

HALACHIC DECISIONS (PSAK): MITIGATING CIRCUMSTANCES

Accidental or Intentional

The ideal and preferred means of observing or fulfilling a halacha is called l'chatchila. Sometimes the halacha's requirements may be fulfilled b'di'avad (after the fact) under less-than-ideal circumstances. You may not intentionally do an action at the b'di'avad level if you are able to do it at the l'chatchila level.

Shalom Bayit or Honoring One's Parents (Kibud Av Va'Eim)

The only type of laws that may sometimes be overridden to help with shalom bayit (promoting peaceful family relations) or kibud av va'eim (honoring parents) is rabbinic law, not Torah law. A rabbi should be consulted in these cases.

Saving a Life (Pikuach Nefesh)

Human life is valued in Judaism, unlike in some other religions. The Talmud says that if someone saves one human life (pikuach nefesh), it is as if he or she saved an entire universe. Almost all halachot may be overridden in order to save a life; the main exceptions are for Adultery, Murder, and Idol Worship—see [Adultery, Murder, Idol Worship](#) .

EXAMPLE You may drive a car on Shabbat or even Yom Kippur in order to take a seriously injured or ill person to the hospital. This includes pregnant women who are about to give birth.

Adultery, Murder, Idol Worship

The Talmud says that a person must allow himself to be killed rather than violate any of three commandments that may not be violated: adultery; murder; idol worship. Note that in Jewish law, not all types or conditions of killing a person are defined as murder.

Human Dignity (Kavod HaBriot)

Although human dignity (kavod ha'briot) cannot override Torah commandments, kavod ha'briot allows violating some d'rabanan laws in order to avoid embarrassment.

EXAMPLES

- Tearing Toilet Paper

SITUATION You need to use toilet paper on Shabbat but none is torn.

WHAT TO DO You may tear some toilet paper using any non-standard method or change from the normal way (shinu'i), such as not using your hand, or dropping something on the paper.

- Hearing Aid

SITUATION You may speak to someone who uses a hearing aid on Shabbat to avoid embarrassing him or her.