

## A MITZVA DILEMMA FOR THE SHABBOS TABLE



### THE NOISY NEIGHBOR

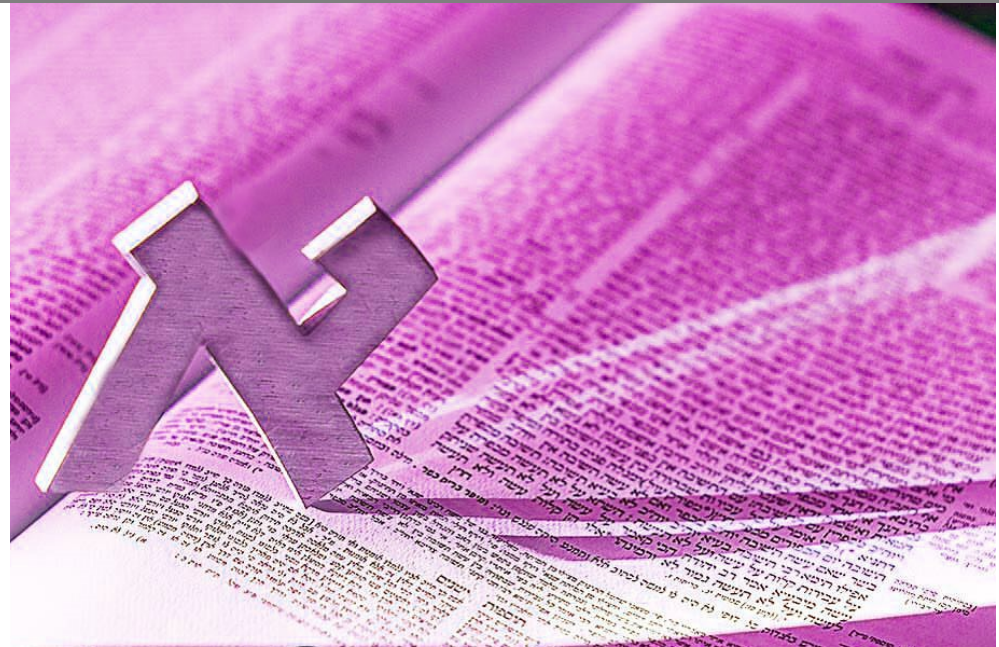
By Rabbi Yitzi Weiner

This week's Parsha opens with the importance of establishing courts to adjudicate monetary disputes. This leads us to the following true story.

Eli owned a condo that he wanted to sell. The problem was that he had a neighbor upstairs who made a lot of noise. The neighbor was not entirely emotionally healthy and would shout very often. As a result, whenever Eli had a potential buyer come to see the apartment, the prospective buyer would hear the neighbor screaming, and they would not come back.

Even if the prospects came and the neighbor did not make any noise, Eli made it a priority to be transparent and disclose the fact that there was a noisy neighbor. When prospective buyers would hear that, they were scared off.

One day Zalman came to see the apartment. Eli showed him around, and Zalman seemed very interested. Then Zalman heard the screaming from upstairs. Eli looked at Zalman sheepishly and told him that he had a problem with a noisy neighbor. Zalman said, "The apartment



### PARTNERS IN THE MAKING OF TORAH

When HaShem created His universe He created it with two distinct sets of laws. The laws governing all physical matter we call nature with its many various branches of physics, chemistry, biology, astronomy, mathematics, etc. The laws governing Man and his behavior we call Torah. Both nature and her respective laws and Torah are the expression of HaShem's Will. Just as all members of nature are bound to her laws with no exception, similarly all members of HaShem's people are bound to the laws of the Torah with no exception.

There is however a distinction between these two sets of laws. The former has been established and not subject to any change whatsoever. With respect to the Torah, HaShem handed it over to the Jewish people for them to establish, as follows.

The Torah consists of the Written Law and the Oral Law. The Oral Law contains almost all of the details of laws plus a set of methods by which to interpret the Written Law. This means that by use of the methods of interpretations, the Torah can be expanded beyond where it was originally given to Moshe.

Our Parsha teaches us that when we have a question about what the Torah Law is regarding a certain circumstance we must take it to the local court. If the local court does not know the answer they take it to a higher court. If the higher court cannot answer, it is ultimately taken to the highest court which sits alongside the Beis Hamikdash.

At the highest court the judges discuss the case. They look for parallel cases that

looks very nice, but the noisy neighbor is a real problem. How much are you asking for the condo?" "The asking price is 200,000," Eli said. Zalman said, "The neighbor issue is a real problem, and that price is too much for me, but I can offer you 150,000".

Eli thought about it and agreed. So they committed to the deal.

However, after leaving, Zalman felt a bit conflicted about the deal. The truth was that he didn't disclose to Eli the fact that he intended to buy the property on behalf of his brother, who was deaf and unable to hear. Zalman and his brother had already heard about this condo and the issue with the noisy neighbor. The issue of the noise was not a factor for his brother, but his brother felt that if he did the negotiations, he would not get the same discount because the noise was not a problem for him. That is why he had Zalman make the deal but not share that fact.

Zalman brought this question to a Rav and wondered if he did the wrong thing and if he was obligated to offer more money.

What do you think the Torah would say in such a case?

Did Zalman do the wrong thing by not disclosing that his deaf brother would be living in the condo? On the one hand, it might be a problem because that was not a problem for the brother, so the seller, Eli, might not have felt compelled to discount the price.

But on the other hand, maybe it was acceptable to do it that way. If the deaf brother had done the negotiation, Eli would have asked for the going price, but really it was worth less because of the problem with the condo. So perhaps not disclosing that it was for the deaf brother was really helping them get the price that it was really worth.

What do you think?

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the Torah addresses. After discussing the case the judges reach a decision by either using a principle that they have in their tradition regarding this case or a parallel case, or they will use one of the methods of interpreting the Torah which are defined in the Oral Torah as we mentioned. Once they reach a decision which is accepted by the majority members of the court, that becomes the law. That law which was decided by those judges now becomes Torah Law. It becomes just as authoritative as the Ten Commandments!

Rambam teaches us that this authority is not limited to using the methods of interpretations. If the high court recognizes the need to establish a new law for the sake of protecting a Torah law it may legislate accordingly and their legislation becomes Torah Law! We are bound to those safeguards with the same commitment as we are to the Ten Commandments. So even though the laws of muktzah are Rabbinic in origin, they command the same adherence as the 39 forms of melacha.

Behold! HaShem endowed Chazal, our Sages, with the authority to dictate what shall become Torah!

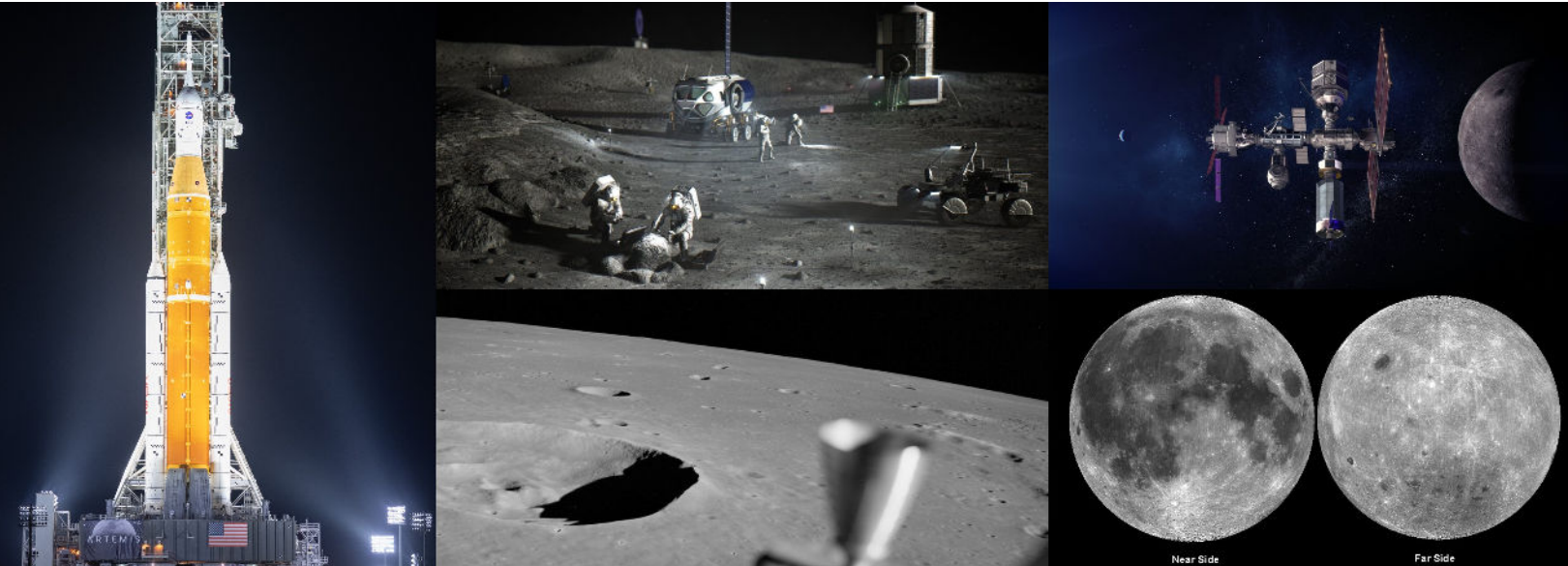
While it is certainly true that when there is a conflict between the various laws, the Torah originated laws take precedence over the Rabbinic originated laws, nevertheless, when the laws are not in conflict they command the same authority.

The schisms in Yiddishkeit that have occurred throughout our history have often begun with the rejection of the authority the Torah grants Chazal. That is so often the first faultline upon which such groups begin their drift away from our people.

As we draw closer to the Yomim Noraim, the days when we reaffirm our loyalty to HaShem and to His Torah, our Parsha highlights the entire width and breadth of Torah's reach within our every detail of life. From the specific 613 mitzvos to all the fine nuances which Chazal have instructed and directed us.

Have a wonderful Shabbos.

**Paysach Diskind**



## SHABBOS: CELEBRATING HASHEM'S CREATION THE FAR SIDE OF THE MOON

This week's Parsha talks about a person who worships the Moon as a god. Interestingly this week, we have a glimpse at another way the Moon is worshiped. This week (perhaps this Shabbos) the United States plans to launch the SLS, **(top left)** the world's most powerful rocket ever produced. This is part of NASA's Artemis program, which has very ambitious plans. The Artemis program plans to land people on the Moon in the near future. After that, NASA plans to build a permanent moon base on the south pole of the Moon and have people permanently live on the Moon in a moon base called Artemis Base Camp. **(top middle, picture is NASA's rendering)**

In addition to building a moon base on the Moon, the Artemis project plans to make a permanent space station that orbits the Moon, called the Lunar Gateway. **(top right)** The gateway will be a space station in orbit around the Moon, whose purpose will be to serve as a staging point to dock, fuel, and load spaceships on their way to land on Planet Mars.

Let's now talk about some fascinating features of the Moon itself. Let's explore the Far side of the Moon. Did you know that until 1959 no human being ever saw the other side of the Moon? You might think that this is because the Moon does not rotate. But it does! The Moon orbits around the Earth, and as it orbits, the Moon spins on its axis.

So why are we unable to see the far side of the Moon? Because, amazingly, the Moon has a synchronous rotation. This means that just as it takes a bit more than 27 days for the Moon to orbit the Earth. It takes 27 days for the Moon to spin on its axis. So as the moon orbits around the Earth, it turns on its own axis in a precise way so that the near side of the Moon is always facing the Earth.

The far side of the Moon was a mystery for thousands of years. But on October 7, 1959, that changed for the first time. The Soviet probe Luna 3 took the first photographs of the lunar far side. Another probe was sent on July 20, 1965. Before then, astronomers did not expect that the far side would be different from the side visible to Earth, but they were surprised. The far side of the Moon looks very different than the near side. **(bottom right)**

On the near side of the Moon, you can see large, dark seas of cooled lava, called maria, that cover a substantial part of the surface. However, this cooled lava is absent on the Moon's far side. Instead, the far side features many impact craters—scars all across its surface. The far side is littered with many more craters than the near side, and some of those craters are the size of small countries.

The far side was first seen directly by human eyes during the Apollo 8 mission in 1968.

But why should the Moon's near side have more volcanic activity and lava flows than the far side? One commonly accepted theory is that a young dwarf planet collided with the Moon a long time ago. This impact threw up huge amounts of material, which eventually fell back onto the Moon's surface, burying the far side in five to ten kilometers of debris. This debris would go on to form a large part of the crust. This thicker crust had the following result. Meteoroid impacts on the near side could punch through the thinner surface to the still molten mantle, releasing lava to the surface to create the maria. But the far side had a much thicker crust, so the lava could not flow.

What is really interesting is that the Moon's far side blocks all radio signals from Earth. This is significant in the following ways. In December 1968, when the Apollo 8 spacecraft flew around the Moon's far side, the signal to Earth was cut off for around 10 minutes. This loss of signal was a daunting time for the flight crew and mission control; Apollo 8 was alone and truly cut off from Earth, venturing where no human had ever gone before. However, as the astronauts came back around from the far side, a collective sigh of relief was breathed by many of the flight team at mission control in Houston.

The next astronauts to visit the far side were Gene Cernan, John Young, and Tom Stafford onboard Apollo 10 in May 1969, just two months before the historic landing of Apollo 11. However, while flying over the far side of the Moon, when they were cut off from radio communications to Earth for nearly an hour, the trio of astronauts encountered something strange that baffled them. They described it as being almost like the musical sounds made by an electronic instrument called a theremin, often used in creepy science fiction movies of the 1950s and 60s, as well as on the Beach Boys' song "Good Vibrations." They had no idea where this "music" could be coming from. It couldn't be from Earth, so where else? However, research has since explained that the sound was nothing more than an interference effect from the relatively crude 1960s radio communications systems on board. **(bottom middle, picture from Apollo 10)**

This explains why the six crewed landings on the Moon were all on the near side and not the far side. The astronauts wanted to be in contact with the Earth. Should something have gone wrong while the astronauts were on the surface, they would not have been able to communicate directly with Earth. So far, no humans have ever landed on the far side of the Moon. In 2019 China landed a robot on the far side with the Chang'e 4 mission for the first time but not a human. This might change, though, in the near future!

## WHY RAV MOSHE GOT SICK

Once, a Rosh Yeshivah came to discuss a matter with Rav Moshe Feinstein. While being ushered in, the visitor was told that Reb Moshe had been lying down, for he was ill.

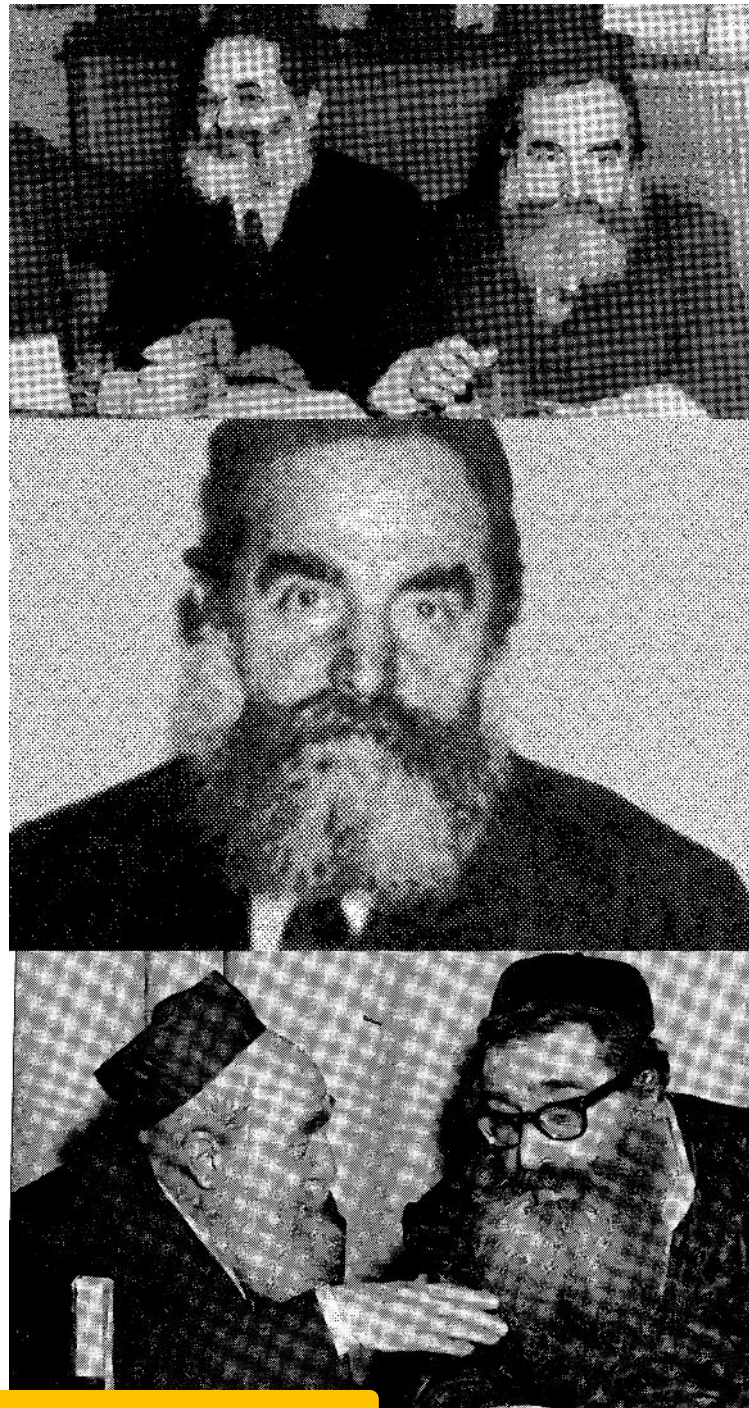
Later, Reb Moshe told his visitor the source of his sickness. "I was compelled to say something that caused anguish to another Jew," he said painfully.

But as much as he respected Reb Moshe as a man of truth, the visitor found this difficult to believe. He could not believe that Rav Moshe was capable of saying something hurtful to another person.

But Reb Moshe soon explained himself: He had been judging a dispute and had stated his opinion. The party he had ruled against could not accept Reb Moshe's decision and continued to adamantly defend his position. Finally, Reb Moshe was forced to remark, "You must realize that it is difficult for a person to see things objectively when he has a personal interest in a matter." Reb Moshe feared that the man might have felt hurt by this comment and it was this comment that had caused him to become physically ill.

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**Pictured:** Top, Rav Moshe With Rackov Kamenetzky, Middle, Rav Moshe, Bottom, Rav Moshe with Rav Yitzchak Hutner



## THE ANSWER

Last week's question was where one camper flushed his friend's glasses down the toilet. Regarding the obligation of the parents, there is an explicit Mishna in the eighth perek of Bava Kama. Damages done by children cannot be collected. Their parents are not held responsible. Regarding the director's responsibility, Rav Shuchatowitz felt that he is only responsible for the safety of the children and not for any damage one child may cause to another child's property.

This week's TableTalk is dedicated to the memory of

**Alex Drucker**

By his daughter Eve Drucker Messing, his grandchildren and his great-grandchildren

