



GEULAS YISRAEL

RABBI MOSHE TARAGIN
RAM YESHIVAT HAR ETZION
MAGGID SHIUR ALL PARSHA AND ALL DAF, OU.ORG

Yashar V'tov

Moshe Rabbeinu is about to begin the monumental task of reviewing the entire Torah, a process that gives Sefer Devarim its nickname, *Mishneh Torah* — the review or repetition of the Torah. Before launching into this review, however, he returns to the defining moment of Jewish history: Matan Torah at Har Sinai. He revisits the mountain where the Torah was given and, in the process, adds one important instruction that had not been explicitly recorded earlier:

“...וְעָשִׂיתָ הַיָּשָׁר וְהַטּוֹב...”

This pasuk demands that we act beyond the letter of the law — *lifnim mishurat hadin* — particularly in the realm of interpersonal ethics. When dealing with other people, we should ask not only, “What am I obligated to do?” but also, “What is the right and moral path to take?” Rashi offers one example: the willingness to reach a settlement or compromise (*peshara*) rather than insisting on litigating a dispute to the bitter end.

Halachah defines our legal obligations, but this pasuk reminds us that our moral responsibilities often extend beyond them.

BEYOND THE LETTER OF THE LAW

The demand of *Va’asita Hayashar Ve’hatov* in the realm of *bein adam lachaveiro* parallels the demand of *Kedoshim Tiheyu* in the realm of

bein adam laMakom. As the Ramban famously explains, *Kedoshim Tiheyu* calls upon us to preserve not only the letter of halachah but also its spirit. In theory, a person can indulge in endless physical pleasures while remaining technically within halachic boundaries. *Kedoshim Tiheyu* demands a life of restraint, moderation, and spiritual purpose, not merely technical halachic compliance.

Likewise, *Va’asita Hayashar Ve’hatov* teaches that our responsibility to others cannot be measured solely by legal obligation. We are expected to go beyond the letter of the law and act with kindness, fairness, and moral sensitivity.

MORAL CONSCIENCE

The concept of *yashar ve’hatov* is far more than a call to compromise or to follow the spirit of the law. It establishes the principle that not every decision falls within halachic parameters. The Torah does not leave those decisions to chance. Hashem also endowed us with a moral conscience, and He expects us to use that moral conscience to navigate moral issues even when they are not directly addressed by halachic codes.

Of course, moral conscience can never, *chas v’shalom*, override halachah. On the rare occasions when the two appear to clash, we submit our moral instincts to halachah. A halachah can never be suspended because it does not appear moral to us. Yet there remains a broad range of questions that



Rav Aharon Lichtenstein zt”l

halachah does not directly address, and in those areas Hashem expects us to apply the moral conscience that He Himself implanted within the human heart.

This is not an obvious idea. Many would argue that halachah itself is the sole roadmap for moral decision-making. Human moral reasoning is too subjective and too limited to grasp the full complexity of every situation. Rather than relying upon our own moral instincts, we should allow halachah and mitzvot alone to shape our moral judgments.

RAV AHARON'S LEGACY

My own *mesorah* embraced this understanding of *Va'asita Hayashar Ve'hatov*. Mori V'Rabi, Rav Aharon Lichtenstein, gave it a clear expression. In a landmark essay, *Does Jewish Tradition Recognize an Ethic Independent of Halakha?*, Rav Aharon wrote: "Traditional halakhic Judaism demands of the Jew... commitment to an ethical moment... The demand for transcending the *din* is itself part of the halachic corpus."

He rejected the assumption that every moral question can be resolved simply by consulting a halachic code: "Everything can be looked up, every moral dilemma resolved by reference to code or canon... [that] notion is both palpably naïve and patently false."

Va'asita Hayashar Ve'hatov is therefore much more than a narrow obligation to extend ourselves beyond halachic requirements in interpersonal affairs. It establishes an entire religious paradigm: follow your moral conscience as a complement to halachic mandate.

I witnessed Rav Lichtenstein applying this moral conscience on too many occasions to recount. I will suffice with two stories.

Forty years ago, public telephones in Israel (on the rare occasions they actually worked) operated by inserting special coins called

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asimonim. Each *asimon* purchased a fixed amount of calling time, and if the conversation continued, additional *asimonim* had to be inserted. These coins were sold at local post offices (again, on the rare occasions they were open). At one point, the post office in Alon Shevut ran out of *asimonim*, effectively shutting down the only reliable means of communication available to us.

The day a new shipment finally arrived, many of the students rushed to the post office and purchased as many *asimonim* as they could, fearing another shortage. Rav Lichtenstein delivered a stirring moral rebuke. How could we act with such moral insensitivity by hoarding *asimonim* and preventing others from purchasing them to make the phone calls they needed? We were instructed to return the excess *asimonim* and keep only a reasonable supply. There is no halachah prohibiting someone from buying too many *asimonim*. Yet Rav Lichtenstein felt that such behavior was morally inappropriate.

On another occasion, Rav Lichtenstein needed to travel to the United States, but every seat on the flight had already been booked. We all know the anxiety of needing to travel urgently and discovering that no seats are available. Someone suggested using personal connections to secure him a seat. Rav Lichtenstein refused. He reasoned that obtaining

a seat through *protektzia* would inevitably come at the expense of another passenger who already held a valid ticket. Though no halachah prohibited accepting the seat, he felt it would simply be wrong to do so.

The ability to employ strong moral reasoning and make stout moral decisions in areas of life that aren't legislated by halachah is one of the traits I most deeply value in my rebbe.

THE DEBATE BENEATH THE DEBATE

These ideas shape the way different Torah communities think about contemporary moral questions. Nowhere has that difference become more visible than in the current debate over Charedi military service.

We are living through a moment of profound disagreement, with each side believing that it is expressing the will of the Torah. In many ways, this is the quintessential *machloket l'shem Shamayim*. Yet the intensity of the debate over the practical question of military service often obscures the more subtle differences in worldview and values that lie at the heart of each community.

MILCHEMET MITZVAH

Part of the debate centers on the mitzvah of military service and the question of *milchemet mitzvah*. Those who believe — as I do — that the current war constitutes a *milchemet mitzvah* understand military service to be a halachic obligation that, when necessary, even

supersedes Torah study. Chazal teach that in a *milchemet mitzvah*, “*afilu chatan me'chedero*” — even a groom leaves his wedding chamber to join the battle. Tragically, since October 7, far too many young husbands have been called to duty only days after their weddings.

Many in the Charedi community see this differently. Based on their broader views of the State of Israel, and on a different understanding of what constitutes a *milchemet mitzvah*, they do not classify the current war as a *milchemet mitzvah*. Once that is the case, they no longer see a halachic obligation to interrupt full-time Torah study in order to serve.

My purpose here is not to resolve that halachic debate. But alongside the halachic debate about *milchemet mitzvah* lies a more nuanced question about moral reasoning.

MORAL OBLIGATION

Those who support Charedi conscription experience the issue not only as a halachic obligation but as a profound *moral imperative*. They ask: How can a person *not* join in defending the country during an existential war? How can someone morally justify allowing others to bear the burden, endure repeated reserve duty, and shoulder the sacrifice while remaining on the sidelines? Many people find this morally outrageous, and they express that moral outrage openly and passionately. For many of us, basic moral sensitivity and basic moral calculus demands that everyone bear the weight of physically protecting Israel equally.

In response, many within the Charedi community would argue that moral reasoning is



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itself a function of halachic and Torah-based reasoning. Some maintain that *Da'as Torah* is the final and most authoritative moral voice. If a recognized Torah scholar concludes that remaining in the beit midrash to study Torah is the correct course, then that decision becomes not only the halachically correct position but also the morally correct one, even if it appears otherwise to human instinct.

Even without invoking *Da'as Torah*, many argue that the mitzvah of Talmud Torah is itself the highest moral good. If Torah study protects the Jewish people and fulfills Hashem's will, then remaining in the beit midrash is not merely halachically justified — it is the most moral course of action. The GPS for moral decision-making is Torah itself. The signal comes from halachah, the mitzvah of Talmud Torah, and those entrusted to interpret and teach it — not from an independent moral intuition.

THE GIFT OF CONSCIENCE

Part of this divide turns on this fundamental question: Does the Torah expect us to exercise moral reasoning independent of formal halachic analysis? My *mesorah* answers that question with a resounding yes. We were taught that Hashem endowed us with a moral conscience and expects us to use it. Beyond asking whether something is halachically permitted or prohibited, we were taught to ask whether it is right, fair, and moral. In the many areas of life that halachah does not directly address, that moral conscience is not foreign to Torah — it is part of Hashem's will.

BEYOND THE DEBATE

It is supremely important not merely to engage in the debate over Charedi non-prescription, which at this point feels largely intractable. We need to identify the value systems that underlie each community and serve as the foundation for their differing positions.

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Doing so helps us better understand one another and engage the debate with greater respect and dignity.

Even more importantly, identifying the values that define our own community helps *us* become more conscious of them. Too often, we inherit values almost by instinct. When we stop to identify them and give them a name, we are more likely to think about them, speak about them, and actually live by them. Our goal should not merely be to explain our position, but to become better Jews by living the values that define our community more deeply and more consistently.■



Rabbi Moshe Taragin's latest sefer entitled: **Reclaiming Redemption, Vol. II: Faith, Identity, Peoplehood, and the Storms of War**, is available at: mtaraginbooks.com.