

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.