

THE YESHIVA PIRCHEI SHOSHANIM SHULCHAN ARUCH LEARNING  
PROJECT

# The Noahide Laws – Lesson Twenty Four

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**Written by Rabbi Avraham Chaim  
Bloomenstiel**

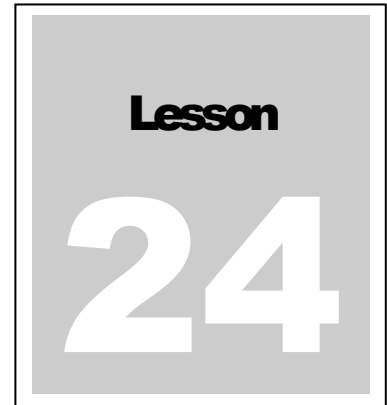
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## *Shabbat II: The Patriarchs & Shabbat*



### **Introduction**

In the last lesson we saw there is a positive *mitzvah* upon all non-Jews to remain constantly engaged with the world (*Sanbedrin* 58b). This *mitzvah*, by default, prohibits non-Jews from observing any 24 hour rest period for religious reasons (Maimonides). This law applies equally to all non-Jews, including *ger toshav* and Noahides (*Tosafos* to *Yevamos* 48b and *Kerisus* 9a).

We saw from the Midrash that the Jews were commanded to partake in the divine rest of Shabbat. Their observance of Shabbat was established as a sign of their unique covenant with God. Anyone else is an interloper and even deserving of death!

Yet, we are also taught that the patriarchs kept all of the *mitzvos*. This would, of course, include observing Shabbat. Considering that the patriarchs were Noahides, how do we reconcile their behavior with *halakhab*?

### **Talmud [Yoma 28b](#)**

The source teaching us that the patriarchs kept the Torah is *Yoma* 28b:

*Rav* Said: Our forefather Avraham kept the entire Torah, as it is written:

“Because Abraham obeyed My voice [and observed my safeguards, My commandments, My statutes, and my laws.]”

*Rav Shimi bar Chiya said to Rav: Why not say that verse speaks only of the seven Noahide laws?*

*[Response]: It also refers to circumcision, [therefore the verse must speak of more than just 7 laws.]*

*[Rav Simi bar Chiya responded]: Then say it refers only to the seven Noahide laws and to circumcision!*

*Rav said to him: If that were the case, then why does the verse state “My commandments... My laws?” This implies that Avraham kept the entire Torah.*

*Rav Ashi said: Our forefather Avraham fulfilled even *eruvei tavshilin* [a rabbinic *mitzvah*] for it is stated “My Laws” [lit. “My Torabs”], implying both the written and oral Torabs<sup>1</sup>.*

Many later commentaries hold like Rav Shimi bar Chiya, that the patriarchs only observed the Noahide laws plus the other *mitzvos* specifically commanded to them.<sup>2</sup> According to this understanding of the Talmud, the Patriarchs did not observe Shabbat.

There are a significant number of commentaries, however, who agree with Rav or Rav Ashi. According to them, the patriarchs observed the entire written Torah, oral Torah, and possible even later rabbinic decrees.<sup>3</sup>

Their view requires a lot of explanation. The most obvious question is: how did the patriarchs know the Torah before it was given? There are many good answers to this question, the most famous being that they knew it through *Ruach ha-kodesh*, a form of divine inspiration<sup>4</sup> just below prophecy.<sup>5</sup> This question, though, is nowhere nearly as difficult as the one posed by Leviticus 18:18:

*Do not marry a woman and her sister...*

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<sup>1</sup> Occasionally the term Oral Torah includes rabbinic decrees as well. See [Maharsha](#) and [Rashba](#).

<sup>2</sup> See [Rashbam](#), [Chizkuni](#), [Ibn Ezra](#) and many others to Genesis 26:5. See the [Meiri](#) and Rabbi [Avraham ben HaRambam](#) in their introductions to *Pirkei Avos*. Maimonides in *Hilchos Melachim 9:1* holds similarly.

<sup>3</sup> See Responsa of [Rashba](#) I: 94 and [Radbaz](#) II: 696. This is also the opinion of Rashi. However their opinions are still somewhat circumscribed.

<sup>4</sup> Prophecy and inspiration will be discussed in a future lesson.

<sup>5</sup> [Ramban](#) to Genesis 26:5.

Yet, Yaakov (Jacob) married two sisters (Rachel and Leah) despite this explicit Torah prohibition. How was this possible according to those who say that he observed the entire Torah! There are many examples of patriarchal behavior appearing to contradict the Torah.<sup>6</sup>

According to the literalist interpretation of Rav and Rav Ashi, the Torah observance of the patriarchs must be somehow qualified to explain these contradictions. Many of the greatest Torah scholars in history have tackled this question and arrived at a number of solutions. For example:

- [Ramban](#) to Genesis 26:5 – The patriarchs only observed the Torah in the boundaries of Israel. This may be tied into their knowledge of the Torah via *Ruach haKodesh*.<sup>7</sup>
- [The Maharal of Prague](#)<sup>8</sup> writes that the Patriarchs only kept the positive commandments, not the negative commandments.
- The [Rama](#)<sup>9</sup> writes that there are indeed problems explaining how Yitzhak and Yaakov kept the Torah. His solution is to simply disagree with the early commentaries, writing that only Avraham kept the Torah. Indeed, the Talmud only states that Avraham kept the Torah before it was given. Almost all other commentaries disagree, holding that Yitzhak and Yaakov kept the mitzvos as well.
- [Ohr HaChaim](#) to Genesis 49:3 – Though they kept the Torah, it had not yet been revealed and was not, therefore, truly binding. Their observance of the Torah could be modified by prophecy. When they deviated from the Torah, it was due to prophetic instruction.
- [Daas Zekeinim](#) to Genesis 37:35 and [Nefesh HaChaim](#) 21 – since the Torah had not been given, the patriarchs had no actual obligation to observe it. The patriarchs were empowered to make judgment calls for the sake of building a people and community.

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<sup>6</sup> For example, Amram, father of Moshe, married his aunt. Kayin married his sister. Problems are also caused by simple chronology. For example, how could the patriarchs have observed the laws of *Teruma* and *Ma'aser* if there were no Kohanim yet? How did the patriarchs observe laws dependent on future events, such as remembering the exodus from Egypt or the persecution of Amalek?

<sup>7</sup> As mentioned in a previous lesson, there is a special relationship between the land of Israel and the powers of prophecy and inspiration.

<sup>8</sup> *Gur Aryeh* to 46:10 and 32:4; *Chiddushei Aggados* Chullin 91a.

<sup>9</sup> Responsa 10.

This sampling reveals a trend: Most explanations of how the Patriarchs kept the Torah render their observance of Shabbat irrelevant to modern Noahides (see above, *Maharal*, *Ohr HaChaim*, *Daas Zekeinim*, and *Nefesh HaChaim*). A further problem is that many commentaries explain that the Patriarchs were not 100% Noahides.

Once they accepted the covenant of circumcision, the patriarchs were considered Jewish to a degree permitting them to partake in Shabbat.<sup>10</sup> This also precludes their observance from having any relevance to contemporary Noahides.

Therefore, to learn anything useful from the patriarchs, we must seriously narrow our question. The exact question should be:

How do we explain Shabbat observance of the Patriarchs according to those who hold that the Patriarchs were 100% Noahides and those who hold that they kept the Torah exactly as we understand “keeping the Torah?”

Although many have written about how the Patriarchs kept the Torah, the cross-section of those commentaries discussing our specific question is very small.

## 1) The Labor of Noahides

Let’s look again at the verse prohibiting Noahide Shabbat observance:

*Day and night they shall not cease...*

When the Torah prohibits gentiles from observing Shabbat, it is telling them that they may not refrain from labor for an entire day. What type of labor are we talking about, though? The [Binyan Tzion](#)<sup>11</sup> makes a brilliant observation. The 39 prohibited labors, the Torah’s conception of labor for the purposes of Shabbat, were not articulated until Sinai. Since the details of these labors were not previously known to the world, they could not be definition of labor used in regard to Noahides and their prohibition of observing Shabbat.

For example, according to the 39 labors defined at Sinai, carrying a needle in the public domain is considered a prohibited labor for a Jew on Shabbat. However, if a Jew carries a sofa up and down the stairs of his home on Shabbat, it is not considered labor and is permitted.

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<sup>10</sup> [Beit HaOzgar](#) Maarekhet I: 1; *Parshat Derakbim* 1. Rabbi Asher Weiss in *Minchas Asher* 9 records that this is the opinion of *HaRav HaGaon* Chaim Kanievsky.

<sup>11</sup> No. 126.

Before Sinai, however, the definition of labor was entirely colloquial. Therefore, the prohibition of observing Shabbat for gentiles was only on refraining from the colloquial definition of labor, not on the Jewish definition of labor. When the patriarchs rested, they observed the Torah (Jewish) definition of labor, which was not prohibited for them as Noahides. However, they did not refrain from colloquially defined forms of labor.

According to this understanding, gentiles are only enjoined against setting aside a day to refrain from their jobs, yard work, home repairs, etc. because of religious reasons. However, observing the Jewish definitions of labor for Shabbat is not a problem; it is not the type of labor from which they are prohibited from resting.

## 2) The Definition of Day

The [Panim Yafos](#)<sup>12</sup> also makes a remarkable observation. The verse states:

*Day and night they shall not cease...*

This verse indicates that the Shabbat that may not be observed by non-Jews is one lasting from daybreak to daybreak. After all, the verse states *day and night*, not *night and day*. However, the Jewish Shabbat, the one commanded at Sinai, lasts from nightfall to nightfall. The patriarchs kept the Jewish Shabbat (nightfall to nightfall), which was never prohibited for gentiles.

This opinion would apparently permit Noahides to observe Shabbat in the same way as Jews. However, the *Panim Yafos*'s definition of "day" as daybreak-to-daybreak is disproven and rejected by numerous later authorities who find it at great variance with other established areas of *halakhab*.<sup>13</sup>

## 3) The Circumstances of Pre-Sinaitic Noahides

The [Meiri](#)<sup>14</sup> explains that the circumstances of the Patriarchs were fundamentally different from that of later Jews. He holds that the reason gentiles are prohibited from observing Shabbat is because a gentile is not permitted to imitate the Jewish

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<sup>12</sup> Commentary to Genesis 8:22.

<sup>13</sup> *Binyan Tz'ion* 126; Responsa [Rabbi Akiva Eiger](#) 121 (Hosifos); Cheker Halakhah 15; [Yad Shaul](#) YD 293:4; Pardes Yosef, Noah 22; Teshuvos Toras Chesed 25.

<sup>14</sup> To *Sanhedrin* 58b.

faith. However, before the giving of the Torah, there were no Jews. Therefore, there is no point to prohibiting Shabbat observance.

But, wait a minute, wasn't the key verse written in Genesis? This is long before the Jews were commanded to keep Shabbat. If there was no point at that time to prohibit non-Jewish Shabbat observance, then why is the verse written in Genesis?

The Meiri understands that it was written here for future generations. The Meiri would, therefore, prohibit any modern Noahide observance of Shabbat.

## 4) The Patriarchs & Monotheism

[Rabbi Meir Dan Plotzki](#) in his *Kuntres Ner Mitzvah*<sup>15</sup> offers an interesting and unexpected view. The Talmud states:<sup>16</sup>

*Israel is not governed by mazal.*

*Mazal* is a broad term referring to the created agents and mediators (both angelic and physical) of God's providence in the world. It includes the motion of the stars and constellations and the physical and transcendent forces of the universe. These entities form a vast mechanism channeling God's providence into the world.

Before Sinai, all nations of the world were subjected to this mitigated divine providence. At Sinai, however, the Jews were taken out from this system and became subject to God's direct and unmitigated oversight. God signaled this new status by commanding the observance of Shabbat, by asking Israel to share in the divine rest of the seventh day. This is the intent of the verse:

*Speak unto the children of Israel, saying: You must keep my Shabbat, for it is a sign between Me and you throughout your generations, that you may know that I am the Lord who sanctifies you. (Exodus 31:13)*

Given the Jews a portion in Shabbat was the sign that they were no longer subject to the cycles of time, seasons, and stars – the lesser providence.

The non-Jewish nations are subject to *mazal*, hence they must observe the cycle of time and days. When a non-Jew observes a religious Shabbat, it is an attempt to lay claim to the unique providence of Israel, to cast off the mitigating forces of creation. This is why the Midrash describes non-Jewish observance of Shabbat as

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<sup>15</sup> An important overview of the Noahide laws.

<sup>16</sup> [Shabbat 156a](#) and [Nedarim 32a](#).



an interposition between a king and queen – it is the usurping of a private, unique relationship.

However, God commanded Avraham: *Exit from your stargazing! Israel is not governed by mazal!*<sup>17</sup>

God was telling Avraham that, from that point onward, he would merit God's direct providence and no longer be subject to the influences of *mazal*. Therefore, Avraham was permitted to observe Shabbat fully.

The *Chemdas Yisrael* further explains that Abraham merited this providence by disavowing idolatry.

This explanation fits well with Rashi's opinion that a *ger toshav* must keep Shabbat (assuming Rashi defines a *ger toshav* as one who only does not worship idols).

However, it appears from the Talmud<sup>18</sup> that, assuming a change in providence is the underlying factor, this change only applied to Abraham and his descendants, but to none other.

Furthermore, this interpretation does not work according to *Tosafos* (which is the *halakha*), who holds that even a *ger toshav* may not keep Shabbat.

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**IN SUMMARY:**

***Binyan Tzion*** – Non-Jews are only prohibited from refraining from colloquially defined types of labor. They may choose to refrain from the 39 *Melachos*.

***Panim Yafos*** – The prohibition is only on observing a Shabbat of daybreak-to-daybreak. However, the definition of “day” as daybreak-to-daybreak is difficult. His interpretation is rebutted by many later authorities.

***Meiri*** – The Patriarchs were Noahides and did keep Shabbat. However, the prohibition against Shabbat observance did not apply at that time.

***Chemdas Yisrael*** – Because they were not idolaters, the patriarchs merited God's direct providence. Shabbat is the sign of such providence. This interpretation is precluded by *Tosafos*, though, and from *Yoma* 28a.

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**YOMA 28A**

*Rav Safra Said: The time of the afternoon prayer of Avraham [minchah] is when the walls began to grow dark.*

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<sup>17</sup> *Shabbat* 156a and *Nedarim* 32a, based upon Genesis 15.

<sup>18</sup> Note 15, above.

*Rabbi Yosef said: We learn halakha from Avraham! [Surprised objection]*

[Rabbeinu Tam](#), the [Aruch](#), [Ritva](#), [Maharitz Chayes](#),<sup>19</sup> and many others explain that *halakha*, practice, cannot be learned based on the conduct of the patriarchs before the Torah was given.<sup>20</sup> God's expectations for the world and the way in which we relate to God fundamentally changed at Sinai.

Therefore, the *Chemdus Yisrael's* conclusion is not practical.

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THE BINYAN  
TZION  
REMAINS

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From the above opinions, only the *Binyan Tzion's* (regarding the nature of labor for Noahides) remains: the patriarchs keep the Jewish Shabbat, yet engaged in the colloquial definition of labor.

This conclusion remains because it is a valid halakhic interpretation all of its own, and is not dependent on the behavior, status, or actions of the patriarchs.

However, observing the Jewish sabbatical restrictions may present a problem of *chiddushei dat*, which will be examined in the next lesson.

## Summary of This Lesson

1. The Talmud tells us that the patriarchs kept the Torah before it was given at Sinai.
2. This cannot be taken 100% literally, because there are examples of the Patriarchs not following Torah laws.
3. To learn from the Patriarchs observance of Shabbat to modern Noahides, we have to look at commentaries that both view the Patriarchs as 100% Noahides and that hold their Torah observance was identical to ours. There are very, very few views satisfying these conditions.
4. Of those meeting our conditions, most of them do not apply to modern Noahides.
5. There is a general rule that we cannot learn our practice from the behavior of the Patriarchs.

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<sup>19</sup> All commenting to this page of the Talmud.

<sup>20</sup> This is only a general rule that is not without its exceptions.

6. The *Binyan Tzion's* interpretation, however, has relevance to modern Noahides.