

THE YESHIVA PIRCHEI SHOSHANIM SHULCHAN ARUCH LEARNING
PROJECT

The Noahide Laws – Lesson Twenty Three



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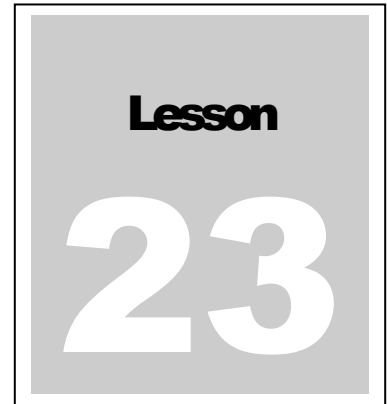
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Outline of This Lesson:

- 1. Sanhedrin 58b – The Prohibition**
- 2. Sanhedrin 58b – Commentary**
- 3. Yevamos 48b – Shabbat & the Ger Toshav**
- 4. Talmud Krisus 9a – A Similar Conversation & Conclusion**
- 5. The Midrash Rabbah Explains...**

Shabbat I



Introduction

The question of Noahide observance of Shabbat comes up a lot. Unfortunately, there is much confusion surrounding the issue. Some have encouraged Noahides to keep a form of Shabbat observance, mistakenly equating Noahides with *ger toshav* (as well as erroneously understanding the *ger toshav*'s relationship to Shabbat). This confusion is understandable considering that the question involves advanced mechanics of Torah law and a beguiling array of often contradictory sources.

Sanhedrin 58b – The Prohibition

Said Reish Lakish: A non-Jew who refrains from labor for an entire day is liable for death, as it is written:

“Day and night they shall not cease.”(Genesis 8:22)

The master said: Their warning is sufficient to warrant their death.

Said Ravina: This is so even if a non-Jew refrained from work on Monday.

[Challenge:] If this is so, then let this prohibition be counted among the Noahide laws!

[Answer:] The Noahide laws are enumerated as prohibitions. They are not listed according to their positive aspects.

Sanhedrin 58b – Commentary

Said [Reish Lakish](#): *A non-Jew who refrains from labor for an entire day is liable for death, as it is written:*

“Day and night they shall not cease.”(Genesis 8:22)

Explanation: This verse, at first glance, seems to refer to the progress of the seasons. However, Reish Lakish explains the word “they” as referring to man. Therefore, this verse is prohibiting Noah and his descendants from disengaging in the labor of the world for an entire day. This is a positive commandment that precludes observance of Shabbat. There is ambiguity though, as to whether this is a general prohibition on cessation of work or a specific prohibition on doing so for religious reasons.

The master said: Their warning is sufficient to warrant their death.

Explanation: This is the general rule for the transgression of a Noahide commandment for which a warning is evidenced in the Torah.¹ Certain prohibitions, however, are derived obliquely and are not subject to punishment by death.² The Rambam understands the punishment for keeping Shabbat as heavenly and not imposed by human courts.

Said [Ravina](#): *This is so even if a non-Jew refrained from work on Monday.*

Explanation: The intent of Ravina’s statement is unclear.

[Rashi](#)³, [Ridbaz](#)⁴, [Rav Moshe](#)⁵ - They understand Ravina as telling us that gentiles are prohibited from establishing a particular 24-hour period to abstain from work for any reason. To take a day off occasionally for rest only, with no religious motivation, would be acceptable, however.

¹ See [Hilchos Melachim 9:14](#).

² See [Hilchos Melachim 10:6](#).

³ Ad loc.

⁴ Commentary to Rambam, [Hilchos Melachim 10:9](#).

⁵ [Igras Moshe YD II: 9](#).

[Yad Ramah](#)⁶ - This prohibition applies only if the rest is religiously motivated. It does not matter, according to them, whether this motivation is monotheistic or pagan. According to them, to establish a 24-hour period to rest from work for health reasons would be permitted.

[Challenge:] If this is so, then let this prohibition be counted among the Noahide laws!

[Answer:] The Noahide laws are enumerated as prohibitions. They are not listed according to their positive aspects.

Explanation: Rashi and other Talmudic commentaries explain that the Noahide laws, meaning the general categories themselves, are listed according to their negative (*thou shalt not*) aspects only. Even though the laws may include positive commandments, these are sub-classes of the general prohibitions. As mentioned in a previous lesson, *dinim* (the requirement to establish courts) appear to be positive. Nevertheless, it is primarily negative in that it establishes courts to enforce the other negative prohibitions.

[Yevamos 48b](#) – Shabbat and the Ger Toshav

Sanhedrin 58b is apparently contradicted by a [braisa](#) in Yevamos 48b. The Talmud there is discussing the laws of an *eved*, indentured servant, purchased before Shabbat and the prohibition of his performing work on behalf of his master. The same *braisa* concludes with a surprising statement:

*[Six days you shall work, but on the seventh day you shall rest. Your ox and donkey shall have rest, the son of your maidservant, **and the ger**, so that they may be refreshed. (Exodus 23:12)]*

“...and the ger” – this refers to a ger toshav [resident alien].

Explanation: Talmud tells us that the word *ger*, used in this verse, refers to a *ger toshav*. So, is this verse telling us that a *ger toshav* must observe Shabbat? How can that be? A *ger toshav* is not Jewish and, as the Talmud stated in Sanhedrin, non-Jews cannot observe Shabbat! Since the verse uses the generic term *ger*, it might be that the Torah means a *ger tzedek*, a convert to Judaism.

You might question: How do we know this refers to a ger toshav? Perhaps it refers to a ger tzedek, [a regular convert to Judaism]? This cannot be so, because another verse states:

⁶ To Sanhedrin 58b.

*And the Seventh day is a Sabbath... you shall do no labor... both you and the ger within your gates.
(Deuteronomy 5:14)*

Explanation: The Talmud understands the verse “ger within your gates” as referring to a *ger tzedek* – a full convert to Judaism. Since another verse has already taught us that a *ger tzedek* must observe Shabbos as a Jew, then our passage must be referring to a *ger tzedek*, the only other type of *ger*.

What are we to make of this? There are a number of explanations:

- **Rashi** – Rashi understands the Talmud simply: A *ger toshav* must keep Shabbat. Apparently, Rashi derives his position this from the Talmud in [Erwin 69b](#). There it states that one who desecrates Shabbat is like one who worships idolatry. Rashi applies this idea to a *ger toshav*. Since the *ger toshav* has disavowed idolatry, he must therefore keep Shabbat. Rashi must interpret the Talmud’s prohibition (from Sanhedrin 58a) as only precluding idolaters from observing Shabbat.
- **Tosafos D. H. Zeh** – A *ger toshav* has no obligation to observe Shabbat and may not do so because of the aforementioned passage from Sanhedrin. The Talmud here is only discussing whether or not a non-Jew may do work for a Jew on Shabbat. This certainly seems the intent of the verse:

*Six days you shall work, but on the seventh day you shall rest. Your ox and donkey shall have rest, the son of your maidservant, **and the ger**, so that they may be refreshed*

The first part of this verse discusses animals or servants working on behalf of a Jew (they clearly have no intrinsic obligation to observe Shabbat). Correspondingly, the first part of the *braisa* discusses a Jew’s servant working on his behalf. The second part of the *braisa* is explaining that a *ger toshav* is likewise prohibited from working on behalf of a Jew.

The basis of Rashi and *Tosafos*’s disagreement appears to be that the other entities mentioned in the verse (ox, donkey, servant, etc.) are subject to the will of a master, while the *ger toshav* is not. A *ger toshav* is completely autonomous. *Tosafos* seems to interpret the verse’s inclusion of *ger toshav* to mean: “You may think that a *ger toshav*, being a non-Jew who is not in your household, may labor on your behalf, but the verse is teaching that this is not so.”

Tosafos's explanation is certainly consistent with the Talmud's discussion. Rashi's opinion, though, is very difficult to understand. First of all, [Ervin 69b](#) is only describing Jewish desecration of Shabbat, not that of a *ger toshav*. To apply it to a *ger toshav*, we have to have some other pre-existing reason to equate Jewish desecration of Shabbat to that of a *ger toshav*. Moreover, the comparison is made for the unique purposes of explaining when a Sabbath desecrating Jew may be trusted or combined with other Jews for certain matters of *halakha*. In other words, it is only asking when a Jew is treated as an idolater in certain areas of Torah law. This entire issue is compounded by the lack of clarity as to how Rashi defines *ger toshav*.

Because of the difficulties in explaining Rashi, the Maimonides,⁷ [Shulchan Aruch](#),⁸ and all other codifiers⁹ decide the *halakha* like *Tosafos*. Therefore, even a *ger toshav* is included in the prohibition of gentile observance of Shabbat.

Talmud [Krisus 9a](#)

There is similar discussion in the Talmud to Tractate *Krisus* 9a:

*Our Rabbis taught [in a braisa]: A ger toshav may do work for himself on Shabbat to the same degree as a Jew on the intermediate days of the festivals.*¹⁰

[Rabbi Akiva](#) said: As a Jew on the festivals.¹¹

[Rabbi Yossi](#) said: A *ger toshav* may labor on Shabbat for himself just a Jew may on a weekday.

The Talmud tells us that the *halakha* is like Rabbi Yossi.

Thus far, we see have seen that there is nothing preventing a *ger toshav* from performing labor on Shabbat. Since a *ger toshav* is a de facto Noahide, we may infer that that there is nothing prohibiting a Noahide from doing labor on Shabbat.

⁷ Rambam, [Hilchos Shabbos 20:14](#).

⁸ *Orach Chaim* 304.

⁹ Ibid. See the [Bais Yosef](#) there for a lengthy discussion of the issues.

¹⁰ On the intermediate days of the Passover and Sukkot festival Jews may only do labor that is needed for enjoyment of the festivals or to prevent a loss.

¹¹ On the festivals themselves Jews may cook as well as carry in the public domain.

At the same time, there is a positive commandment requiring the inhabitants of the world to constantly engage in the world. This requirement precludes observance of Shabbat.

Midrash Rabbah

The Midrash¹² explains the idea behind this prohibition:

Rabbi Yossi, son of Chanina, said: A gentile who observes the Shabbat before being circumcised is liable to the death penalty. Why? Because he was not so commanded. But, what is your reason for saying that a gentile who observes the Sabbath is liable to the death penalty? Said Rabbi Chiya, the son of Abba, in the name of Rabbi Yochanan: If a king and queen are sitting in conversation and someone comes and barges between them, isn't he liable to death? So too is the Shabbat between Israel and the Holy One, blessed is He, as it is written:

"[You shall speak unto the Children of Israel, saying: you must keep my Shabbat, for it is a sign] between me and the Children of Israel" (Exodus 31:13).

Therefore, a non-Jew who comes and places himself between them before being circumcised is liable to the death penalty.

Prior to the giving of the Torah, the rest of Shabbat was the privilege of God alone and man was not allowed to partake it. The commandment of observing Shabbat, the divine day of rest, was given to the Jews alone as part of their unique covenant with God.

In the next lessons we will look at further possible relationships between Noahides and Shabbat.

Summary of Lesson

1. The Torah prohibits Noahides from observing Shabbat, requiring them to be involved constantly in the making of the world.
2. This prohibition only applies to religiously motivated resting.
3. A Ger Toshav has no obligation to observe Shabbat. They are likewise enjoined against observing Shabbat.
4. The Talmud in *Krisus* reiterates the Halakhah with regard to a ger toshav.

¹² *Midrash Rabbah* to Deuteronomy 1:18.

5. The Midrash Rabbah explains that the reason for the prohibition is because Shabbat is a matter between God and Israel alone.