



The Hakuk Edition **English Topics on the Daf**

Dedicated l'refuah sheleima for Yaakov ben Victoria

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Yevamos Daf 84

At the end of the eighth perek the Gemara cites a Bereisa with a list of certain animals unfit to become temuros. One of them is “yotzei dofen,” an animal born through cesarean birth; such a birth invalidates it from being a korbon. Let's explore this topic a little bit, even though it's not directly pertinent to our sugya.

The most common halacha to which this is relevant is pidyon haben – a bechor, a first-born male of a woman must be “redeemed” through a Kohen. But not if he's born by C-section!

The source for this is a Mishnah in Bechoros (8:2). “A yotzei dofen and the one who follows him – both are not considered a bechor in terms of inheritance, nor [for pidyon haben] to the Kohen. R' Shimon says the first is [a bechor] for the inheritance, the second for the kohen.”

Why shouldn't a child born from C-section be a bechor? The possuk applies the mitzvah of pidyon haben to a “petter rechem,” the first one to open the womb of his mother with his emergence. Cesarean is not considered “opening the womb” in its natural fashion, so does not obligate the child in pidyon. The first opinion in the Mishnah holds that such a birth does not engender pidyon, and neither does the second one, since he's not the actual

firstborn. R' Shimon looks only at who was born naturally, and the second is the first one to come out the womb's natural opening, so he's the bechor.

We read this Mishnah without being bothered by the occurrence of another child born after a C-section. But it wasn't always so simple...

The Rambam explains the case as a woman who was pregnant with twins; the first child was removed by C-section and the second was born naturally. Why does he need to say this? He elaborates: “This is the only possible way to learn this... But the stories of a woman living after incising her [abdominal] wall and then becoming pregnant again – I cannot explain it; it is quite bizarre!” As the Bartenura says, “It is impossible!” Tosfos Yom Tov adds that she will certainly not survive.

Before we address the Rambam's words, we need to deal with an apparent contradiction from another Gemara, in Nidda. Discussing the halachos of a woman's tumah after childbirth, on daf 40a it records a dispute regarding her tumah after giving birth through C-section. Now, ask several Acharonim, if a woman can't survive after such a birth, why is it relevant to mention her tumah?

Not only that, but other Gemaros talk about instances of complete removal of the womb and apparent survival of the mother afterwards. So why does the Rambam seem to be saying that such a surgery is fatal? (He understands the Rambam as saying that death will result from the C-section itself; this is implied in the Tosfos Yom Tov. So writes Chochmas Betzalel.)

The second question can be deflected by differentiating between removal and incision, says Tiferes Yisroel (on Hilchos Nidda, Siman 194:4). Although it's somewhat counterintuitive, we find regarding treifos (fatal ailments in animals) that suffering a cut or hole in vital organs might render the animal a treifa, while missing the whole organ is not. So too, there's more damage to the body when cutting open the womb than removing it.

So too for the first issue, he explains that a woman can live after removal of her womb, but not after cutting it open. The Mishnah in Bechoros is describing a case in which she then had another child; obviously she retained her womb. Thus, it could only occur if the second birth was simultaneous.

Others answer that she may survive a short while, but not long enough to get pregnant again.

Rashi does not go to the lengths of the Rambam. He says (Chullin 38b) that sometimes a woman does not survive it. Thus, the laws of her tumah are certainly applicable.

Either way, Rav Moshe Feinstein (Igros Moshe Y.D. 2:74) notes that C-sections are not as dangerous as the Rambam implies they are. Many people are able to give birth regularly numerous times after a cesarean. Things have apparently changed since those days.

The context in which R' Moshe writes is the question of inducing a birth, or even preplanning a date for a birth. This is usually done for women who have had C-sections beforehand, and the doctors are concerned that she might not be able to give birth naturally anymore. He responds by dividing it into several categories. If doctors insist that the mother is in danger, they may induce when they decide it appropriate. Oftentimes, though, they are just being cautious. In that case, it is much preferable to wait until labor starts. The longer the fetus is in utero, the better. Secondly, contrary to common belief, a woman may indeed give birth regularly after a cesarean, so it's better to wait and see.

Above all, R' Moshe teaches, we should wait for Hashem's natural cues for the birth, and not contrive our own plans. Because although childbirth is an extremely difficult endeavor, it comes with Divine blessing and assistance, as we strive to fulfill the mitzvah of bearing children. However, that is only when the birth is naturally ordained to happen. If we advance it earlier, we lose that special Heavenly promise! It becomes a dangerous situation, without the siyatta d'shmaya. (Although there are incidents of deaths from childbirth, the Gemara in Shabbos 31 says these are due to negligence in certain mitzvos)

Therefore, he rules, we are not allowed to induce a birth simply for convenience sake (or to avoid a Shabbos birth, as the petitioner suggested).