# 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'diavad* 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 <u>shalom bayit</u> (promoting peaceful family relations) or <u>kibud av va'eim</u> (honoring parents) is <u>rabbinic</u> law, not <u>Torah</u> law. A <u>rabbi</u> 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 <u>Talmud</u> 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 (<u>kavod ha'briot</u>) cannot override <u>Torah</u> commandments, <u>kavod ha'briot</u> allows violating some <u>d'rabanan</u> laws in order to avoid embarrassment.

#### **EXAMPLES**

• Tearing Toilet Paper

SITUATION You need to use toilet paper on <u>Shabbat</u> but none is torn.

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

• Hearing Aid

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