

THE YESHIVA PIRCHEI SHOSHANIM SHULCHAN ARUCH LEARNING
PROJECT

The Noahide Laws – Lesson One

Introduction



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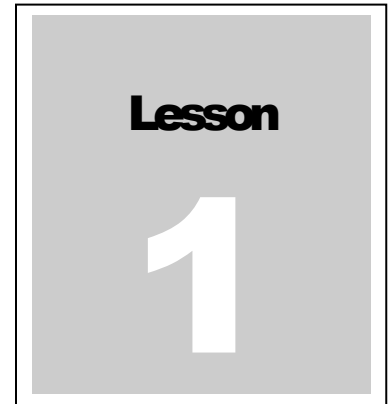
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Outline of This Lesson:

- 1. Misconceptions & Tragic Histories**
- 2. Jews & Non-Jews**
- 3. Law & Love**
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Introduction to the Noahide Laws



Misconceptions & Tragic Histories

Judaism is greatly misunderstood. Admittedly, Judaism appears strange when compared to other faiths. Whereas Christianity, Islam, and other religions seek adherents, and openly preach and proclaim the trueness of their faiths, Judaism appears to do the opposite. It seems turned in on itself and quietly unconcerned with the spiritual wellbeing of non-Jews. Judaism also seems, to the outsider, to be preoccupied with the minutiae of obscure law. This has given rise to the myth that Judaism is a religion of “justice,” devoted to the worship of a “vengeful God.”

These misconceptions are, for the most part, the result of an 1800 year campaign of marketing and persecution by the Church who sought to replace the original Torah with their own ideology.

The Christian world invested tremendous effort in quashing Torah teachings and thought. They subjected Jews to persecution, exile, torture, and even death. Jews were forced into ghettos and frequently prohibited from teaching or printing Torah thought and teachings. As the oppressors outlawed Jewish and non-Jewish interactions, they simultaneously accused the Jews of being separatist and aloof. As the persecutors locked the Ghetto gates, they accused the Jews of being secretive and insular.

Persecution formed the basis for a propaganda that only fueled further harassment and discrimination. This condition was the norm for most of the Jewish world until only 70 years ago.

Since after the Holocaust, Jews have enjoyed religious freedom unlike anything experienced for the past 2000 years. With the decline of official oppression and discrimination, it is only now that Torah can be discussed, studied, and taught freely.

Jews & Non-Jews

Judaism is not unconcerned with non-Jews, nor is it aloof to the spiritual needs of the world at large. For the past 2000 years, however, these matters could not be discussed openly in any meaningful way. It is only recently that the Jewish community has been able to freely discuss the Torah's vision of the world. It is not a vision for Jews alone, but a vision for all mankind.

At Sinai the Torah was revealed and given to the Jewish people. It sealed the covenant between the Jewish people and the Creator of the universe. However, the Sinaitic covenant was neither the first nor the only agreement struck between God and man. As testified to within the Torah itself, God established covenants with Adam and Noah.

Today, the Torah provides for two ideal relationships with God. One is that of the Jew, known as Judaism, governed by the covenant of Sinai. The other is that of the gentile, originally¹ governed by the covenants of Noah and Adam, known as the Noahide covenant.

Law & Love

The Torah, Judaism, and by extension, the Noahide laws, are concerned with action. Mere belief in God or principles is not enough. The Torah requires us to actualize; to perform God's will in this world. How, though, do we know God's will? The answer is: *mitzvos*.

Both of the covenants include *mitzvos* – divine commandments – expressing God's expectations of man. The Sinaitic, Jewish covenant includes 613 *mitzvos*, divine laws. The Noahide covenant contains 7 categories of *mitzvos* (commandments) which include over 30 *mitzvos* in total.

¹ As we shall see in future lessons, the original Adamic/Noahic covenant was eventually subsumed under the authority of the Sinaitic covenant.

But, why laws? Are not ethics enough? The Torah, as we shall see, contains both ethics and laws. Yet, there is a big difference between laws and ethics. Ethics are guiding moral principles having broad application. They are values commonly held, but whose interpretation easily becomes subjective. Laws, however, are specifically defined guidelines that mold and create societies; laws have the effect of putting everyone on the same page. They create commonality and community. Ethics need laws to impose structure, commonality, and to preserve their meaning. However, law without ethics is meaningless.

But isn't Judaism, or for that matter Noahism, a religion of love? If the covenants are motivated by love, then why does God want us to follow laws? The question itself is fundamentally flawed. Creation was, by default, the ultimate act of love and kindness. As we will learn in later lessons, God created the universe in order to bestow his goodness. Therefore, all of His actions are ultimately for the sake of our good, and all are acts of love. This includes His covenants, both the Sinaitic and the Noahide.

The idea that love and law are opposites is a fiction. It is part of the historical campaign of marketing and persecution discussed above. The church long portrayed the Torah as a covenant of law while claiming that their religion as one of love. The Torah views love and law as two sides of the same coin. Without any restraint, boundaries, or guidance, love is a destructive force, smothering force. Similarly, strict untempered justice is terrifying and unbearable. Law tempered by love, and love tempered by law, is God's ideal formulation.

The *mitzvos* – the divine commandments – give structure and expression to the underlying beliefs, ethics, and values of God's Torah. By fulfilling the *mitzvos*, we connect and become part of our Creator's will. In this sense, the *mitzvos* are far more than just laws – they are a direct means of connecting to God.

Therefore, the *mitzvos* must be studied, pursued, loved, and performed with tremendous joy and thankfulness for the opportunities that they present.

From a metaphysical standpoint, the fulfillment of *mitzvos* contributes to the rectification of God's creation. By fulfilling the *mitzvos*, we draw the light of God into the world and bring it closer to perfection.

Legal Systems in Theory and Reality

The Torah is not only a religious system, but is also a system of national, civil, and interpersonal law. As with all systems of law, it carries penalties for violations. Throughout this course we will frequently discuss the penalties for violation of the Noahide laws. **These discussions are, today, mainly theoretical.** The reason for knowing the penalties of the transgressions today is so we can compare the relative severity of the transgressions. A transgression with a light penalty is, generally, a lesser transgression than one with a severe penalty. From such comparisons, we can determine which course of action to take in pressing circumstances.

This same method of analysis is used by Jews in the study of Jewish law.

Unfortunately, this discussion of penalties, necessary to the study of the Noahide laws, has sometimes given rise to anti-Semitic myths and misunderstandings. These are the most frequent questions asked about the Noahide laws:

Noahides Law is discriminatory because it imposes the death penalty for non-Jews for any transgression of the Torah.

There are very few transgressions of Noahide law that incur capital punishment. As we shall see, the Noahide laws include 7 categories of transgressions, for which only about a dozen specific actions incur capital punishment. By comparison, Jewish law has about 35 categories which incur capital punishment, with over 100 specific transgressions for which a Jew could be put to death. Furthermore, Noahides are only executed via beheading, the quickest and most painless method of Torah-mandated executions. Jews, though, may also be burned to death, strangled, or stoned – penalties that may not be given to Noahides. Additionally there are dozens of Jewish transgressions for which Jews are punished with 40 lashes. Jews may also receive *kares* – spiritual excision – one of the most severe penalties found in the Torah. Non-Jews do not receive lashes or *kares*. The Torah's legal system is, generally, more stringent in its judgment and treatment of Jews than of non-Jews.²

² See also Sanhedrin 59a.

Will I be put to death for transgressing the Noahide laws?

The death penalty was only ever given 1) in Israel, 2) when the Jews had full sovereignty over their land, and 3) when the Sanhedrin was fully functioning. Today, even though Israel is in Jewish hands, this is only a political restoration. It is not the level of religiously valid possession required to allow theocratic rulership of the land. Furthermore, there is no Sanhedrin today to administer the death penalty (the Sanhedrin cannot be restored until messianic times). Another important point is that the Noahide legal system primarily charges Noahides with the administration of justice, not Jews.

You can also view things this way: if Jews are not liable to capital punishment today, then Noahides are certainly not either. As we have seen, Jewish law is, generally, more severe than Noahide law.

In short – though there were times in the past when an Noahide in Israel could, in theory, receive the death penalty, it can never be happen today.

Weren't Noahides put to death more often than Jews in ancient Israel?

There are no statistics as to the demographics of those executed. However, given that Noahide law cannot be more severe than Jewish law, it is a strange assumption to make. As well, the circumstances necessary to actually obligate someone to execution are very specific; in fact they are so specific that execution was rarely ever decreed. The Talmud records:

A court that executes at a rate of one person every seventy years is considered murderous.³

The commentaries explain that even one person every 70 years was a frequency beyond the pale of possibility, indicating that the court was far too severe in its approach. Consider as well that just because someone commits a crime deserving the death penalty, they may not actually receive it. This is the case in American law as well.

Isn't a Non-Jew put to death for studying Torah? Also, isn't a Jew allowed to steal from a non-Jew? Isn't a Jew allowed to lie to a non-Jew, but not to another Jew? Isn't a Jew allowed to kill a non-Jew? Isn't a Jew allowed to charge a non-Jew interest, yet not to another Jew?

³ See Mishnah Makkos 1:10.

We grouped these allegations together because they all suffer from the same problem: they are all assumptions based on either mistranslations or decontextualized Talmudic quotes. Realize this: the Talmud does not state the final law for Jews. This allegation is a long-held anti-Semitic myth. The Talmud is an encyclopedia of conversations and explorations pertaining to Torah Law. It DOES NOT represent conclusive Jewish belief or practice. A Talmudic conversation may quote 50 different opinions without explicitly indicating clearly which one is conclusive. The Church has, for centuries, cherry-picked those statements which could be used as propaganda against the Jews. The conclusive opinions of the Talmud are recorded in commentaries and codes, especially in the *Shulchan Aruch*, The Code of Jewish Law, compiled by Rabbi Yosef Karo in the 16th century. The importance of the Talmud is that it presents the methodology of correct Torah interpretation and study. The *Shulchan Aruch* decides according to the Talmudic opinions that prohibit a Jew from stealing, lying to, or harming a non-Jew. Additionally, a non-Jew is not actually put to death for studying Torah.

One of the above allegations, however, is true. A Jew may not charge interest to another Jew, but may do so to a non-Jew. By the same token, though, non-Jews may charge interest to Jews, so it is something of a false criticism.

Summary of This Lesson

1. At Sinai, God gave the Torah to the Jewish people, entrusting them with 613 divine commandments. At the same time God reaffirmed through Moses that the 7 Laws of the Children of Noah still applied to all of mankind.
2. The Torah is therefore a divine revelation not only for the Jewish world, but also for the non-Jewish world with regard to the 7 Laws of the Children of Noah.
3. Although the creation of the world and the giving of the Torah were acts of love, this does not preclude the role of law.
4. The *mitzvos* – divine commandments – give shape and direction to our expressions of love and worship of God, while they also inform us as to God's will.

5. Although the 7 Laws of the Children of Noah are a fundamental part of Torah thought, they have not been discussed or taught much in the past 1800 years. This is largely the effect of persecution and ghettoization, which limited interactions with non-Jews and the restrictions placed on the study and teaching of Torah.