

Pregnancy & Conversion

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A woman's pregnancy is not a hindrance to her conversion.¹ The Bet Din should be informed by the prospective female convert that she is pregnant if this is not apparent and known to the Bet Din.² If the Bet Din knew that the woman was pregnant during her conversion then with the birth of the child post-conversion the child does not require a further immersion for conversion.³ It is irrelevant for these purposes whether the child was delivered naturally or by Caesarian section. If the Bet Din did not know of the woman's pregnancy prior to her conversion then a Rav who is expert in matters of conversion should be consulted with regards as to whether an immersion for the child born post-conversion is necessary.⁴ A pregnant woman in her 4th month of pregnancy⁵ and her intended (halakhically recognized) husband, upon her conversion are not obligated to separate prior to their Halakhic marriage from sexual relations for the 3

¹ This is obvious from Talmud Bavli Yevamot 78a-b, Rambam Hilkhos Isurie Biah 13:7, Tur Yoreh Deah Siman 268, Shulchan Aruch Yoreh Deah 268:6

² See Dagul Mervavah and Pitchie Teshuvah on Shulchan Aruch 268:6 If the Bet Din was informed prior to the pregnant woman's conversion of her pregnant state then there is no question that the child born after the woman's conversion does not require its own conversion. If however, the Bet Din was not informed this is a matter of great complexity and dispute see Shedai Chemed Ma'arechet Ayin Kelal 62 and note 4 below thus Le'chatchilah the Bet Din should be informed. Some rabbinic courts employ the procedure of having women undergo a medical test for pregnancy and submit the lab results to the rabbinic court.

³ See Dagul Mervavah and Pitchie Teshuvah on Shulchan Aruch Yoreh Deah 268:6 also see Nachlat Tzvi pages 89-93.

⁴ There is a Machloket in the Gemara whether a fetus is considered the thigh i.e. a part of the mother or if the fetus is not considered a thigh i.e. part of its mother. In relation to conversion if the fetus is seen as part of the mother then it is irrelevant whether the Bet Din knew the woman converting was pregnant, for the fetus is converted along with the mother as it is the mother. If however, one holds that the fetus is not a part of the mother then the Bet Din would need to know of the fetus because the Bet Din's Da'at would be needed in the conversion of the fetus as in other cases with a minor. Not to have this Da'at of the Bet Din, based on their lack of knowledge of the pregnancy would warrant the necessity of a separate conversion for the fetus/newborn child see Nachlat Tzvi pages 89-93. This concern of whether or not a secondary immersion is required expresses itself in the question of whether to circumcise such a male child on the Sabbath. There is at least one contemporary authority that holds that in such an instance we do not circumcise the child on the Sabbath see Betzel Hachochmah Chelek 4 Siman 167 however see Pinot Habayit Siman 13 for a contrary opinion.

⁵ However, in regards to a woman who is only less than 3 months pregnant it would be wise to postpone the conversion until she is clearly pregnant to the eye so that there is no need to have this sexual separation stage of 3 months.

month time period normally mandated to determine if the woman is pregnant as this is clear to the eye that she is.⁶

A child conceived prior to the woman's conversion and delivered post-conversion regardless of whether the Bet Din was aware at the time of the conversion of the pregnancy does have certain halakhic restrictions and consequences.⁷ Thus, if possible it would be wise to postpone a pregnancy until after the conversion has been completed.

Some of these Halakhic restrictions and consequences are:

1. If the child that was conceived while the mother was not Jewish and born after the mothers conversion is a female then this daughter may not marry a Kohen.⁸
2. If the child that was conceived while the mother was not Jewish and born after the mothers conversion is a male and is as well a firstborn son then the child must be redeemed from a Kohen by himself not by his father.⁹

⁶ Sredie Aish Chelek 2:105, Minchat Yitzchak Chelek 6 Siman 109, Bet Yitzchak Even Ha'ezer Chelek 1 Siman 29 Ot 6, Mishpitie Uziel Chelek 1 Siman 14 and Otzar Haposkim Siman 13 Note 24. There are more stringent opinions see Mishne Lemelech note 21 on Rambam Hilkhos Gerushin 11:21 and Even Yekarah Chelek 1 Siman 11. There is also a basis to be lenient if the female prospective convert delivered close to her conversion where there is no concern that she became pregnant before the conversion again see Sefer Bet Avraham the Teshuva of Rav Chaim Vidrovitz. However, in principal the couple should be sexually abstinent prior to the conversion of the spouse. A prospective convert should consult one's sponsoring rabbi on this issue.

⁷ For a more in depth examination see Volume 6 of the Encyclopedia Talmudit page 282-286 Chapter on Ger sub-section 11.

⁸ See Chelkak Mechokek note 29 and Bet Shmuel note 42 on Shulchan Aruch Even Haezer 7:21, Rambam Hilkhos Isurie Biah 19:12 and Rashi s.v. Mi Shenizrahoh Bi'yisrael in Talmud Bavli Kiddushin 78a

⁹ Shulchan Aruch Yoreh Deah 305:20, Bet Yitzchak Even Haezer Chelek 1 Siman 29 Ot 5 and see Rabbeinu Gershom's commentary on first Mishna in Talmud Bavli Bechorot 46a s.v. "Oh Nitgairah"

These restrictions are rather minor and a prospective female convert who is pregnant should not be discouraged by the fact of her pregnancy.