

THE YESHIVA PIRCHEI SHOSHANIM SHULCHAN ARUCH LEARNING
PROJECT

The Noahide Laws – Lesson Eight



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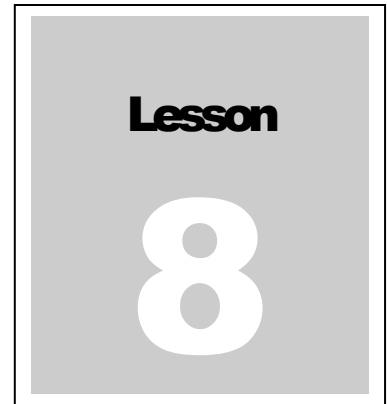
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Outline of This Lesson:

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Deriving the Noahide Laws IV



Introduction

In the last lesson, we reviewed general principles of the Noahide laws of idolatry and blasphemy, their unique details, and their positive aspects. In this lesson we will conclude our overview with the remaining prohibitions of incest, murder, theft, and a limb torn from a living creature.

Please keep in mind that this lesson, as well as the previous few, are only overviews introducing the general principles of the seven categories. Later lessons will be devoted to the specific observance of these categories.

Incest

The category of incest is fundamentally concerned with preserving the sanctity of the male/female relationship and the integrity of the family unit. As with all of the Noahide laws, it includes a fundamental prohibition, ancillary related prohibitions, and positive precepts.

As all of the seven Noahide categories, it also includes positive precepts pertaining to marriage, divorce, reproduction, modesty, and interactions between the genders.

Homicide

The prohibition of murder, along with that of a limb torn from a living animal, has the fullest and most explicit expression of all the Noahide laws:

I shall avenge your life's blood. From the hand of any beast I shall avenge it and from the hand of man. From the hand of man for his brother I shall avenge life. For anyone who sheds the blood of man by man shall his blood be shed for man was created in the image of G-d.

Genesis 9:5-6

While murder is the fundamental prohibition here, this category also includes issues such as injury, euthanasia of the terminally ill, suicide, and abortion. Also included are the implied positive *mitzvos* of preserving life and the rules pertaining to self-defense.

A surprising inclusion under the category of homicide is the laws of speech. For Jews, there are detailed expectations as to what one person may say about another. Damaging or negative language is strictly prohibited without a compelling reason. Though Noahides are not obligated in these laws, these are precepts having a logical reason and benefit for society. Such *mitzvos* may be voluntarily accepted by Noahides. Furthermore, many authorities¹ learn from the story of Tamar and Judah² that Noahides are specifically prohibited from causing embarrassment to each other. It seems, therefore, that Noahides should observe the laws of speech either because it is logical and beneficial or because of an actual prohibition against causing embarrassment.

Theft

Theft is possibly the largest and most comprehensive area of the Noahide laws. It covers virtually every conceivable facet of monetary and property law as well as the whole gamut of business, commercial, employment, and real estate law.

This category further includes the prohibitions of kidnapping, rape, and other socially destructive acts.

The laws of theft are not solely relevant to the above areas, but also apply to ideology. They dictate the boundaries of Torah tradition for Jews and Noahides and preserve the integrity of the two traditions.

The positive qualities of theft include respecting and protecting the property of others, conducting one's business honestly, and preserving social integrity.

¹I.e. Shut [Divrei Yatziv](#) YD 51.

² Genesis 38:25.

Eiver Min HaChai - A Limb Torn From a Living Creature

The Talmud lists this as one of the 7 laws implied by Genesis 2:16 (the earliest source for the Noahide laws). However, this presents us with a problem. In the Talmud³, [Rabbi Yehudah](#) in the name of [Rav](#) points out that Adam was not allowed to eat meat in the Garden of Eden, as it is written:

And God said: 'Behold, I have given you every herb yielding seed that is upon the face of the earth and every tree in which is the fruit of a tree yielding seed- to you they shall be for food. And to every beast of the earth, every fowl of the air, and to everything that creeps upon the earth that has a living soul: every green herb for food.' And it was so.

Genesis 1:29-30

What then is the point of commanding Adam regarding a limb torn from a living creature if Adam was not allowed to eat meat? Furthermore, why does the Talmud derive the prohibition of a limb torn from a living animal from Genesis 2:16? After all, this commandment (as well as the permission to eat meat) is explicitly dictated to Noah to after the flood:

And God blessed Noah and his sons, and said to them: 'Be fruitful, multiply, and replenish the earth. And the fear and dread of you and shall be upon every beast of the earth, and upon every bird of the air, and upon all that teem upon the ground, and upon the fish of the sea. Into your hand they are delivered. Every moving thing that lives shall be for food for you; as the green herb have I given you everything.

Only flesh with the life thereof, which is the blood thereof, shall ye not eat.

Genesis 9:1-4

Maimonides

[Maimonides](#) offers a simple explanation: while all seven *mitzvos* are referenced in Genesis 2:16, only the first six were actually commanded to Adam. The seventh commandment, a limb from a living animal, was only given at the time of Noah. This explanation also tells us why the seven *mitzvos* are called the seven “Noahide Laws;” they were completed with the giving of the seventh mitzvah to Noah.

However, [Tosafos](#)⁴ offers an alternate explanation.

³ [Sanhedrin 59b](#).

⁴ Tos. Sanhedrin 56b DH *Achol Tochal*.

Tosafos According to *Tosafos*, *Genesis 1:29-30* only prohibited Adam from killing animals in order to eat their flesh. Adam was nevertheless allowed to eat the flesh of animals that died naturally.

Despite this permission, God specifically prohibited Adam from eating flesh torn from an animal while it was still living. The later verse, *Genesis 9:1-4* (addressed to Noah), expanded the permission of man to eat meat by allowing animals to be killed for their meat.

The law of flesh torn from a living animal only applies to birds and mammals, whether domesticated or wild. It does not apply to fish, crustaceans, insects, or other such creatures.⁵

Included within this category also are precepts regarding cruelty to animals, animal husbandry, and cross-breeding plant species.

Summary

The seven Noahide laws are actually categories. Each one, called in the name of its basic prohibition, includes a body of related laws. Even though the Talmud enumerates the Noahide laws according to their prohibitions, they include many positive requirements as well.

Many of the categories of Noahide law overlap with Jewish law. Some areas of Noahide law are parallel to Jewish law, being essentially the same in concept and purpose, but having different sources and applications. Still, many other elements of Noahide law are based upon simple logic and practicality.

Since the time of Maimonides, *poskim* (decisors of Torah law) have examined and answered numerous questions of Torah law for both Jews and non-Jews around the world. Their writings are the primary sources available for building a comprehensive and practical understanding of Noahide observance.

⁵[*Maachalos Asuros Perek 5.*](#)

Summary of the Lesson

1. Incest includes the prohibitions of incest, homosexuality, bestiality, and adultery.
2. The positive implications of the prohibition of incest are the requirements of marriage, divorce, modesty, and rules pertaining to reproduction.
3. Homicide includes laws of murder, self-defense, injury, euthanasia of the terminally ill, suicide, and abortion.
4. The positive elements of the prohibition of homicide include preserving life and care of those who are ill.
5. The prohibition of theft covers a vast area including business, real estate, employment, kidnapping, and rape.
6. The positive aspects of theft include preserving social integrity and order as well as respecting and protecting the property of others.
7. The law of a limb torn from a living animal was either given in the times of Noah (according to Maimonides) or to Adam (according to Tosafos).
8. This law applies only to mammals and birds. It does not apply to sea creatures (even mammalian) or to insects or crustaceans.
9. This law also includes precepts pertaining to animal husbandry, agriculture, and animal welfare.