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THE SIN OF THE EITZ HADAAT TOV VE'RA: OBJECTIVISM VS. SUBJECTIVISM

by Eitan Mermelstein ('21)

In this week's Parashah, Parashat BeReishit, Adam and Chava commit a sin that changed the course of human history – they consume the fruit of the Tree of Knowledge of good and evil, Eitz HaDa'at Tov VeRa. There is a common interpretation that eating from the Eitz HaDa'at bestowed understanding of good and evil upon anyone who ate its' fruit. However, this would seem to contradict the text, as the Torah writes: "*VaTeire Halshah Ki Tov HaEitz LiMa'achal VeChi Ta'avah Hu LaEinayim VeNechmad HaEitz LeHaskil VaTikach MePiryo VaTochal*," "When the woman saw that the tree was **good** for eating and a delight to the eyes, and that the tree was desirable as a source of wisdom, she took of its fruit and ate" (BeReishit 3:6). Chavah clearly knew the difference between good and bad before eating from the tree of knowledge, as she is described as seeing "that the tree was good to eat" before she ate from it. Therefore, the question arises as to what changed after she and Adam ate from the tree?

The Ramban (Bereishit 2:9, s.v. "Ve'Eitz HaChaim") writes that originally, man did whatever was proper and correct, just as angels do – there was no emotion in Adam's actions, and he had no selfish desires. However, after he ate from the tree, his actions were driven by emotion and a desire for pleasure and happiness. Ramban later writes in Devarim 30:6 that before his encounter with the Eitz HaDa'at, man acted purely out of logic. He would eat healthy food because that is what helped him live. In contrast, today, we have both logical and emotional desires; we want food that tastes good, and we also desire healthy food whose taste is not as enticing. Ramban proves from various areas of Tanach that the Eitz HaDa'at bestowed Adam with desire, and not knowledge. For example, Ramban interprets the statement of Barzilai to mean that he no longer wished to enjoy the pleasures in life, and not that he physically lacked the ability to taste food and drink¹ (Shmuel II 19:36). Therefore, after the sin, Adam had the will to do good and evil, to himself and to others. Adam no longer possessed only an understanding of good and evil; he was also able to implement that understanding into his actions.

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However, the Rambam in the Guide to the Perplexed interprets the word Da'at literally. He explains that after Adam ate from the Eitz HaDa'at, he gained a knowledge of good and evil. Good and evil are subjective qualities, in contrast to Emet VaSheker (truth and falsehood), qualities that reflect objective reality. For example, the fact that the world is spherical is Emet, not Tov. Rather, a house looks Tov, and not Emet. The question then arises how Chava could have thought of the tree in terms of Tov and Ra before she had ever eaten from it. How could she describe the tree in subjective terms before experiencing it in its entirety? Rambam answers that the true sin was not eating from the tree, but rather succumbing to imagination and corporeal desires, which subsequently caused them to eat from the tree. Essentially, Adam and Chava ignored objective reality, that the tree was prohibited to them, and instead succumbed to their desires, mislabelling the tree as Toff in the process. Instead of maintaining a resolute objectivity, they classified the tree in the often misguided² terms of Tov and Ra. According to Rambam, the tree is only a symbol of the sin, but the true sin was an irreversible change in the attitude of man towards his surroundings.

Ultimately, as the Yamim Noraim have just passed, it is important to keep in mind the approach of Rambam, mainly, that there is an internal conflict between Emet VeSheker, objective reality, and Tov VeRa, our subjective interpretations of our surroundings. This internal friction is the basis for the greatest struggle of our generation, Lashon HaRa, derogatory speech. It is when we succumb to the position of Tov VeRa that such an egregious action occurs; an action for which we begged forgiveness less than a month ago from those around us. However, when one sees the world in terms of truth, one will inevitably treat everyone as a human, as a friend, and as a child of Hashem who deserves respect, and will thus refrain from speaking ill of those around them. May we all merit to see the world in terms of Emet VeSheker, and maintain objectivity in our relationships with those around us.

BEREISHIT: THE FIRST BROTHERLY RIVALRY

by Eitan Leff ('18)

Kayin and Hevel were history's first pair of brothers. They were born shortly after Adam and Chavah's inglorious expulsion from Gan Eiden, and when they matured, they each took up professions. "*VaYehi Hevel Ro'ei Tzon VeKayin Haya Oveid Adamah*," "Hevel became a keeper of sheep and Kayin became a tiller of

¹ Ramban draws a parallel between knowledge and ability.

² Essentially, their subjective perception of reality was greatly influenced by their Ta'avot, desires.

the soil³ (Bereishit 4:2). Soon after, each brother designated an offering to Hashem from their respective possessions. *“VaYehi MiKeitz Yamim VaYavei Kayin MiPeri Ha’Adamah Minchah LaHashem. VeHevel Heivi Gam Hu MiBechorot Tzono U’MiChelvoeihen VaYisha Hashem El Hevel Ve’El Minchato. Ve’El Kayin Ve’El Minchato Lo Sha’ah...”* *“In the course of time, Kayin brought an offering to Hashem from the fruit of the soil; and Hevel, for his part, brought the choicest of the firstlings of his flock. Hashem paid heed to Hevel and his offering, but to Kayin and his offering He paid no heed. Kayin was much distressed and his face fell.”* (ibid. 3-5) This rejection is baffling; if Kayin is the Bechor (firstborn), how could Hashem have refused to accept his Korban? There are several additional factors that seem to lessen Hevel’s significance relative to Kayin. Hevel’s birth is described with the phrase *“VaTosef LaLedet,”* *“again bore”* (ibid. 4:1), implying that Hevel is not as important as Kayin. Furthermore, Kayin has a prominent reason given for his name, *“I have gained a male child with the help of Hashem”* (ibid), while Hevel lacks one entirely. Finally, when Hevel gives his Korban, the Torah states *“Gam Hu,”* *“He also”* gave a Korban, strongly implying that he gave a Korban out of jealousy and not a righteous desire to serve Hashem. Therefore, why did Hashem accept Hevel’s Korban and not Kayin’s?

On a fundamental level, Hevel’s Korban was simply qualitatively superior. Hevel offered the *“choicest of the firstlings of his flock”*, while Kayin gave ordinary *“fruit of the ground”*. According to Rashi (ibid. 4:3 s.v. MiPeri Ha’Adamah), the fruit Kayin gave in the Korban were inferior fruits. Hashem accepted Hevel’s Korban because he gave the best of the best, while Kayin gave the worst of the worst. Kayin was infuriated when his Korban was rejected in favor of Hevel’s, the *“less important”* brother. There have been other instances of older brothers being passed over by their younger, but Kayin’s case has a unique degree of severity. Avraham elevated Yitchak over Yishma’el, Ya’akov did the same for Yosef over his brothers. But in the case of Kayin, Hashem gave priority to Hevel. Kayin’s jealousy far surpassed that of Yishmael and Achei Yosef, because it was not his father who elevated his younger brother, it was The Father, HaKadosh Baruch Hu, who elevated Hevel. Kayin’s devastation was so profound that it could only be adequately expressed with the Hapax Legomenon, *“VaYiplu Panav.”* Even though Kayin’s jealousy was not without cause, it was nonetheless inexcusable.

Nonetheless, Hashem affords Kayin another Kayin to be elevated over Hevel. Following Kayin’s downfall, Hashem tells him *“Halo Im Teitiv Se’eit. Ve’Im Lo Teitiv, LaPetach Chatat Roveitz, Ve’Eilecha Teshukato Ve’Atah Timshal Bo,”* *“Surely, if you do right, there is uplift. But if you do not do right, Sin crouches at the door; it’s urge is towards you, yet you can be its master”* (ibid. 4:6-7). Now the ball is in Kayin’s court. If Kayin changes his nature, he will be elevated over Hevel. But if not, then he will succumb to additional sin. Kayin, however, cannot overcome his jealousy, so *“sin crouches at his door.”* When he was with

Hevel in the field, *“VaYomeir Kayin El Hevel Achiv VaYehi BiHeyotam BaSadeh VaYakam Kayin El Hevel Achiv VaYahargeihu,”* *“Kayin said to his brother Hevel, and when they were in the field, Kayin set upon his brother Hevel, and killed him”* (ibid. 4:8). The Midrash has two different of the content of the brother’s conversation. According to one version, they agreed that one brother would receive all of the movable objects in the world, and the other would get all of the land. But then the brother who received all of the moveable objects pointed out that the other was wearing his clothes, and the brother who received all of the noted that the other was standing on his land. Alternatively, they split the world evenly, but could not agree where the Beit HaMikdash should be built. According to both versions of the story, the argument is what led to the grave act of fratricide. Unable to compromise due to their extreme jealousy, Kayin eventually killed Hevel.

Although both brothers might have had reasonable explanations for their jealousy, they let their emotions suppress their reason. This should be a lesson for us, that no matter the situation, we should strive to avoid jealousy. Jealousy is a powerful, corrupting emotion that can cause the best of people to succumb to the worst of sins.

SEPARATING CONJOINED TWINS: PART I

by Rabbi Chaim Jachter

“The ethics and morals involved in this decision are too complex for me. I believe they are too complex for you as well. Therefore I referred it to an old rabbi on the Lower East Side of New York. He is a great scholar, a saintly individual. He knows how to answer such questions. When he tells me, I too will know.”

These words, referring to Rav Moshe Feinstein, were reportedly uttered in 1977 by none other than Dr. C. Everett Koop, then chief of surgery at Children’s Hospital in Philadelphia, who was later to become the surgeon general of the United States during the Reagan administration. He made this statement to his staff when deliberating the ethics of a morally wrenching dilemma. Conjoined twin girls who shared one heart were born to a Kollel family in Lakewood, New Jersey. The heart had six chambers (a heart normally has four chambers) and without surgical intervention both twins would die within a year since the abnormal heart was unable to sustain both babies. The only chance of even one twin surviving was to sacrifice one twin in order for the other to survive. The parents brought the babies for medical care to one of the world’s leading hospitals, Children’s Hospital in Philadelphia.

This situation posed a moral and legal dilemma that needed to be resolved in many venues. Dr. Koop sought and received legal immunity from being prosecuted for the murder of a twin. Catholic doctors and nurses sought the guidance of their theologians to permit their participation in the surgery. The parents of the twins would give their consent to the surgery only if Rav Moshe Feinstein permitted sacrificing one twin to save the other. When Dr. Koop, a deeply religious man who studied Bible

³ Translations adapted from Sefaria.org

Conjoined Twins - One or Two Halachic Identities?

Perhaps a solution to our dilemma lies in concluding that the conjoined twins are viewed as one individual. If we say that the twins share one Halachic identity then we can sacrifice one twin to save the other in the same manner in which a surgeon is permitted to amputate a leg if necessary to save the person.

The question as to whether conjoined twins are viewed as one or two individuals is already addressed by the Gemara (Menachot 37a).

Pleemo asked Rebbe [Rabi Yehuda HaNasi], "If a man has two heads, on which one should he place his tefillin (phylacteries)?" Rebbe said to him, "Either go into exile or you will be excommunicated!" (Rashi explains that Rebbe assumed the question was extremely irreverent and mocking.) Just then a man walked in and said to Rebbe Yehuda the Prince, "Our baby that was just born has two heads. How much do I have to give the Kohen (priest) for pidyon haben (redemption of the first born – usually five silver pieces for a baby)?" A certain elderly man came and taught him, "You are obligated to give him ten silver pieces."

This Gemara establishes only that the obligation of payment of the sum of five sela'im for redemption of the first born is generated by the emergence of each head that "opens the womb" of the mother. In the birth of ordinary twins, as Rashi explains, it is "impossible" for both heads to present simultaneously. Hence, although there may be some doubt with regard to which twin emerged first, there can be only one first-born. However, in the delivery of conjoined twins, it is entirely possible for both heads to present simultaneously. Accordingly, in instances in which the heads emerge first and both heads are delivered simultaneously, each of the heads "opens the womb." Since the Torah establishes a requirement for redemption in the sum of "five shekels for the skull" (Chameishet Shekalim LaGulgolet, Bamidbar 3:47) the sum to be presented to the priest is doubled when both heads present simultaneously. Accordingly, the question pertaining to redemption of the first-born is resolved by the Gemara without reference to whether conjoined twins are deemed to be two people or one person.

This question, however, is addressed by Tosafot (ad loc. s.v. Oh Kum) Tosafot, remark, "In our world (baolam ha-zeh) this does not exist," but cite a midrashic narrative relating that Ashmedai, in the presence of Shlomo HaMelech, brought forth "from under the ground" a person having two heads. That man subsequently married and fathered children having two heads like himself as well as children having one head like his wife. When the time came to divide their inheritance, the two-headed children demanded a double portion of the legacy. The case was brought before Shlomo HaMelech for adjudication.

Shlomo HaMelech's decision, emerges from the same midrashic source quoted by Tosafot, is presented by Shittah Mekubetzet, ad locum. According to this midrashic source, Shlomo heated water, covered one of the heads and then poured the scalding water on the other head. Both heads screamed in pain. Thereupon Shlomo ruled, "It can be deduced that both heads have a single source and (the twins) should be deemed a single person."

Rav Bleich notes "Unlike Solomon's twins, the conjoined twins described in the medical literature would not both respond to pain stimuli applied to a single head. According to Shittah Mekubetzet, such twins must be deemed to be separate persons, not only for purposes of inheritance, but for all other halachic purposes as well. Moreover, conjoined twins, each endowed with a full complement of organs, are clearly separate individuals, regardless of whether or not they respond individually to pain stimuli. Accordingly, the twins are clearly viewed as two separate individuals. Even if one were to argue that "Ein Lemeidin Min HaAgadot" - Aggada does not serve as a legitimate Halachic source (Yerushalmi Pei'ah 2:4) - since the two girls are clearly two separate individuals, there is no doubt that they have two separate Halachic identities.

Teshuvot Shevut YaYakov (1:4) notes that according to the Gemara, Eiruvin 18a, and according to one opinion recorded in Ketubot 8a, Adam and Chavah were created simultaneously as fully formed but conjoined individuals and only later were they separated. Shevut Yaakov further asserts that this talmudic opinion concerning simultaneous creation of Adam and Eve serves to establish that twins united in such a manner are separate persons since the Torah refers to Adam and Chavah in their conjoined state in the plural: "Male and female did He create them (Zachar U'Nekeivah bara Otam). . . and He called their name Adam" (Breishit 5:2). Accordingly, Shevut Yaakov rules that twins conjoined in a like manner must be regarded as separate individuals for all purposes of Halacha. Thus, Rav Bleich concludes that at most the right side twin can be classified as a Tereifah (a person expected to die with twelve months; it is Biblically forbidden to kill a Tereifah but does not constitute a capital crime). However, it is not justified to kill this twin based on the argument that it has been designated for death.

Conclusion

In next week's issue of Kol Torah, we will attempt to connect this discussion to the case of Rodeif, when an individual is attempting to kill someone, to possibly justify sacrificing the right side twin to save the left side twin.

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