחדותה."

But in any case, according to the law since we have found regarding a woman giving birth that she

41. שו"ת מנחת יצחק ח"ד ס"ח.

42. שו"ת אגרות משה א"ח ס' קל"ב.

Other Poskim also stress the importance of escorting the wife in labor to the hospital on Shabbat. The Chazon Ish (א"א, אגרות קמ"א) wrote: "בענין נטיחת יולדת בשבת — הרב רבי הישיב, מורו אני שישעו עמה".

may be endangered due to fear, who can rely on minute differentiations when there is a possibility of danger to life? Therefore, if she says that she is afraid, even after they explain to her that there is nothing to fear in riding by herself — there is here a possibility of a life-threatening situation, and the husband or the mother must ride with her. And even if she has to go to the hospital while she is not yet crying from her pains, if it is far, then he should likewise go with her, for although at this point she is not in danger, but since it is possible that during the trip the pains will progress to the extent that she will cry out due to her pangs, since then one must be concerned that she might be endangered due to her panic.

In the above discussion, we have shown how seriously the *Poskim* considered the possibility that a fearful psychological state might endanger the welfare of the patient. Despite this, it does not appear that in the case of a woman giving birth we would generally allow apprehension for her peace of mind to outweigh the prohibitions concerning physical contact between a *Nidah* and her husband. This is evidenced by the following short and concise responsum of Rabbi Moshe Feinstein:⁴³

ובאם הבעל יכול להיות שמה [בעת הלידה] להשיג שתעשה הרבר בסדר הנכון, וגם לחזק אותה ולאמץ לבה הננה אם יש צורך איני רואה איסור ואף בלא צורך איני רואה איסור, אבל אסור לו להסתכל ביציאת הולד ממש. אף כשיהיה שלא להסתכל ליכא איסור.

And if the husband can be there at the time of the birth to supervise that everything is being done

43. שו"ת אגרות משה יורה דעה ב' שאלה ע"ה.

properly, and also to strengthen her and encourage her — If there is a need for this, I cannot see any prohibition, and even if there is no need for him to be there, I do not see any prohibition in his being there, but it is forbidden to watch when the baby emerges. But if he is careful not to look, then there is no prohibition.

Conclusion להלכה — לא למעשה

1. A woman in labor is considered a *Nidah*.
2. The husband is not allowed to touch his wife in parturition; he is not permitted to look at parts of her body which ordinarily have to be covered.
3. The fear, anxiety and apprehension of a woman in labor is a significant factor — scientifically and halachically.⁴⁴
4. For alleviation of this fear and in order to keep her mind at peace, one may be permitted to violate some prohibitions *d'oraitha*, but each case must be judged individually.
5. A private companion to the woman in labor and delivery is of significant importance.
6. The preference is for this companion to be a woman, who can be effective and who involves no halachic problems.
7. If the woman in labor insists that her husband should stay with her to alleviate her fears and encourage her — he is obliged to do so.
8. The husband should be taught and warned not to touch his wife

44. Rabbi Weiss in סביו חיה יצחק מנחת שרת makes the following statement: נשים דעתן קלילת ויש לחוש שמבקשין בן [היינו נוסחתי] הבעל משום קלילת הדעת ולא משום טירוף הדעת.

Similarly, Rabbi Halberstam (in *Assia* 21:5738, p. 18) makes the following statement: טענות אלו הנשים שרוצות שבעליהן ישארו בנימוק של מחר נובע בעיקרו מתוך בקשת נוחות יחירה.

These statements are in dispute with the scientifically proven evidence cited in note 5. Also relevant to the halacha, note Rabbi Feinstein's statement and definition (note 42 above).

during labor and delivery (unless needed medically) and not to look at parts of her body which usually have to be covered.⁴⁵

45. Rabbi Halberstam (in *Assia*) objects to the husband's participation in parturition, lest he touch his wife or look at forbidden parts of her body. In my opinion, this can be explained to the husband, and one should not assume that in spite of the explanation he would violate these prohibitions. People who care enough to ask a *Shailah* do not have to be suspected of violating a halachic ruling אטו ברשיע עסקין. On the other hand, to formulate a new law to forbid an act which is permitted, lest one perform another act which is forbidden, is a procedure which we do not have the power to enact nowadays. See גע. נרע. שרת יחוד דעת חייג ט ב particularly in *Talmudic Encyclopaedia*, n. 10.