



## ICJW Online Study Program

### “Women's Lifecycle Events”

#### WOMAN'S LIFE CYCLES FROM A JEWISH PERSPECTIVE

#### **Session IV - PREGNANCY, CHILDBIRTH AND THE COMMUNITY** by Penelope Conway

This article is about some of the usages and laws concerning childbirth and pregnancy in Judaism. It is a compilation of discussion points that I have read about and it is not taken directly from the sources. It will also cover some of the customs that have developed in different communities over the years.

During the essay I will try to include some questions that you may like to use as the basis for a discussion group with your members. As with all aspects of Jewish law there are many interpretations. Your choices will depend on your degree of orthodoxy and/or adherence to the views of a particular Rabbi. Many differing views are available on each topic and I have tried not to allow my own perspective to influence what I have written

The first commandment in the Torah is ‘be fruitful and multiply’ and therefore historically Jewish families were large. During the last 50 years the numbers of children have decreased dramatically except within the very orthodox sectors of the community. Many authorities interpret this commandment to be binding on men only.

#### **Conception**

Whatever one's views may be about the origins of the Torah it is amazing that thousands of years ago the Laws of Family Purity mirrored what fertility experts are now recommending for couples trying to get pregnant! A period of abstinence followed by intercourse around the time of ovulation. Exactly what happens if the couple abstain during menstruation and for 7 days afterwards until the woman has visited the Mikvah (ritual bath.) As this is around day 14 of the menstrual cycle when ovulation occurs pregnancy is most likely to follow. Thus many orthodox couples have their first baby before their first wedding anniversary.

For couples having difficulty conceiving several treatment options are available and the Rabbis have considered them all.

- Artificial Insemination by Husband (AIH) is the least contentious although there is disagreement on the method of collecting the husband's sperm, as some authorities do not allow use of a condom for collection.
- Artificial Insemination by Donor (A.I.D.) is much more problematic.

Difficulties arise re the status if the child. Is A.I.D. to be considered as adultery making the child a mamzer? Should the child be told? If the child is not told and the identity of the father is not known there is the problem of unintentional incest in the next generation if the child met a sibling without realising they were a half brother or sister. There can also be problems with inheritance, the child's priestly status and whether the mothers husband (not the donor) has fulfilled his duty to be ‘fruitful and multiply’

**Would you tell your child if it had been the result of A.I.D.?**

**Would you be concerned if the donor was not Jewish?**



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#### **Adoption**

The Talmud says that a person who raises someone else's child is regarded as if they had actually brought the child into the world physically. However if the child is not halachically Jewish it must go through a conversion process. This is obviously simpler than for an adult.

#### **Surrogacy**

This is still being debated between scholars and ethicists and presents problems that are religious and ethical. It is too specialised a topic for a general overview.

#### **In Vitro Fertilisation**

This does not present any ethical problems as the eggs are provided by the mother and the sperm by the father. The only change is that fertilisation takes place outside the mother's body.

Problems can arise when several fertilised eggs are replaced in the mother to increase the possibility of a successful pregnancy. This can lead to multiple foetuses and increased risk to the mother and the babies. Changes in the law in the UK have reduced the number of eggs that can be replaced so multiple births should not be a problem in the future. However in other countries Rabbis have had to address whether it is permissible to abort some of the foetuses to give those remaining a better chance of survival. If it is permissible how is the decision made which ones to abort?

The consensus among experts in Jewish law is that in certain circumstances pregnancy reduction is allowed. One reason is if the pregnancy poses a real threat to the life of the mother.

A more difficult question to consider is whether it is permissible to reduce the number of foetuses to improve the chances of a good outcome for the others. Some authorities argue that reduction is permitted if otherwise the foetuses may be born prematurely and with severe mental or physical defects.

Most Rabbinic authorities allow multifetal reduction in certain circumstances but not for personal convenience. In the UK only 2 fertilised eggs can now be implanted at any time thus reducing the need for this discussion.

**Do you know the law in your country?**

**Should it be amended to limit the number implanted or allow multiple eggs implanted to increase the chances of a pregnancy?**



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#### **Abortion**

Unlike many religions Judaism does not favour the life of the foetus over that of the mother. In fact in any case where there is a risk to the life of the mother the foetus can be aborted until the time that the head has been born when it is considered a separate life equally worthy of concern. The Mishna states specifically that the life of the mother takes precedence over a child not yet born. The unborn child has the status only of potential human life.

Before 40 days the fertilised egg is considered to be ‘mere fluid’ and abortion is not considered murder. After 40 days opinion vary but most authorities permit abortion if the mother’s life would be endangered if the pregnancy proceeded.

Difficulties arise when the child is known to be disabled or shown to have inherited a handicap. Does this count as endangering the life of the mother as it may distress her a great deal and lead to mental anguish? As with so many situations the Rabbis deal with each case individually.

**Under what circumstances do you think the rabbis should allow an abortion?**

**What constitutes acute distress for the mother?**

#### **Birth Control**

In principle birth control is permitted by Jewish law as long as the couple is committed to fulfilling the commandment to be ‘fruitful and multiply’. This is interpreted as at least having two children, one boy and one girl. Methods that destroy semen or block it from reaching the egg are not allowed i.e. condoms or spemicides, but most authorities accept the Pill and IUD.

#### **Customs during pregnancy**

In some communities pregnant women do not attend a funeral or go to a cemetery. Some do not announce the pregnancy until it is noticeable so as to avoid the ayin harah – evil eye. Carrying out of extra mitzvot (commandments) so that the child will be blessed.

#### **Naming the baby**

In biblical times boys and girls were named at birth but later this was changed with boys being named at their Brit and girls continuing to be named at birth. In Germany for 900 years there was a custom called Haut la Crèche (Hollekreisch). This has been described in the first article of this series: Birth of a Girl Child. In time this ceremony was stopped for boys as they were named at their Brit. This continues in most communities today with boys named at 8 days after their Brit and girls named in the synagogue on the first Shabbat after their birth or the first time the mother attends services.



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If the Brit has to be postponed for health reasons it can be some time before a baby boy receives his name and his parents will call him something else while waiting!

Unfortunately there are sometimes circumstances in which a baby is stillborn or dies soon after birth. It is not usual for there to be a shivah if the child is less than 30 days old which can be very distressing for the parents as they are denied the well documented support of the shivah process.

With the growth of Tefilah ( prayer ) groups for women there has developed a feeling that there are no suitable prayers for important points in the life cycle of women. Some groups have been active in writing new prayers to acknowledge events such as miscarriage, stillbirth and recovery from a difficult delivery. I am sure that this is a growing trend and even Artscroll (publishers of prayer books) now include prayers for pregnant women at different stages of pregnancy in some of their Siddurim.

**If you were composing a new prayer for women, what life event would you like to recognize?**