HALACHIC DECISIONS (PSAK)

HALACHIC DECISIONS (PSAK): CHOOSING A RABBI

Asking Multiple Rabbis for Psak

You may not normally ask multiple *rabbis* for *halachic* decisions about different questions, but if you do not have a primary *rabbi*, you may do so.

Shopping Around for Lenient Halachic Decision (Psak)

You may not generally ask different *rabbis* for their decisions of *halacha* in order to get the answer you want. You may also not ask a specific *rabbi* a question based on your expectation that he will give you the answer that you are seeking. But if someone asks you to recommend a *rabbi*, you may refer him or her to a *rabbi* who will give the answer that he or she would like to receive.

HALACHIC DECISIONS (PSAK): WHEN YOU MUST FOLLOW

Following a Halachic Decision (Psak) You Requested

You must follow the decision you are given if you asked for a *psak* if the *psak* is more stringent that what you want to do but if it is more lenient, you may still be more stringent than what you were told to do. If the decision affects anyone other than yourself, you may not be more lenient or more stringent but must follow what you were told.

Following a Halachic Decision (Psak) You Overheard

If you didn't ask for a *psak* but just heard someone talking about a *halachic* decision, you may ignore it.

HALACHIC DECISIONS (PSAK): DOUBT (SAFEK)

Defining Doubt (Safek) in Halachic Decision

Doubt in *halacha* (*safek*) refers to when it is impossible to know or determine the situation.

Halachic Stringencies in Doubt

We are stringent in applying laws if we are uncertain about *Torah* commandments.
We are lenient in applying laws if we are uncertain about *rabbinic* commandments.

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 *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.

HALACHIC DECISIONS (PSAK): NEW FACTS

Changes in a Halachic Decision Due to New Facts

A *halachic* determination may be voided or changed if factual information is found that contradicts the information on which the *halachic* determination was made (such as incorrect science or incorrect statement of a condition or situation). **However,** you must check with the originator of the *psak* or the original source of information on which the *halacha* was based.

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